



4.3 Infrastructure Memorandum

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN

SEPTEMBER 2013

TECHNICAL MEMORANDUM

TO: Kevin Dandrade, P.E., TEC, Inc.

FROM: Joseph M. Ducharme, Jr., P.E., CMA Engineers, Inc.

RE: Review of Utilities
Woodmont Commons PUD
CMA #868

DATE: April 24, 2013

THIS DOCUMENT IS INTENDED FOR STAFF AND PEER REVIEW TO SERVE AS A UTILITY ASSESSMENT TO SUPPORT THE P.U.D. APPLICATION. THIS DOCUMENT SHOULD BE USED FOR THE ON-GOING DISCUSSIONS WITH STAFF AND HSH REGARDING THE ANALYSIS METHODOLOGY USED TO ASSESS FUTURE UTILITY NEEDS FOR THE DEVELOPMENT.

CMA Engineers, under contract with TEC, Inc., has prepared this conceptual assessment of the utility accommodations for the Woodmont Commons Planned Unit Development (PUD). This document has been prepared to satisfy the requirements of the Town of Londonderry Zoning Ordinance, and particularly Section 2.8 relating to planned unit developments. This PUD-level master planning process provides general guidance to the Planning Board and Town staff as to future subdivisions and site plan reviews.

CMA Engineers has reviewed documents provided by TEC, retrieved copies of sewer and water system plans from the Towns of Londonderry and Derry, and has met with and/or contacted the following utility representatives:

- Pennichuck Water Works
- Town of Derry Water & Sewer
- Town of Londonderry Public Works & Engineering
- PSNH Distribution
- PSNH Transmission
- Liberty Utilities Natural Gas
- COMCAST
- FairPoint Communications

CMA Engineers' understanding of the potential impacts on the existing infrastructure of the proposed Woodmont Commons PUD is based on these discussions and the public documents and resource maps available to us for this review.

The Town of Londonderry Public Works & Engineering Department (PWD) staff requested a cursory review of the water and sewer flow estimates as well as the presentation maps prior to TEC making the submission to the Planning Board. Through TEC, CMA Engineers will provide the PWD with copies of sewer and water estimates along with the preliminary maps of each utility showing proposed connection points.

I. Existing Wastewater Facilities¹:

The Town of Londonderry funded a Wastewater Facilities Plan Update (Facilities Plan) in 2005, which evaluated the Town's existing wastewater infrastructure with suggested improvements to serve the Town's needs to the year 2025. The Facilities Plan indicated that Londonderry is served by two separate municipal sewer collection and interceptor systems. The northern portion of the sewer system conveys wastewater to the Manchester Wastewater Treatment Facility (WWTF) and is presently not in play for the Proposed Woodmont Commons PUD. The proposed Woodmont Commons PUD is located in the southeastern section of Londonderry, portions of which are served by a network of gravity collector sewers and three wastewater pumping stations: Tokanel Drive, Charleston Avenue and Action Boulevard. Sewage from the southeastern section of Londonderry is pumped to the Town of Derry Wastewater Treatment Facility, which is partially in Londonderry and partially in Derry.

Pertinent information provided in the Facilities Plan for the southeastern section of Londonderry to be considered in evaluating the sewer needs for the Woodmont Commons PUD include:

- The current Inter-Municipal Agreement between Londonderry and Derry which allows for 329,600 gpd with an average BOD load of 350 lbs/day; (requires Londonderry to pay an access fee to Derry for flow above 200,000 gpd up to 329,600 gpd)
- 2025 projected Londonderry flow of 864,000 gpd; BOD of 2,083 lbs/day: and TSS of 2,618 lbs/day to the Derry WWTF (requires a revised inter-municipal agreement);
- The Facilities Plan documents the following recommended improvements to serve long-term growth within the community:
 - Extension of existing interceptor sewer to serve Exit 4A (2005 town sewer estimated cost \$160,000);
 - Install interceptor sewer to serve the existing 46-acre, 344 housing unit Century Village development (2005 town sewer estimated cost \$600,000);

¹ Future wastewater improvements and upgrades will likely be needed for different reasons. Such reasons may include the frequency of repairs, growth relative to Woodmont Commons, growth relative to other Londonderry development, and the need to replace and/or upgrade equipment and infrastructure that has reached (or is approaching) the end of its useful service period. The cost of future improvements and upgrades will need to be shared appropriately in proportion to the factors leading to particular expenses.

- Install interceptor sewer in south Londonderry to serve a planned 214 acre commercial/residential development north of NH Route 102;
- Install interceptor sewer in south Londonderry to serve the existing Lancaster Drive-Cortland Street Area (to be paid for by residents; 2005 estimated cost \$1.35M);
- Install interceptor sewer in south Londonderry to serve the areas near Buttrick Road and the Route 102 and Mammoth Road intersection identified in the 2013 Master Plan as South Village Suburban Corridor, totaling 230 acres with existing and planned commercial and residential developments (2005 Town sewer estimated cost \$1.65M).

Subsequent to the 2005 Facilities Plan, the Town also identified a need to upgrade the Tokanel Drive pump station and force main (2005 estimated cost \$800,000). This may include variable speed pump controls to extend the service life of the facility.

The following discussion centers on the Town of Derry wastewater treatment capacity as well as Londonderry's wastewater pumping station capacity and sewer capacity as each relates to the planned Woodmont Commons PUD. CMA Engineers' sewage flow projections were derived using the same references and assumptions as the 2005 Sewer Facilities Plan as well as Design Flow Rates from the Town of Londonderry Sewer Use Ordinance.

A. Wastewater Treatment Capacity:

The Town of Derry WWTF NPDES Permit, No. NH0100056, issued December 28, 2010, lists the average daily design flow at the WWTF as 4.09 MGD with average monthly effluent loading limits of 853 lbs/day CBOD and 1024 lbs/day TSS. CMA Engineers obtained a copy of the Inter-Municipal Agreement (IMA) between Londonderry and Derry, which indicates a flow limit from Londonderry of 329,600 gpd with additional capacity available to Londonderry at an incremental cost of \$4.11 per gallon per day of ADF (in 1991 dollars to be inflated by the ENR Construction Cost Index) above 329,600 gpd. (The Town of Londonderry would be charged an access fee to accommodate flow greater than 200,000 gpd since they have not yet paid for the additional 129,600 gpd of additional capacity. An additional access fee would be charged for flow greater than 329,600 gpd. Flow above this amount is not guaranteed for Londonderry and Derry's excess capacity is available on a first-come, first-served basis.) Any single business or commercial entity within the PUD that might contribute more than 100,000 gpd is subject to individual review by the Town of Derry. Likewise, the Town of Londonderry and NH DES would require a review of any user with an estimated average daily flow in excess of 5,000 gpd. The IMA also indicates limitations on pollutants to protect the WWTF.

Currently, flow from the Town of Londonderry is pumped via the Action Boulevard and Charleston Avenue wastewater pumping stations to the Derry WWTF. CMA Engineers

obtained flow records for the two pump stations from the Londonderry PWD for 2010, 2011, and 2012. The combined average daily flow over the three year period is approximately 91,400 gpd, which includes flow from the Tokanel pump station. We understand that allocation of Londonderry's remaining capacity is on a first-come, first-served basis.

We understand from conversations with the operator of the Derry wastewater treatment facility that the facility has an existing capacity as currently configured of 3 MGD. Action to upgrade the facility would be necessary when the actual average daily flow reaches 2.4 MGD. The 2012 ADF was reported to be 1.9 MGD. An additional existing lagoon, not now on line, can be brought on line with a modest capital investment, to bring the total plant capacity to 4.09 MGD, matching the limit in Derry's existing NPDES discharge permit. This would require further subsequent action to expand the facility when the ADF reaches 3.272 MGD. In conclusion, in round numbers, there is currently about 0.5 MGD ADF of capacity available, and with the additional lagoon brought on line, a total of an additional 0.872 MGD ADF of capacity available for all additional flows delivered to the Derry facility. The flow levels that trigger actions with the Towns of Londonderry and Derry relating to their IMA are summarized below as follows:

Table 1 - Intermunicipal Agreement Wastewater Threshold Levels				
<u>Flow Target</u>	<u>ADF (gpd)</u>	<u>BOD (lb/day)</u>	<u>TSS (lb/day)</u>	<u>Required Action</u>
Current Flow	1.9 MGD	3,336	4,670	none
IMA Threshold For Londonderry	329,600 gpd	350	580 (est.)	Impact fees above 200,000 gpd Renegotiate IMA
Future IMA Target For Londonderry	864,225 gpd	2,083	2,618	Impact fees up to 864,225 gpd Renegotiate IMA
Derry WWTF Capacity 3 MGD (80%-2.4 MGD)		N.A.	N.A.	Bring Additional Lagoon On Line
Derry WWTF Threshold 4.09 MGD (80%-3.272 MGD)		5,350	7500 (est.)	Initiate study for Derry WWTF upgrade

The future IMA Target for Londonderry is based on the 2005 Facilities Plan which considers proposed sewers and flow contributions from areas not yet sewered in south Londonderry. The addition of the Woodmont Commons PUD sewer flows would increase the 2025 projected flows beyond the limits envisioned in the 2005 Facilities Plan. However, the Plan indicated that some of the areas targeted in that report for future sewer service were currently developed, large lot residential areas served by on-site septic systems for which there are no current plans for extending public sewerage. The 864,225

gpd flow projection was conservatively established in that report as a future IMA target flow.

Therefore, using the current IMA threshold of 329,600 gpd and subtracting the current use of 91,400 gpd, the Woodmont Commons PUD would have 238,200 gpd available wastewater capacity; not considering future allocations for unrelated development projects. That level would be exceeded with construction of additional sub-areas. Capacity above 329,600 gpd is not guaranteed for Londonderry. Table 2 was generated to indicate at what sub-area of the development the threshold levels for the Londonderry/Derry IMA will be tripped. Note that the full build-out is within the future recommended IMA flow limit of 864,225 gpd identified in the 2005 Facilities Plan. However, the PWD has confirmed that Derry has not committed this extra flow to Londonderry and that an agreement will be needed between Woodmont Commons, the Town of Londonderry and the Town of Derry.

Wastewater flow projections were developed for each sub-area of Woodmont Commons based on the proposed use within the sub-area indicated on the TND 3a Master Plan (December 4, 2012). Residential wastewater generation was estimated using a typical rate of 70 gallons per capita per day as stipulated in the NHDES Env-Wq 700 rules pertaining to the design of sewer systems. The 2010 census indicates that the average household size in Londonderry is 2.8 people; an average of 3 people was used for calculations. Accordingly, an average daily flow of 210 gpd per residential unit was used for flow projections. Wastewater flow from the other proposed uses were generated for each use based on design flows listed in the Town of Londonderry Sewer Use Ordinance. In conformance with NHDES standards, an allowance for infiltration and inflow (I&I) should be calculated for areas to be served by future sewers. The NHDES standard of 150 gpd per acre was used. Refer to the attached Estimated Sewer Flow Table. The methods for estimating residential flow and I&I are consistent with those used to predict future flows in the Facilities Plan. The Facilities Plan used a general flow rate of 700 gallons/day/gross acre for commercial and industrial areas. Since the proposed use of Woodmont Commons is conceptually defined, more accurate flow estimates could be generated using typical rates based on the proposed use of the property.

Table 2. Projected Sewer Flows from the Proposed Woodmont Commons PUD.				
Sub-Area	Estimated Flow from Development (gpd)	Estimated Flow from I&I (gpd)	Total Estimated Flow for Each Sub-Area (gpd)	Total Estimated Flow (cumulative) (gpd)
WC-1	174,500	11,850	186,350	186,350
WC-1-GL	13,750	6,000	19,750	206,100
WC-2	93,770	7,950	101,720	307,820
WC-3	-	-		307,820
WC-4	6,130	1,500	7,630	315,450
WC-5	2,310	1,500	3,810	319,260
WC-6	3,360	2,250	5,610	324,870
WC-7	5,040	3,600	8,640	333,510
WC-8	48,300	10,800	59,100	392,610
WC-9	10,500	4,800	15,300	407,910
WC-10	13,800	2,550	16,350	424,260
WC-11	5,040	2,100	7,140	431,400
WC-12	251,500	30,450	281,950	713,350

B. Wastewater Pumping Stations

In the southeastern portion of Londonderry, sewer areas are served by three existing wastewater pumping stations – Action Boulevard, Charleston Avenue and Tokanel Drive. The 2005 Facilities Plan reported the combined flow from the Action Boulevard and Charleston Avenue pumping stations at an Average Daily Flow (ADF) of 85,000 gallons per day (gpd) (note that the Tokanel PS discharges into the Charleston Avenue PS). The Facilities Plan also noted that I&I is not significant in the service areas of the Action Boulevard and Charleston Avenue pump stations. CMA Engineers reviewed three years of wastewater pump station flow records for the Action Boulevard and Charleston Avenue pumping stations. The combined ADF is now 91,400 gpd.

The Action Boulevard Wastewater Pumping Station (Action PS) collects wastewater from a commercial/retail zone along NH Route 102 and Londonderry Road to the east of I-93. The eastern portions of the proposed Woodmont Commons PUD would connect to the gravity sewers that convey wastewater to the Action Boulevard pumping station. The Action PS is rated for a peak flow of 675 gpm. The projected additional flow from sub-area WC-12 to the east of I-93 would increase flow to the Action PS another 281,950 gpd (195 gpm) increasing the needed peak flow capacity at the pump station by another 783 gpm (4 times the ADF) to a total peak flow capacity of 1,458 gpm (675 + 964). The pump station may need to be upgraded by increasing wetwell capacity, pump capacity, force main size and pump controls.

The Charleston Avenue Wastewater Pumping Station (Charleston PS) collects wastewater from a predominantly commercial/retail zone along a section of Gilcreast Road and NH Route 102 to the west of I-93 along with some residential flow from the Boston Avenue neighborhood as well as discharge from the Tokanel PS. The Charleston PS uses two solids-handling vertical turbine pumps with 2-speed motors that pump from a 10-foot by 24-foot wetwell. The 2005 Facilities Plan rates the pump discharge of each pump at low speed at 1100 gpm and at high speed at 2600 gpm. The Charleston PS is fed by a 24-inch diameter interceptor pipe and discharges to an 18-inch diameter force main. Current average daily flow at the Charleston PS is 64,360 gpd with an estimated peak flow of 4 times the ADF, or 257,440 gpd (179 gpm). The projected additional flow from the Woodmont Commons PUD sub-areas WC-1 to WC-11 for the areas west of I-93 would increase the average daily flow to the Charleston PS another 431,400 gpd (300 gpm) with a peak flow of 1200 gpm, which is well within the capacity of the PS. However, the PWD reports that the Charleston PS is reaching the end of its useful life and equipment upgrades are imminent.

The Tokanel Drive Wastewater Pumping Station (Tokanel PS) serves a residential development of approximately 100 homes to the southwest of the Woodmont Commons PUD. The Tokanel PS is rated for a peak flow of 1250 gpm with a current ADF estimated at 16,000 gpd (12 gpm average; 48 gpm peak). The Tokanel PS would not receive flow directly from the Woodmont Commons PUD but it does discharge to the Charleston PS. The 2005 Facilities Plan indicates potential future residential development to the north, west and south of the Tokanel PS that could contribute up to 559,000 gpd of additional sewage flow to the pump station. With the added flow from Woodmont Commons at the Charleston PS, the PWD would recommend installing variable frequency drives (VFD's) for the Tokanel PS pumps to modulate flow from the Tokanel PS to the Charleston PS.

C. Sanitary Sewers

The south Londonderry sewer system is served by 10-inch and 12-inch collector sewers along Gilcreast Road and NH Route 102 that connect to a 24-inch diameter collector sewer on Boston Road.

Figure 1 is a graphical representation of the proposed sub-areas of the Woodmont Commons PUD overlaid onto a GIS map of the Town of Londonderry sanitary sewers serving the southeastern portion of Londonderry. At the 30,000 ft view of the master plan, the likely connection points to the Town's existing sewer infrastructure are at the following locations:

a) NH Route 102/Garden Lane

A 10-inch collector sewer extends to the east from the intersection of Gilcreast Road, parallel to Route 102 and up Garden Lane. Based on the existing topography, it appears that a majority of the wastewater flow generated by Woodmont Commons' development to the west of Interstate 93 would drain to this existing sewer. Wastewater flow from WC-1, WC-1-GL, WC-2, WC-6 through WC-11 would be directed to this existing sewer using a combination of gravity sewer mains and pump stations. Estimated flows from WC-1-GL would not exceed the capacity of the existing sewer along Route 102. However estimated flows from WC-1 would exceed the capacity of one section of the 10-inch pipe that has a limited slope. Replacing all of the existing 10-inch pipe along this sewer alignment with 12-inch diameter pipe would provide adequate capacity for the portion of collector sewer parallel to Route 102.

b) Gilcreast Road

It is estimated that wastewater flow from WC-4 and WC-5 would drain toward a new collector sewer on Gilcreast Road, north of Route 102. The existing 10-inch diameter Gilcreast collector, north of Route 102, was terminated at the intersection of Gilcreast Road and the entrance to Londonderry Commons. From this point a new 10-inch collector sewer would be installed on Gilcreast Road to Cortland Lane. Flow from the Gilcreast Road collector (north of Route 102) and the Route 102 collector combine at a manhole at the intersection of Route 102 and Gilcreast Road. From this manhole the Gilcreast interceptor extends to the south, following Gilcreast Road, Boston Avenue and Charleston Avenue to the Charleston PS. Approximately 820 feet of this interceptor starting at the manhole to the north of the intersection of Gilcreast Road and Route 102 is 10-inch diameter pipe. Accordingly, approximately 850 ft of the Gilcreast interceptor sewer (under and south of Route 102) could be replaced with 12-inch pipe when capacity constraints dictate. The remaining portion of the Gilcreast interceptor sewer has adequate capacity to handle the future flow estimated for the complete build-out of Woodmont Commons.

c) Londonderry Road

Industries and retail establishments on Route 102 and Londonderry Road, to the east of Interstate 93, are served by 10-inch, 12-inch and 15-inch collector sewers on Londonderry Road that cross Route 102 and extend to the Action Boulevard Pump Station. Based on the current topography of Woodmont Commons, it appears that wastewater flow from the southern portion of WC-12 can flow by gravity to the Londonderry Road collector sewer if it is extended northward to the intersection with Ash Street. Portions of the existing Londonderry Road collector were constructed with minimum slopes, limiting the capacity of the pipe. It may be possible to construct portions of WC-12 without upgrading the existing sewer but full build-out of WC-12

would require upgrades to the existing sewer collector and the Action PS. It may be possible to direct a portion of the wastewater flows from WC-2 (west of I-93) with a gravity sewer main to the Londonderry Road collector sewer. Installation of a gravity sewer across I-93 would require approval from the Town of Londonderry and NHDOT.

It is expected that wastewater flows generated from the northern portion of WC-12 would be collected by a gravity sewer and then pumped to the new gravity sewer in the southern end of WC-12. It may be possible to direct wastewater flow from the northern portion of WC-12 by gravity to the Town of Derry's existing sewer collector located on Franklin Street Extension. This would require a separate agreement between Woodmont Commons and the Town of Derry and the installation of a flow metering manhole in order to assess the quantity of flow discharged to the Town of Derry's sewer system.

Note: The above-stated sewer improvements are conceptual and based on the development scenario proposed within the Exemplar Plan.

II. Water Distribution:

The Town of Londonderry's municipal water system is served by the Pennichuck Water Works Company (PWWC) and Manchester Water Works with all supply coming from the Manchester Waterworks source at Massabesic Lake. The proposed Woodmont Commons PUD is within the franchise area controlled by the PWWC. PWWC confirmed that Manchester Waterworks has adequate supply capacity to meet the needs of the Woodmont Commons PUD.

CMA Engineers prepared a map (see Figure 2) with the Woodmont Commons PUD Master Plan 1a overlaid on the PWWC water distribution system map for the Town of Londonderry. The Woodmont Commons PUD could connect to PWWC distribution mains adjacent to the project in the "Mountain Homes Estates" pressure zone. The water pressure in this main is boosted to an HGL of 620-ft by the Mountain Homes pump station on Mammoth Road (at Fieldstone Drive). Initial sub-areas of development at the southern end of the project could be connected to the Gilcreast Road pressure zone (HGL = 498), but would ultimately be incorporated into the higher pressure zone of Mountain Homes as development and infrastructure extended north. The Woodmont Commons development ranges in elevation from approximately 290' to 490'. Serving this development from the Mountain Homes pressure zone would provide a static pressure of approximately 56 psi at the water main at the highest elevations.

The pumps and distribution system have capacity to provide domestic flows at adequate pressures for the development, but the required fire flows will dictate how much development

could be built prior to making offsite distribution system improvements or participating in the provision of a water storage tank. The existing system is limited first by the 16-inch water main in Mammoth Road on the suction side (north) of the Mountain Homes Pump station, and second by the pumping capacity of the pump station. The existing pumps have the capacity to pump higher flow rates (2,500 gpm+) but are limited by the capacity in the 16-inch suction main.

Initial sub-areas of the PUD could be constructed prior to participating in the provision of a water storage tank or upgrading the Mountain Homes pump station and transmission mains. PWWC would require upgrades at a to-be-determined threshold of development/water demand. The threshold would depend on the type of development proposed and where it is connected to the system. The water system meets the current fire flow demand for existing development, but increased domestic demand from the proposed development would diminish the fire flow capacity.

PWWC has no water storage tanks in Londonderry. PWWC will review the potential to participate in the capital cost for adding a water storage tank within the PUD because of the benefits all of their Londonderry customers would realize – (1) increased fire flow capacity, (2) potential to reduce water rates by offsetting peak demand charges from Manchester Waterworks, and (3) potential to reduce insurance rates.

A new water storage tank within the PUD could be an elevated storage tank. The tank would be located near the highest elevation (500' +/- AMSL) at the north end of the development. If a storage tank was not constructed, the Mountain Homes pump station and the water main north of the pump station would need to be upgraded. The Mountain Homes Pump station can provide 1,500 gpm (with 7 psi residual pressure in the suction line). Additional fire flows cannot be achieved in this pressure zone until the suction line is upgraded or a storage tank is provided on the discharge side of the pump station.

A. Fire Flow Rating

The Insurance Service Office (ISO) rates a community's ability to minimize fire damage with the Fire Suppression Rating Schedule (FSRS). The FSRS classifies communities on a scale of 1 to 10 by analyzing three areas of the community's overall public fire protection system:

1. Fire Alarm/Communications (10%)
2. Fire Department (50%)
3. Water Supply (40%)

To rate the water supply system, ISO first establishes Needed Fire Flows (NFF) for specific buildings based on construction materials, occupancy, use, and exposure to surrounding structures. ISO will then test whether the system can meet the expected

maximum day demands and fire flow demands concurrently for a given duration. To receive maximum credit, ISO expects the water system to provide 3,500 gpm fire flows for a three hour duration (although the NFF for individual buildings may be up to 12,000 gpm). Multiple hydrants within 1,000 feet (prorated by distance) of a structure can provide credit to fire flow. Fire flows less than 3,500 gpm at non-residential structures will reduce the FSRS scoring of the water supply system.

The current limiting fire flow requirement for the PWWC system is 2,500 gpm at Home Depot. With the Mountain Homes Pump station, supplemented by the South Derry Pump Station, the system provides 2,700 - 2,800 gpm. A water storage tank would greatly increase the fire flow capacity and potentially improve Londonderry's Public Protection Classification rating. Woodmont Commons could participate with PWWC in providing the water storage tank.

III. Private Utility Providers (Power, Natural Gas, Cable TV & Telecommunications):

The Town of Londonderry is served by Public Service Company of New Hampshire for electrical power supply and distribution, Liberty Utilities for natural gas supply and distribution, COMCAST for cable television and internet, and FairPoint Communications for land-line telephone service. CMA Engineers communicated with each of these utilities to discuss the feasibility of providing service to the future development. What follows is a general summary of their combined input:

A. PSNH-Distribution

Members of the project team met with PSNH Distribution staff on February 27, 2013 to discuss initial planning considerations and potential phasing for the overall development. Although FairPoint are the pole maintainers in Londonderry, infrastructure route locations will be largely driven by PSNH with cable and telephone likely to follow on similar routes. It was discussed that utility routes will follow new and existing road networks to provide the backbone of the system with further distribution into each sub-area as developed. Individual sub-areas will need to be evaluated with respect to the overall build-out to ensure compatibility with successive sub-areas based on the Exemplar Plan. Figures 2.1 and 2.2 from TEC's Transportation briefing dated February 13, 2013 were used for discussion and are attached to this memo for reference. The two figures reflect the current concept for the transportation backbone which utilizes both new and existing roadways. The following items are noted:

- For PSNH's planning purposes, build-out of the overall development is assumed to be from WC-1 north and west. It is understood that the full building out of WC-12 (east of I-93) will be contingent on the construction of the proposed Exit 4A Interchange that will ultimately provide a connection to Folsom Road in Derry, NH.
- PSNH representatives reminded the group that the Town of Londonderry has planning

regulations in place that require underground utility installations for all new developments (includes telephone and cable). According to PSNH, the need to put all utilities underground would typically increase the overall cost of installation by about 50-60% for installing special equipment such as sector cabinets (\$7k/ea) and switchgear (\$100k/ea) along with necessary upgrades to existing aerial lines to accommodate the new underground facilities.

- PSNH noted that any service to more than 24 residential customers requires a backfeed system.
- For underground utilities, PSNH would require the developer to reserve permanent easements for installations within both the private and public roadways. The easements ultimately protect the utilities from incurring costs for future (unplanned) relocations if the Town later requires the utility to move a buried facility. Once the Town accepts any public roads, the Town will be liable for the cost of future relocations. Conversely, for aerial utilities where poles are placed in a public right of way (or future public right of way), the Town would normally only license the individual pole locations to the utility. If the poles need to be moved in the future resulting from a “public” project, the utilities must move at the utility company’s cost, not the Town’s, since the utilities are there by “sufferance”.
- The actual cost of improvements would need to be evaluated by PSNH through a rate-justification (required by PUC) that would consider likely costs versus offsetting revenues. However, this cannot be properly evaluated until the development type is better defined in each sub-area. PSNH did comment that any capital cost reductions only apply to new aerial installations and not to new underground facilities.
- CMA Engineers confirmed with the Town of Londonderry Planner that modifications to existing aerial facilities within current public rights-of-way would be allowed to remain as aerial utilities. However, all proposed utilities on new routes will be required to go underground in conformance with current Town planning regulations.
- PSNH must look at the overall build-out of the 600 acres for planning purposes and then back into each sub-area from there. They will develop a letter indicating their interpretation of the need for electric utility infrastructure improvements to accommodate the PUD. This Evidence of Utilities letter will consider the overall build-out variables with an immediate focus primarily on the first southern sub-area. These needs will be threshold driven based on estimated demand for each successive sub-area and based on the information provided on TND-3A.

B. PSNH- Transmission

CMA Engineers contacted members of PSNH Transmission staff regarding the proposed development east of I-93. The proposed layout in the PUD Master Plan indicates a

planned relocation of the existing 34.5 KV transmission lines that currently cross I-93 in the vicinity of the new Exit 4A interchange. A segment of the transmission lines will need to be relocated by PSNH in conjunction with the NHDOT's Exit 4A project. However, the remainder of the relocation contemplated under the WC-12 concept layout would be borne by the developer and would ultimately include a new transmission easement along the northern border of the property as depicted on the PUD Master Plan.

C. Liberty Utilities

An initial planning meeting with Liberty Utility staff members took place on February 20, 2013. Liberty currently has an 8-inch main on Nashua Road that is available to provide service for some of the sub-areas of the project (WC-1-GL, WC-1, and WC-2). Additional future needs for the build-out can be accommodated although this will require an engineering analysis by Liberty.

Liberty may elect to "loop" the system to connect to existing mains in Derry to enhance service to the east of I-93 to balance the system. This configuration may ultimately require a crossing on the new Exit 4A interchange bridge.

D. Comcast

Initial contact with Comcast was made on February 18, 2013. An "Intent to Provide Service" letter dated March 13, 2013, was provided by Comcast and is attached herein.

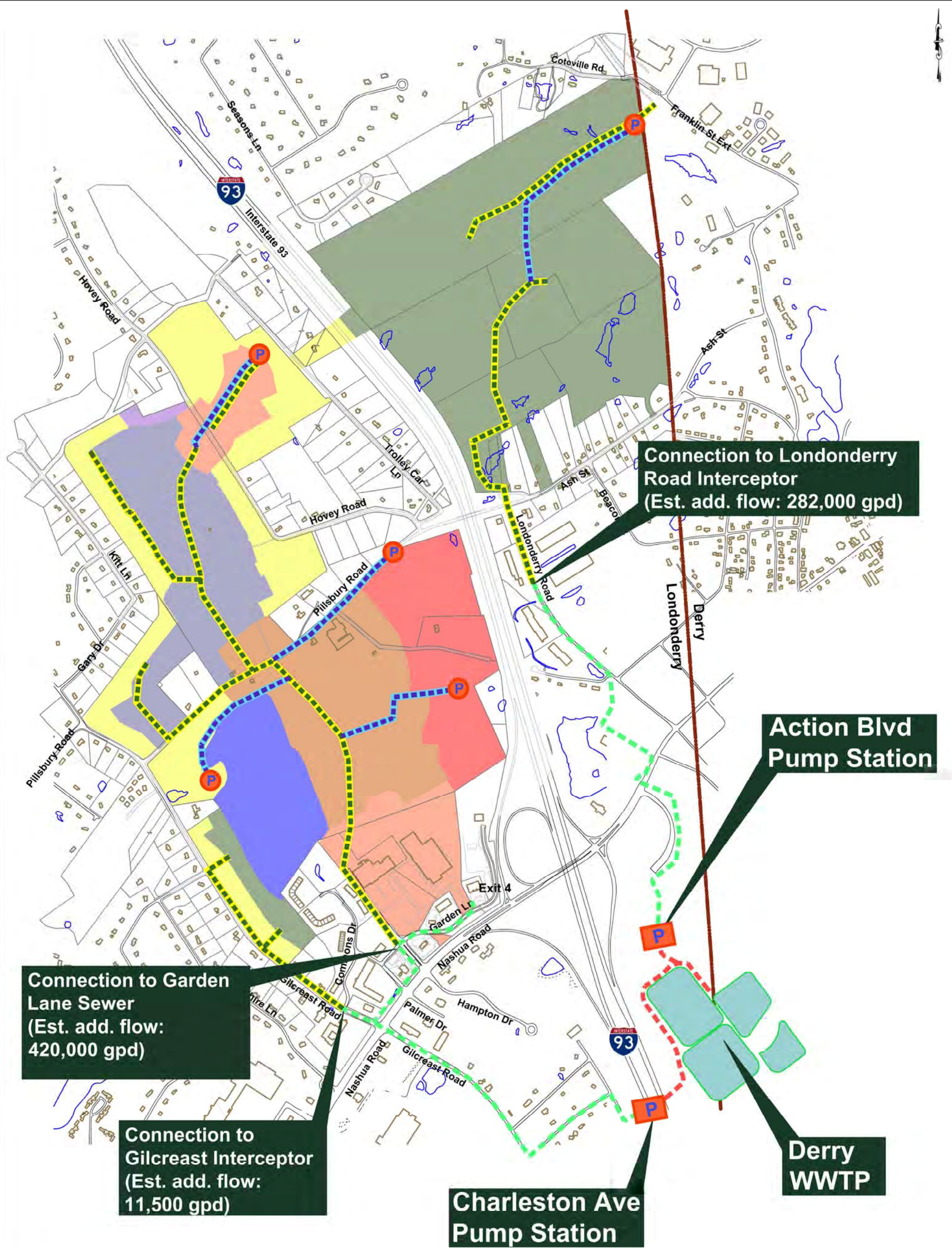
It is expected that Comcast's infrastructure and easement needs will be minor and that any new underground facilities will be in similar locations to that of any buried power and that easements would be required in a similar fashion.

E. FairPoint

Initial contact with FairPoint was made on February 18, 2013. An "Intent to Provide Service" letter dated March 28, 2013, was provided by FairPoint and is attached herein. FairPoint Communications is the pole maintainer throughout Londonderry meaning they have the responsibility for setting and pulling any new/existing poles in the case of joint ownership or occupancy.

It is expected that FairPoint's infrastructure and easement needs will be minor and that any new underground facilities will be in similar locations to that of any buried power and that easements would be required in a similar fashion.

End of Memorandum



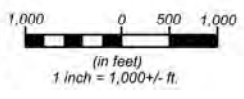
Legend

Existing Sanitary Sewer Infrastructure

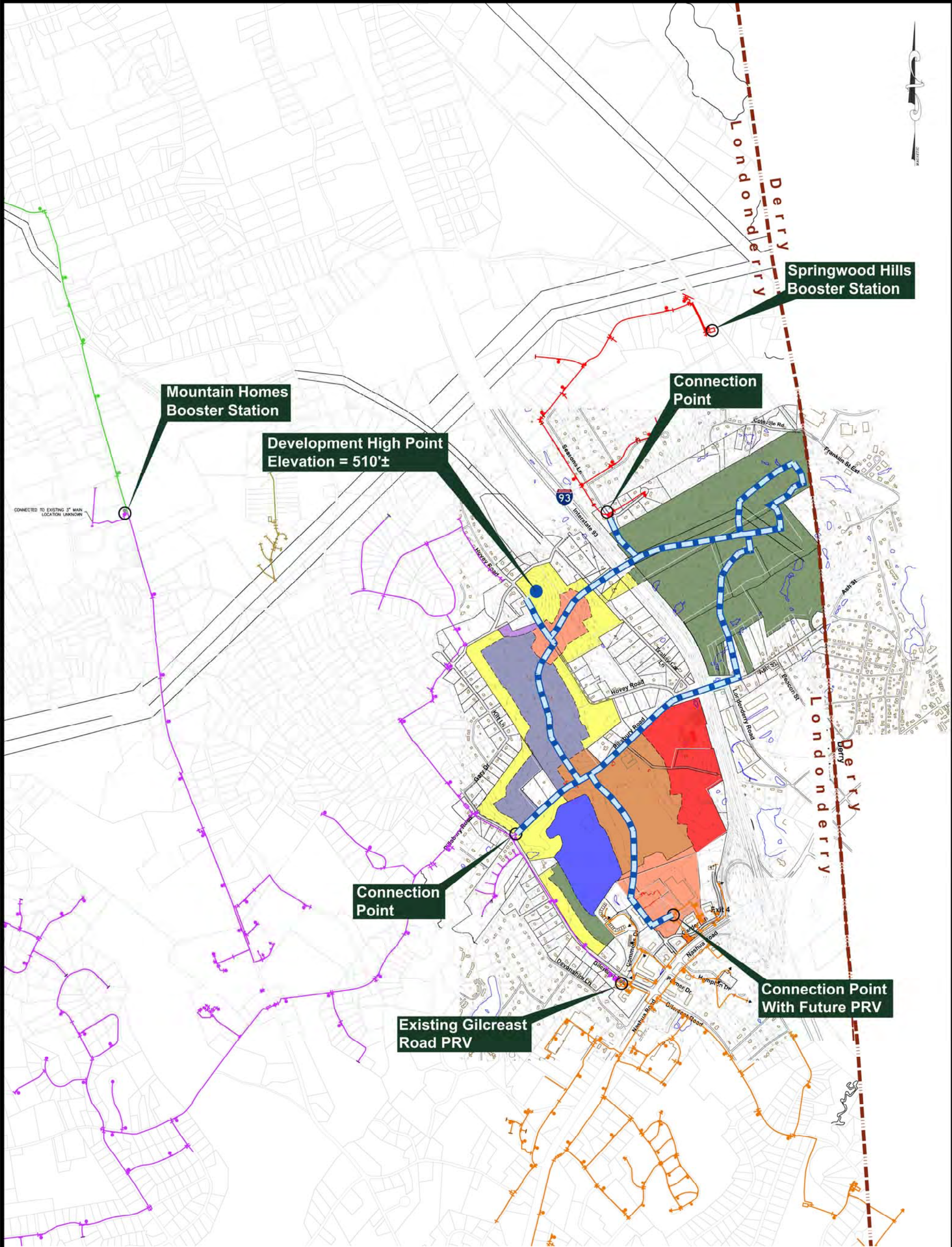
- Gravty Sewer
- Force Main
- Pump Station

Proposed Sanitary Sewer Infrastructure

- Gravty Sewer
- Force Main
- Pump Station



Woodmont Commons Masterplan
Figure 1
Sewer Collection Concept



Legend

Existing Pennichuck Water Main

- 367 HGL
- 498 HGL
- 590HGL
- 620HGL
- 623HGL

Proposed Woodmont Commons
Distribution Water Main Line

10,000 0 5,000 10,000
(in feet)
1 inch = 10,000+/- ft.

CMA
ENGINEERS

Woodmont Commons Masterplan

Figure 2
Water Supply
Concept

TECHNICAL MEMORANDUM

TO: Kevin Dandrade, P.E., TEC, Inc.

FROM: Joseph M. Ducharme, Jr., P.E., CMA Engineers, Inc.

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DATE: May 15, 2013

CMA Engineers, under contract with TEC, Inc., has prepared this conceptual assessment of the utility accommodations for the Woodmont Commons Planned Unit Development (PUD). This document has been prepared to satisfy the requirements of the Town of Londonderry Zoning Ordinance, and particularly Section 2.8 relating to planned unit developments. This PUD-level master planning process provides general guidance to the Planning Board and Town staff as to future subdivisions and site plan reviews.

CMA Engineers has reviewed documents provided by TEC, retrieved copies of sewer and water system plans from the Towns of Londonderry and Derry, and has met with and/or contacted the following utility representatives:

- Pennichuck Water Works
- Town of Derry Water & Sewer
- Town of Londonderry Public Works & Engineering
- PSNH Distribution
- PSNH Transmission
- Liberty Utilities Natural Gas
- COMCAST
- FairPoint Communications

CMA Engineers' understanding of the potential impacts on the existing infrastructure of the proposed Woodmont Commons PUD is based on these discussions and the public documents and resource maps available to us for this review. The Town of Londonderry Public Works & Engineering Department (PWD) staff has reviewed and commented on the water and sewer flow estimates as well as the presentation maps prepared by CMA Engineers, Inc. The presentation maps prepared by CMA Engineers show the proposed connection points to the existing water and sewer utilities serving the project area.

I. Existing Wastewater Facilities¹:

The Town of Londonderry funded a Wastewater Facilities Plan Update (Facilities Plan) in 2005, which evaluated the Town's existing wastewater infrastructure with suggested improvements to serve the Town's needs to the year 2025. The Facilities Plan indicated that Londonderry is served by two separate municipal sewer collection and interceptor systems. The northern portion of the sewer system conveys wastewater to the Manchester Wastewater Treatment Facility (WWTF) and is presently not in play for the Proposed Woodmont Commons PUD. The proposed Woodmont Commons PUD is located in the southeastern section of Londonderry, portions of which are served by a network of gravity collector sewers and three wastewater pumping stations: Tokanel Drive, Charleston Avenue and Action Boulevard. Sewage from the southeastern section of Londonderry is pumped to the Town of Derry Wastewater Treatment Facility, which is partially in Londonderry and partially in Derry.

Pertinent information provided in the Facilities Plan for the southeastern section of Londonderry to be considered in evaluating the sewer needs for the Woodmont Commons PUD include:

- The current Inter-Municipal Agreement between Londonderry and Derry which allows for 329,600 gpd with an average BOD load of 350 lbs/day; (requires Londonderry to pay an access fee to Derry for flow above 200,000 gpd up to 329,600 gpd)
- 2025 projected Londonderry flow of 864,000 gpd; BOD of 2,083 lbs/day; and TSS of 2,618 lbs/day to the Derry WWTF (requires a revised inter-municipal agreement);
- The Facilities Plan documents the following recommended improvements to serve long-term growth within the community:
 - Extension of existing interceptor sewer to serve Exit 4A (2005 town sewer estimated cost \$160,000);
 - Install interceptor sewer to serve the existing 46-acre, 344 housing unit Century Village development (2005 town sewer estimated cost \$600,000);
 - Install interceptor sewer in south Londonderry to serve a planned 214 acre commercial/residential development north of NH Route 102;
 - Install interceptor sewer in south Londonderry to serve the existing Lancaster Drive-Cortland Street Area (to be paid for by residents; 2005 estimated cost \$1.35M);
 - Install interceptor sewer in south Londonderry to serve the areas near Buttrick Road and the Route 102 and Mammoth Road intersection identified in the 2013 Master Plan as South Village Suburban Corridor, totaling 230 acres with existing and planned commercial and residential developments (2005 Town sewer estimated cost \$1.65M).

Subsequent to the 2005 Facilities Plan, the Town also identified a need to upgrade the Tokanel Drive pump station. This may include variable speed pump controls to extend the service life of the facility.

The following discussion centers on the Town of Derry wastewater treatment capacity as well as Londonderry's wastewater pumping station capacity and sewer capacity as each relates to the planned Woodmont Commons PUD. CMA Engineers' sewage flow projections were derived using the same references and assumptions as the 2005 Sewer Facilities Plan as well as Design Flow Rates from the Town of Londonderry Sewer Use Ordinance.

A. Wastewater Treatment Capacity:

Future wastewater improvements and upgrades will likely be needed for different reasons. Such reasons may include the frequency of repairs, growth relative to Woodmont Commons, growth relative to other Londonderry development, and the need to replace and/or upgrade equipment and infrastructure that has reached (or is approaching) the end of its useful service period. The cost of future improvements and upgrades may need to be shared appropriately in proportion to the factors leading to particular expenses. Wastewater treatment capacity sufficient to accommodate the full build-out of the Woodmont Commons PUD is not guaranteed by Derry at the time this memo is written and will be subject to negotiations with Derry.

The Town of Derry WWTF NPDES Permit, No. NH0100056, issued December 28, 2010, lists the average daily design flow at the WWTF as 4.09 MGD with average monthly effluent loading limits of 853 lbs/day CBOD and 1024 lbs/day TSS. CMA Engineers obtained a copy of the Inter-Municipal Agreement (IMA) between Londonderry and Derry, which indicates a flow limit from Londonderry of 329,600 gpd with additional capacity available to Londonderry at an incremental cost of \$4.11 per gallon per day of ADF (in 1991 dollars to be inflated by the ENR Construction Cost Index) above 329,600 gpd. (The Town of Londonderry would be charged an access fee to accommodate flow greater than 200,000 gpd since they have not yet paid for the additional 129,600 gpd of additional capacity. An additional access fee would be charged for flow greater than 329,600 gpd. Flow above this amount is not guaranteed for Londonderry and Derry's excess capacity is available on a first-come, first-served basis.) Any single business or commercial entity within the PUD that might contribute more than 100,000 gpd is subject to individual review by the Town of Derry. Likewise, the Town of Londonderry and NH DES would require a review of any user with an estimated average daily flow in excess of 5,000 gpd. The IMA also indicates limitations on pollutants to protect the WWTF.

Currently, flow from the Town of Londonderry is pumped via the Action Boulevard and Charleston Avenue wastewater pumping stations to the Derry WWTF. CMA Engineers obtained flow records for the two pump stations from the Londonderry PWD for 2010, 2011, and 2012. The combined average daily flow over the three year period is approximately 91,400 gpd, which includes flow from the Tokanel pump station. We understand that allocation of Londonderry's remaining capacity is on a first-come, first-served basis.

We understand from conversations with the operator of the Derry wastewater treatment facility that the facility has an existing capacity as currently configured of 3 MGD. Action to upgrade the facility would be necessary when the actual average daily flow reaches 2.4 MGD. The 2012 ADF was reported to be 1.9 MGD. An additional existing lagoon, not now on line, can be brought on line with a modest capital investment, to bring the total plant capacity to 4.09 MGD, matching the limit in Derry's existing NPDES discharge permit. This would require further subsequent action to expand the facility when the ADF reaches 3.272 MGD. In conclusion, in round numbers, there is currently about 0.5 MGD ADF of capacity available, and with the additional lagoon brought on line, a total of an additional 0.872 MGD ADF of capacity available for all additional flows delivered to the Derry facility. The flow levels that trigger actions with the Towns of Londonderry and Derry relating to their IMA are summarized below as follows:

Table 1 - Intermunicipal Agreement Wastewater Threshold Levels				
<u>Flow Target</u>	<u>ADF (gpd)</u>	<u>BOD (lb/day)</u>	<u>TSS (lb/day)</u>	<u>Required Action</u>
Current Flow	1.9 MGD	3,336	4,670	none
IMA Threshold For Londonderry	329,600 gpd	350	580 (est.)	Impact fees above 200,000 gpd Renegotiate IMA
Future IMA Target For Londonderry	864,225 gpd	2,083	2,618	Impact fees up to 864,225 gpd Renegotiate IMA
Derry WWTF Capacity 3 MGD (80%-2.4 MGD)		N.A.	N.A.	Bring Additional Lagoon On Line
Derry WWTF Threshold 4.09 MGD (80%-3.272 MGD)		5,350	7500 (est.)	Initiate study for Derry WWTF upgrade

The future IMA Target for Londonderry is based on the 2005 Facilities Plan which considers proposed sewers and flow contributions from areas not yet sewered in south Londonderry. The addition of the Woodmont Commons PUD sewer flows may increase the 2025 projected flows beyond the limits envisioned in the 2005 Facilities Plan. However, the Plan indicated that some of the areas targeted in that report for future sewer

service were currently developed, large lot residential areas served by on-site septic systems for which there are no current plans for extending public sewerage. The 864,225 gpd flow projection was conservatively established in that report as a future IMA target flow.

Therefore, using the current IMA threshold of 329,600 gpd and subtracting the current use of 91,400 gpd, the Town of Londonderry currently has approximately 238,200 gpd available wastewater capacity for future development allocations including the Woodmont Commons PUD. That threshold would be exceeded with construction of additional sub-areas and/or other unrelated development areas. Capacity above 329,600 gpd is not guaranteed for Londonderry. Table 2 was generated to indicate at what sub-area of the development the threshold levels for the Londonderry/Derry IMA will be tripped. However, the PWD has confirmed that Derry has not committed to treat wastewater flow in excess of 200,000 gpd from Londonderry and that an agreement will be needed between Woodmont Commons, the Town of Londonderry and the Town of Derry.

Wastewater flow projections were developed for each sub-area of Woodmont Commons based on the proposed use within the sub-area indicated on the TND 3a Master Plan (December 4, 2012). Residential wastewater generation was estimated using a typical rate of 70 gallons per capita per day as stipulated in the NHDES Env-Wq 700 rules pertaining to the design of sewer systems. The 2010 census indicates that the average household size in Londonderry is 2.8 people; an average of 3 people was used for calculations. Accordingly, an average daily flow of 210 gpd per residential unit was used for flow projections. Wastewater flow from the other proposed uses were generated for each use based on design flows listed in the Town of Londonderry Sewer Use Ordinance. In conformance with NHDES standards, an allowance for infiltration and inflow (I&I) should be calculated for areas to be served by future sewers. The NHDES standard of 150 gpd per acre was used. Refer to the attached Estimated Sewer Flow Table. The methods for estimating residential flow and I&I are consistent with those used to predict future flows in the Facilities Plan. The Facilities Plan used a general flow rate of 700 gallons/day/gross acre for commercial and industrial areas. Since the proposed use of Woodmont Commons is conceptually defined, more accurate flow estimates could be generated using typical rates based on the proposed use of the property.

Table 2. Projected Sewer Flows from the Proposed Woodmont Commons PUD.				
Sub-Area	Estimated Flow from Development (gpd)	Estimated Flow from I&I (gpd)	Total Estimated Flow for Each Sub-Area (gpd)	Total Estimated Flow (cumulative) (gpd)
WC-1	174,500	11,850	186,350	186,350
WC-1-GL	13,750	6,000	19,750	206,100
WC-2	93,770	7,950	101,720	307,820
WC-3	-	-		307,820
WC-4	6,130	1,500	7,630	315,450
WC-5	2,310	1,500	3,810	319,260
WC-6	3,360	2,250	5,610	324,870
WC-7	5,040	3,600	8,640	333,510
WC-8	48,300	10,800	59,100	392,610
WC-9	10,500	4,800	15,300	407,910
WC-10	13,800	2,550	16,350	424,260
WC-11	5,040	2,100	7,140	431,400
WC-12	251,500	30,450	281,950	713,350

B. Wastewater Pumping Stations

In the southeastern portion of Londonderry, sewer areas are served by three existing wastewater pumping stations – Action Boulevard, Charleston Avenue and Tokanel Drive. The 2005 Facilities Plan reported the combined flow from the Action Boulevard and Charleston Avenue pumping stations at an Average Daily Flow (ADF) of 85,000 gallons per day (gpd) (note that the Tokanel PS discharges into the Charleston Avenue PS). The Facilities Plan also noted that I&I is not significant in the service areas of the Action Boulevard and Charleston Avenue pump stations. CMA Engineers reviewed three years of wastewater pump station flow records for the Action Boulevard and Charleston Avenue pumping stations. The combined ADF is now 91,400 gpd.

The Action Boulevard Wastewater Pumping Station (Action PS) collects wastewater from a commercial/retail zone along NH Route 102 and Londonderry Road to the east of I-93. The eastern portions of the proposed Woodmont Commons PUD would connect to the gravity sewers that convey wastewater to the Action Boulevard pumping station. The Action PS is rated for a peak flow of 675 gpm. The projected additional flow from sub-area WC-12 to the east of I-93 would increase flow to the Action PS another 281,950 gpd (195 gpm) increasing the needed peak flow capacity at the pump station by another 783 gpm (4 times the ADF) to a total peak flow capacity of 1,458 gpm (675 + 783). The pump station may need to be upgraded by increasing wetwell capacity, pump capacity, force main size and pump controls.

The Charleston Avenue Wastewater Pumping Station (Charleston PS) collects wastewater from a predominantly commercial/retail zone along a section of Gilcreast Road and NH Route 102 to the west of I-93 along with some residential flow from the Boston Avenue neighborhood as well as discharge from the Tokanel PS. The Charleston PS uses two solids-handling vertical turbine pumps with 2-speed motors that pump from a 10-foot by 24-foot wetwell. The 2005 Facilities Plan rates the pump discharge of each pump at low speed at 1100 gpm and at high speed at 2600 gpm. The Charleston PS is fed by a 24-inch diameter interceptor pipe and discharges to an 18-inch diameter force main. Current average daily flow at the Charleston PS is 64,360 gpd with an estimated peak flow of 4 times the ADF, or 257,440 gpd (179 gpm). The projected additional flow from the Woodmont Commons PUD sub-areas WC-1 to WC-11 for the areas west of I-93 would increase the average daily flow to the Charleston PS another 431,400 gpd (300 gpm) with a peak flow of 1200 gpm, which is well within the capacity of the PS. However, the PWD reports that the Charleston PS is reaching the end of its useful life and equipment upgrades are imminent. In addition, the PWD reports that additional flow from the Woodmont Commons PUD combined with additional flows from other unrelated developments may accelerate the need for these upgrades.

The Tokanel Drive Wastewater Pumping Station (Tokanel PS) serves a residential development of approximately 100 homes to the southwest of the Woodmont Commons PUD. The Tokanel PS is rated for a peak flow of 1250 gpm with a current ADF estimated at 16,000 gpd (12 gpm average; 48 gpm peak). The Tokanel PS would not receive flow directly from the Woodmont Commons PUD but it does discharge to the Charleston PS. The 2005 Facilities Plan indicates potential future residential development to the north, west and south of the Tokanel PS that could contribute up to 559,000 gpd of additional sewage flow to the pump station. With the added flow from Woodmont Commons at the Charleston PS, the PWD would require installing variable frequency drives (VFD's) for the Tokanel PS pumps to modulate flow from the Tokanel PS to the Charleston PS.

C. Sanitary Sewers

The south Londonderry sewer system is served by 10-inch and 12-inch collector sewers along Gilcreast Road and NH Route 102 that connect to a 24-inch diameter collector sewer on Boston Road.

Figure 1 is a graphical representation of the proposed sub-areas of the Woodmont Commons PUD overlaid onto a GIS map of the Town of Londonderry sanitary sewers serving the southeastern portion of Londonderry. At the 30,000 ft view of the master plan, the likely connection points to the Town's existing sewer infrastructure are at the following locations:

a) NH Route 102/Garden Lane

A 10-inch collector sewer extends to the east from the intersection of Gilcreast Road, parallel to Route 102 and up Garden Lane. Based on the existing topography, it appears that a majority of the wastewater flow generated by Woodmont Commons' development to the west of Interstate 93 would drain to this existing sewer. Wastewater flow from WC-1, WC-1-GL, WC-2, WC-6 through WC-11 would be directed to this existing sewer using a combination of gravity sewer mains and pump stations. Estimated flows from WC-1-GL would not exceed the capacity of the existing sewer along Route 102. However estimated flows from WC-1 would exceed the capacity of one section of the 10-inch pipe that has a limited slope. Replacing all existing 10-inch pipe along this sewer alignment with 15-inch to 18-inch diameter pipe would provide adequate capacity for the portion of collector sewer parallel to Route 102.

b) Gilcreast Road

It is estimated that wastewater flow from WC-4 and WC-5 would drain toward a new collector sewer on Gilcreast Road, north of Route 102. The existing 10-inch diameter Gilcreast collector, north of Route 102, was terminated at the intersection of Gilcreast Road and the entrance to Londonderry Commons. From this point a new 10-inch collector sewer would be installed on Gilcreast Road to Cortland Lane. Flow from the Gilcreast Road collector (north of Route 102) and the Route 102 collector combine at a manhole at the intersection of Route 102 and Gilcreast Road. From this manhole the Gilcreast interceptor extends to the south, following Gilcreast Road, Boston Avenue and Charleston Avenue to the Charleston PS. Approximately 820 feet of this interceptor starting at the manhole to the north of the intersection of Gilcreast Road and Route 102 is 10-inch diameter pipe. Accordingly, approximately 800 ft of the Gilcreast interceptor sewer could be replaced with 12-inch to 15-inch pipe and the section under NH Route 102 replaced with 18-inch pipe when capacity constraints dictate. The remaining portion of the Gilcreast interceptor sewer has adequate capacity to handle the future flow estimated for the complete build-out of Woodmont Commons.

c) Londonderry Road

Industries and retail establishments on Route 102 and Londonderry Road, to the east of Interstate 93, are served by 10-inch, 12-inch and 15-inch collector sewers on Londonderry Road that cross Route 102 and extend to the Action Boulevard Pump Station. Based on the current topography of Woodmont Commons, it appears that wastewater flow from the southern portion of WC-12 can flow by gravity to the Londonderry Road collector sewer if it is extended northward to the intersection with Ash Street. Portions of the existing Londonderry Road collector were constructed with minimum slopes, limiting the capacity of the pipe. It may be possible to construct

portions of WC-12 without upgrading the existing sewer but full build-out of WC-12 would require upgrades to the existing sewer collector to 15-inch to 18-inch diameter pipe and upgrades to the Action PS. It may be possible to direct a portion of the wastewater flows from WC-2 (west of I-93) with a gravity sewer main to the Londonderry Road collector sewer. Installation of a gravity sewer across I-93 would require approval from the Town of Londonderry and NHDOT.

It is expected that wastewater flows generated from the northern portion of WC-12 would be collected by a gravity sewer and then pumped to the new gravity sewer in the southern end of WC-12. It may be possible to direct wastewater flow from the northern portion of WC-12 by gravity to the Town of Derry's existing sewer collector located on Franklin Street Extension. This would require a separate agreement between Woodmont Commons and the Town of Derry and the installation of a flow metering manhole in order to assess the quantity of flow discharged to the Town of Derry's sewer system.

Note: The above-stated sewer improvements are conceptual and based on the development scenario proposed within the Exemplar Plan.

II. Water Distribution:

The Town of Londonderry's municipal water system is served by the Pennichuck Water Works Company (PWWC) and Manchester Water Works with all supply coming from the Manchester Waterworks source at Massabesic Lake. The proposed Woodmont Commons PUD is within the franchise area controlled by the PWWC. PWWC confirmed that Manchester Waterworks has adequate supply capacity to meet the needs of the Woodmont Commons PUD.

CMA Engineers prepared a map (see Figure 2) with the Woodmont Commons PUD Master Plan 1a overlaid on the PWWC water distribution system map for the Town of Londonderry. The Woodmont Commons PUD could connect to PWWC distribution mains adjacent to the project in the "Mountain Homes Estates" pressure zone. The water pressure in this main is boosted to an HGL of 620-ft by the Mountain Homes pump station on Mammoth Road (at Fieldstone Drive). Initial sub-areas of development at the southern end of the project could be connected to the Gilcreast Road pressure zone (HGL = 498), but would ultimately be incorporated into the higher pressure zone of Mountain Homes as development and infrastructure extended north. The Woodmont Commons development ranges in elevation from approximately 290' to 490'. Serving this development from the Mountain Homes pressure zone would provide a static pressure of approximately 56 psi at the water main at the highest elevations.

The pumps and distribution system have capacity to provide domestic flows at adequate pressures for the development, but the required fire flows will dictate how much development could be built prior to making offsite distribution system improvements or participating in the provision of a water storage tank. The existing system is limited first by the 16-inch water main in Mammoth Road on the suction side (north) of the Mountain Homes Pump station, and second by the pumping capacity of the pump station. The existing pumps have the capacity to pump higher flow rates (2,500 gpm+) but are limited by the capacity in the 16-inch suction main.

Initial sub-areas of the PUD could be constructed prior to participating in the provision of a water storage tank or upgrading the Mountain Homes pump station and transmission mains. PWWC would require upgrades at a to-be-determined threshold of development/water demand. The threshold would depend on the type of development proposed and where it is connected to the system. The water system meets the current fire flow demand for existing development, but increased domestic demand from the proposed development would diminish the fire flow capacity.

PWWC has no water storage tanks in Londonderry. PWWC will review the potential to participate in the capital cost for adding a water storage tank within the PUD because of the benefits all of their Londonderry customers would realize – (1) increased fire flow capacity, (2) potential to reduce water rates by offsetting peak demand charges from Manchester Waterworks, and (3) potential to reduce insurance rates.

A new water storage tank within the PUD could be an elevated storage tank. The tank would be located near the highest elevation (500' +/- AMSL) at the north end of the development. If a storage tank was not constructed, the Mountain Homes pump station and the water main north of the pump station would need to be upgraded. The Mountain Homes Pump station can provide 1,500 gpm (with 7 psi residual pressure in the suction line). Additional fire flows cannot be achieved in this pressure zone until the suction line is upgraded or a storage tank is provided on the discharge side of the pump station.

A. Fire Flow Rating

The Insurance Service Office (ISO) rates a community's ability to minimize fire damage with the Fire Suppression Rating Schedule (FSRS). The FSRS classifies communities on a scale of 1 to 10 by analyzing three areas of the community's overall public fire protection system:

1. Fire Alarm/Communications (10%)
2. Fire Department (50%)
3. Water Supply (40%)

To rate the water supply system, ISO first establishes Needed Fire Flows (NFF) for specific buildings based on construction materials, occupancy, use, and exposure to surrounding structures. ISO will then test whether the system can meet the expected maximum day demands and fire flow demands concurrently for a given duration. To receive maximum credit, ISO expects the water system to provide 3,500 gpm fire flows for a three hour duration (although the NFF for individual buildings may be up to 12,000 gpm). Multiple hydrants within 1,000 feet (prorated by distance) of a structure can provide credit to fire flow. Fire flows less than 3,500 gpm at non-residential structures will reduce the FSRS scoring of the water supply system.

The current limiting fire flow requirement for the PWWC system is 2,500 gpm at Home Depot. With the Mountain Homes Pump station, supplemented by the South Derry Pump Station, the system provides 2,700 - 2,800 gpm. A water storage tank would greatly increase the fire flow capacity and potentially improve Londonderry's Public Protection Classification rating. Woodmont Commons could participate with PWWC in providing the water storage tank.

III. Private Utility Providers (Power, Natural Gas, Cable TV & Telecommunications):

The Town of Londonderry is served by Public Service Company of New Hampshire for electrical power supply and distribution, Liberty Utilities for natural gas supply and distribution, COMCAST for cable television and internet, and FairPoint Communications for land-line telephone service. CMA Engineers communicated with each of these utilities to discuss the feasibility of providing service to the future development. What follows is a general summary of their combined input:

A. PSNH-Distribution

Members of the project team met with PSNH Distribution staff on February 27, 2013 to discuss initial planning considerations and potential phasing for the overall development. Although FairPoint are the pole maintainers in Londonderry, infrastructure route locations will be largely driven by PSNH with cable and telephone likely to follow on similar routes. It was discussed that utility routes will follow new and existing road networks to provide the backbone of the system with further distribution into each sub-area as developed. Individual sub-areas will need to be evaluated with respect to the overall build-out to ensure compatibility with successive sub-areas based on the Exemplar Plan. Figures 2.1 and 2.2 from TEC's Transportation briefing dated February 13, 2013 were used for discussion and are attached to this memo for reference. The two figures reflect the current concept for the transportation backbone which utilizes both new and existing roadways. The following items are noted:

- ♦ For PSNH's planning purposes, build-out of the overall development is assumed to be from WC-1 north and west. It is understood that the full building out of WC-12 (east

of I-93) will be contingent on the construction of the proposed Exit 4A Interchange that will ultimately provide a connection to Folsom Road in Derry, NH.

- ◆ PSNH representatives reminded the group that the Town of Londonderry has planning regulations in place that require underground utility installations for all new developments (includes telephone and cable). According to PSNH, the need to put all utilities underground would typically increase the overall cost of installation by about 50-60% for installing special equipment such as sector cabinets (\$7k/ea) and switchgear (\$100k/ea) along with necessary upgrades to existing aerial lines to accommodate the new underground facilities.
- ◆ PSNH noted that any service to more than 24 residential customers requires a backfeed system.
- ◆ For underground utilities, PSNH would require the developer to reserve permanent easements for installations within both the private and public roadways. The easements ultimately protect the utilities from incurring costs for future (unplanned) relocations if the Town later requires the utility to move a buried facility. Once the Town accepts any public roads, the Town will be liable for the cost of future relocations. Conversely, for aerial utilities where poles are placed in a public right of way (or future public right of way), the Town would normally only license the individual pole locations to the utility. If the poles need to be moved in the future resulting from a “public” project, the utilities must move at the utility company’s cost, not the Town’s, since the utilities are there by “sufferance”.
- ◆ The actual cost of improvements would need to be evaluated by PSNH through a rate-justification (required by PUC) that would consider likely costs versus offsetting revenues. However, this cannot be properly evaluated until the development type is better defined in each sub-area. PSNH did comment that any capital cost reductions only apply to new aerial installations and not to new underground facilities.
- ◆ CMA Engineers confirmed with the Town of Londonderry Planner that modifications to existing aerial facilities within current public rights-of-way would be allowed to remain as aerial utilities. However, all proposed utilities on new routes will be required to go underground in conformance with current Town planning regulations.
- ◆ PSNH must look at the overall build-out of the 600 acres for planning purposes and then back into each sub-area from there. They will develop a letter indicating their interpretation of the need for electric utility infrastructure improvements to accommodate the PUD. This Evidence of Utilities letter will consider the overall build-out variables with an immediate focus primarily on the first southern sub-area. These needs will be threshold driven based on estimated demand for each successive sub-area and based on the information provided on TND-3A.

B. PSNH- Transmission

CMA Engineers contacted members of PSNH Transmission staff regarding the proposed development east of I-93. The proposed layout in the PUD Master Plan indicates a planned relocation of the existing 34.5 KV transmission lines that currently cross I-93 in the vicinity of the new Exit 4A interchange. A segment of the transmission lines will need to be relocated by PSNH in conjunction with the NHDOT's Exit 4A project. However, the remainder of the relocation contemplated under the WC-12 concept layout would be borne by the developer and would ultimately include a new transmission easement along the northern border of the property as depicted on the PUD Master Plan.

C. Liberty Utilities

An initial planning meeting with Liberty Utility staff members took place on February 20, 2013. Liberty currently has an 8-inch main on Nashua Road that is available to provide service for some of the sub-areas of the project (WC-1-GL, WC-1, and WC-2). Additional future needs for the build-out can be accommodated although this will require an engineering analysis by Liberty.

Liberty may elect to "loop" the system to connect to existing mains in Derry to enhance service to the east of I-93 to balance the system. This configuration may ultimately require a crossing on the new Exit 4A interchange bridge.

D. Comcast

Initial contact with Comcast was made on February 18, 2013. An "Intent to Provide Service" letter dated March 13, 2013, was provided by Comcast and is attached herein.

It is expected that Comcast's infrastructure and easement needs will be minor and that any new underground facilities will be in similar locations to that of any buried power and that easements would be required in a similar fashion.

E. FairPoint

Initial contact with FairPoint was made on February 18, 2013. An "Intent to Provide Service" letter dated March 28, 2013, was provided by FairPoint and is attached herein. FairPoint Communications is the pole maintainer throughout Londonderry meaning they have the responsibility for setting and pulling any new/existing poles in the case of joint ownership or occupancy.

It is expected that FairPoint's infrastructure and easement needs will be minor and that any new underground facilities will be in similar locations to that of any buried power and that easements would be required in a similar fashion.

End of Memorandum



4.4 Master Fiscal Impact Analysis

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN

SEPTEMBER 2013



**Woodmont Commons
Fiscal Impact Analysis**

Town of Londonderry, New Hampshire

Submitted to
Pillsbury Realty Development, LLC.

Submitted by
Development Planning & Financing Group, Inc.

May 17, 2013

ORANGE COUNTY, CA
AUSTIN, TX

SACRAMENTO, CA
TAMPA, FL

LAS VEGAS, NV
ORANGE COUNTY, FL

BOISE, ID
RESEARCH TRIANGLE, NC

PHOENIX, AZ
CHARLESTON, SC



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GENERAL LIMITING CONDITIONS

Every reasonable effort has been made to ensure that the data contained in this report are accurate as of the date of this study; however, factors exist that are outside the control of Development Planning & Financing Group, Inc. (DPFG) and that may affect the estimates and/or projections noted herein. This study is based on estimates, assumptions and other information developed by DPFG from its independent research effort, general knowledge of the industry, and information provided by and consultations with the Town of Londonderry and its staff and representatives and with the client and the client's representatives. No responsibility is assumed for inaccuracies in reporting by the client, the client's agent and representatives, or any other data source used in preparing or presenting this study.

This report is based on information that was current as of May 2013 and DPFG has not undertaken any update of its research effort since such date.

Because future events and circumstances, many of which are not known as of the date of this study, may affect the estimates contained therein, no warranty or representation is made by DPFG that any of the projected values or results contained in this study will actually be achieved.

Possession of this study does not carry with it the right of publication thereof or to use the name of DPFG in any manner without first obtaining the prior written consent of DPFG. No abstracting, excerpting or summarization of this study may be made without first obtaining the prior written consent of DPFG. Further, DPFG has served solely in the capacity of consultant and has not rendered any expert opinions. This report is not to be used in conjunction with any public or private offering of securities, debt, equity, or other similar purpose where it may be relied upon to any degree by any person other than the client, nor is any third party entitled to rely upon this report, without first obtaining the prior written consent of DPFG. This study may not be used for purposes other than that for which it is prepared or for which prior written consent has first been obtained from DPFG. Any changes made to the study, or any use of the study not specifically prescribed under agreement between the parties or otherwise expressly approved by DPFG, shall be at the sole risk of the party making such changes or adopting such use.

This study is qualified in its entirety by, and should be considered in light of, these limitations, conditions and considerations.

Executive Summary

Woodmont Commons, a sustainable, multi-phased, mixed use commercial, industrial and residential planned unit development, is projected to bring significant economic and fiscal benefits to the Town of Londonderry (Town), New Hampshire.

The project's commercial tax base of \$371.3 million will help lessen the Town's dependence on residential taxpayers and relieve increasing burden on them. The project is expected to generate over 3,700 new jobs in the Town which will provide employment opportunities for the Town's citizens as well as those of neighboring communities.

At buildout, the total tax base of \$866.6 million will generate an annual positive fiscal impact of \$1.4 million as shown in Table 1. Over the 20-year buildout, the cumulative positive fiscal impact is anticipated to be over \$12.3 million.

Table 1: Net Annual Fiscal Impact of Woodmont Commons at Buildout

TOWN OF LONDONDERRY	
NET FISCAL IMPACT	Year
Year Ending June 30	20
GENERAL FUND	
Property Taxes	
Real - Commercial	\$1,802,000
Real - Residential	2,402,000
Total Property Taxes	\$4,204,000
Total Property Taxes, Net of Collection %	99.1% \$4,166,000
Motor Vehicle Permit Fees	\$943,000
GENERAL FUND REVENUES	\$5,109,000
GENERAL FUND EXPENDITURES	
General Government	\$304,000
Police	976,000
Fire	1,295,000
Cable	(19,000)
Public Works	992,000
Cultural and Recreation	162,000
GENERAL FUND EXPENDITURES	\$3,710,000
GENERAL FUND ANNUAL NET SURPLUS	\$1,399,000
CUMULATIVE GENERAL FUND NET SURPLUS	\$12,337,000

Source: DPF&G, 2013.

The Town assesses and collects property taxes on behalf of the Londonderry School District, the State of New Hampshire for Education Equalization, and Rockingham County. At buildout, Woodmont will generate annual property taxes of \$10.2 million for the Londonderry School District. Over the 20-year buildout period, Woodmont will generate cumulative property taxes of \$122.4 million for the Londonderry School District. Annual and cumulative property tax collections for the three jurisdictions for which the Town collects and distributes property taxes are reflected in Table 2.

Table 2: Annual and Cumulative Property Tax Collections and Distributions for Other Jurisdictions

TOWN OF LONDONDERRY			
NET FISCAL IMPACT			
Year Ending June 30	Tax Rate	Year 20	20-YEAR CUMULATIVE
Property Taxes Collected on Behalf of :			
Londonderry School District	\$12.44		
State of New Hampshire Schools	\$2.30		
Rockingham County	\$0.91		
Real - Commercial		\$5,732,000	\$75,087,000
Real - Residential		7,161,000	80,286,000
Total Property Taxes	\$15.65	\$12,893,000	\$155,373,000
Total Property Taxes, Net of Collection %	99.1%	\$12,777,000	\$153,975,000
LONDONDERRY SCHOOL DISTRICT, STATE OF NEW HAMPSHIRE SCHOOLS AND ROCKINGHAM COUNTY		\$12,777,000	\$153,975,000
DISTRIBUTION OF TAXES COLLECTED			
Londonderry School District		\$10,156,000	\$122,394,000
State of New Hampshire Schools		1,878,000	22,628,000
Rockingham County		743,000	8,953,000
TOTAL DISTRIBUTION OF PROPERTY TAXES COLLECTED		\$12,777,000	\$153,975,000

Source: DPGF, 2013.

Certain Woodmont parcels are subject to the Land Use Change Tax, so additional one-time revenues will be generated for the Town as the current use changes during the early years of development. Although not within the scope of this analysis, the one-time revenues that will be generated by the conversion of the approximately 375 acres enrolled in the program will create substantial revenues for the Town.

Furthermore, the developer of Woodmont plans to donate up to three acres of land to expand and buffer the existing cemetery. The value of this donation is also excluded from this analysis.

Project Description

Pillsbury Realty Development, LLC. (Developer) is petitioning the Town of Londonderry (Town), New Hampshire to rezone approximately 600 acres within the Town's jurisdiction for a sustainable, multi-phased, mixed use commercial, industrial and residential planned unit development to be known as Woodmont Commons (Woodmont). The property generally straddles Interstate 93 between existing exits 4 and 5 in the location of Pillsbury Road and its intersection with Gilcreast Road. The development of Woodmont presents a unique opportunity for the Town to secure exemplary planning and development, to protect the environment, to strengthen and enhance the tax base, and to achieve growth in a managed, positive and beneficial manner.

The Developer and the Town plan to enter into a Master Plan and Development Agreement for the purpose of: 1) confirming the amount of, and the different types of, uses and design standards for Woodmont; 2) coordinating the construction and design of infrastructure that will serve the Woodmont and the community at large; 3) confirming the regulations relating to the dedication and/or provision of public facilities by the Developer as described herein; and 4) providing assurances to the Developer that it may proceed with the Development, in good faith reliance upon and compliance with the process set forth in the Woodmont planned unit development master plan as an approved rezoning and without encountering future changes in ordinances, regulations, technical standards or policies that would materially impair its ability to develop Woodmont as contemplated in the approved planned-unit development zoning and under the terms of this Agreement.

The purpose of this analysis is to demonstrate the net fiscal impact on the Town's General Fund at full buildout of the project. Although the Appendix contains supporting schedules for the 20-year study period, the Town and the Developer have elected, at this point, to evaluate the net fiscal impacts at full buildout. During the development of Woodmont, updated fiscal impact analysis may be required during the site plan review process to identify potential operating cost mitigation, capital cost mitigation, or both as the actual development design and land uses become known and approach reality.

At buildout, the residential and nonresidential land uses are expected to comprise the land uses reflected in Table 3.

Table 3: Woodmont Development Program

Land Use	Square Feet/Units
Commercial	Square Feet
New Office	725,000
New Retail	897,500
Commercial Square Feet	1,622,500
Lodging - Maximum Keys	550
Tax-Exempt Hospital	250,000
Residential	Units
New Accessory Units	130
New Primary Residences	1,300
Residential Units	1,430

Source: Pillsbury Development, Shook Kelley, DPFG, 2013.

Revenue Impacts

Real Property Taxes

Like many towns across the country, Londonderry is heavily dependent on its residential tax base. With a projected tax base of \$866.6 million, Woodmont offers an alternative to the Town's current fiscal profile.

Table 4: Real Property Tax Base of Woodmont

Land Use	Real Property Tax Base
Commercial	
Office	\$133,803,000
New Retail	173,921,000
Lodging	63,618,000
Total Commercial	\$371,342,000
Residential	
New Accessory Units	\$20,800,000
New Primary Residences	474,500,000
Total Residential	\$495,300,000
Total Real Property Value	\$866,642,000

Source: Pillsbury Development, Shook Kelley, DPFG, 2013.

Table 5 compares the composition of the Town's existing tax base before and after the inclusion of Woodmont. Assuming the project was in service today, the Town's tax base would increase by \$866.6 million and shift the burden on residential uses from 73 percent to 70 percent, thereby improving the revenue-generating balance of the tax base for the Town.

Table 5: Projected Real Property Tax Base With Woodmont Commons

REAL PROPERTY TAX BASE	Town of Londonderry FY12	%	Woodmont Commons	%	Total	%
Residential	\$2,486,520,000	73%	\$495,300,000	57%	\$2,981,820,000	70%
Commercial	912,288,000	27%	371,342,000	43%	1,283,630,000	30%
	<u>\$3,398,808,000</u>	<u>100%</u>	<u>\$866,642,000</u>	<u>100%</u>	<u>\$4,265,450,000</u>	<u>100%</u>

Source: Town of Londonderry; Pillsbury Development, Shook Kelley, DPFG, 2013.

A number of regional and local resources were consulted to determine the appropriate tax values for the residential units proposed for Woodmont. Ms. Judy Tinkham, GRI, CRB (Tinkham Realty, Inc.) concluded that the estimates shown in Table 6 are reasonable and conservative for the new accessory units and primary residences.

Table 6: Residential Tax Base of Woodmont

Residential	Market Value Per Square			Unit Value	Value
	Units	Foot	Unit Size		
New Accessory Units	130	\$133	1,200	\$160,000	\$20,800,000
New Primary Residence:	1,300	\$162	2,250	\$365,000	474,500,000
Total Residential	<u>1,430</u>				<u>\$495,300,000</u>

Source: Developers, Tinkham Realty, Town of Londonderry, DPFG, 2013

The non-residential development planned for Woodmont is denser than exists in the Town today, and there has been limited new nonresidential construction in recent years. Consequently, resources from national, regional, and local real estate brokers were consulted to assign appropriate values. An income approach was used for the initial valuation. The results were then compared to the cost of new construction for the various land uses as a reasonableness test. Ms. Judy Tinkham, a qualified and experienced local broker, also concluded the results were reasonable and conservative. To insert an extra layer of conservative, the values in Table 7 were discounted 15 percent into arrive at the estimated tax value per square foot.

Table 7: Nonresidential Tax Base of Woodmont

	Square Feet	Annual Rent Per Square Foot	Vacancy	Reserve %	Cap Rate	Indicated Value	Indicated Value	Sensitivity Adjustment	Tax Value Per Square Foot	Estimated Tax Value
Non-Retail Office	725,000	\$20	10%	3.5%	8.00%	\$217	\$157,416,000	85%	\$185	\$133,803,000
Retail										
New Retail	897,500	\$21	10%	3.5%	8.00%	\$228	\$204,613,000	85%	\$194	\$173,921,000
Lodging										
Limited Service Hotels	250,000					\$186	\$46,448,000	85%	\$158	\$39,481,000
Full-Service Hotel	120,000					\$237	28,397,000	85%	\$201	24,137,000
Total Lodging	<u>370,000</u>	Maximum keys 550			Avg per square foot	\$202	\$74,845,000		\$172	\$63,618,000
Tax-Exempt Hospital	<u>250,000</u>						N/A			N/A
Total Commercial Value						\$219	\$436,874,000		\$186	\$371,342,000
Total Residential Value							495,300,000			495,300,000
TOTAL VALUE							<u>\$932,174,000</u>			<u>\$866,642,000</u>

Source: CBRE New England, Cassidy Turley New England, Tinkham Realty, DPFG, 2013

Motor Vehicle Permit Fees

A per capita approach was used to estimate motor vehicle permit fee revenue. The FY2013 budgeted revenue of \$6.3 million was divided by the current Town population of 24,163 to arrive at a fee of \$261.76 per person. At buildout, Woodmont is expected to generate additional revenues of \$943,000 for the Town, calculated as \$261.76 times 3,604 persons (see Table 9 for the new Woodmont population).

Expenditure Assumptions

Because certain fiscal expenditure impacts use a modified per capita (full-time functional equivalent population) approach, population and employment projections for Woodmont were developed as follows.

Employment Assumptions

To project the number of employees anticipated in the new businesses, square footage per employee estimates were generally provided by Shook Kelley, Inc. and the *Planner's Estimating Guide: Projecting Land-Use and Facility Needs*.¹ Facility planning frequently considers the building space consumed by workers in major employment categories. National surveys of commercial and public buildings provide data about space consumption per worker for a wide range of specific activities.

As shown in Table 10, at buildout Woodmont commercial facilities are expected to employ 3,776 employees. Today, ESRI estimates there are 13,420 persons employed in businesses located in the Town, so Woodmont is expected to increase the Town's employment by 28 percent.

¹ Arthur C. Nelson, *Planners Estimating Guide: Projecting Land-Use and Facility Needs*. American Planning Association, 2004.

Table 8: Projected New Employment in Woodmont Commercial Facilities

	Square Feet Per Land Use	10% Occupancy Office/Retail	Square Feet per Employee	New Employees
COMMERCIAL				
Office	725,000	653,000	300	2,177
New Retail	897,500	808,000	800	1,010
Hotels	370,000	370,000	2,000	185
Tax-Exempt Hospital - Day Shift	250,000	250,000	619	162
Tax-Exempt Hospital - Other Shifts	250,000	250,000		242
TOTALS	2,492,500	2,331,000		3,776

Source: Shook Kelley, Inc., *The Planner's Estimating Guide*, energystar.gov, DPF, 2013.

Population Assumptions

The projected population of Woodmont is calculated by applying number of persons per housing unit by the housing unit type. As reflected in Table 9, at buildout, 3,604 new residents are expected, which is 15 percent of the Town's current population.

Table 9: Projected Woodmont Residential Population

Population At Buildout	Units	PPH	Population
New Accessory Units	130	1.98	258
New Primary Residences	1,300	2.57	3,346
Total	1,430	2.52	3,604
Town of Londonderry - Current			24,163
Projected Town of Londonderry Population			27,767

Source: US Census Bureau 2011 American Community Survey; DPF. 2013

The full-time equivalent population calculations for Woodmont and the Town are presented in Table 10. The corresponding coefficients are included in Appendix Table A-6.

Table 10: Full-Time Equivalent Functional Population

	Tow n of Londonderry	24/7 Functional Population Coefficient	24/7 Functional Population	
Working $\{[(24*7)-(9*5)]/(24*7)\}$	14,540	0.7321	10,645	
Non-Working [24/24]	9,623	1.0000	9,623	
Permanent Population	24,163	0.8388	20,268	
Functional Residential Population Coefficient Adjustment:				
Contra Working Population 1 - 24/7 Coefficient: $[(9*5)/(24*7)]$		0.2679		
Employment Population - Weighted Average 24/7 Coefficient		(0.3302)		
Functional Consumer Coefficient Adjustment:		(0.0624)		
Functional Consumer Coefficient Adjustment Times Lesser of Employment or Permanent Population	14,540		(907)	
Tow n of Londonderry Functional Residential Population	24,163	0.8013	19,361	
Tow n of Londonderry Existing Employment Population By Sector:				
Agriculture	2	0.3002	1	
Manufacturing	3,389	0.2904	984	
Health Services and Social Assistance	708	0.4747	336	
Construction	981	0.3002	295	
Financial, Insurance, Real Estate	418	0.3064	128	
Retail	1,814	0.9968	1,808	
Educational	102	0.2679	27	
Government	189	0.4066	77	
Wholesale Trade	1,556	0.3095	482	
Transportation, Communications, Utilities	1,014	0.3002	304	
Other	3,247	0.3002	975	
Total	13,420	0.3302	4,432	
Functional Population Full-Time Equivalents			23,793	
Woodmont Commons	Employees	24/7	24/7	
Functional Population	Or	Functional	Functional	
Projected Residents:	Residents	Population	Population	
New Accessory Units	258	0.8013	207	
New Primary Residences	3,346	0.8013	2,681	
Total Residential	3,604	0.8013	2,888	61%
Projected Employees:				
Office	2,177	0.3064	667	
New Retail	1,010	0.9968	1,007	
Hotels	185	0.3714	69	
Tax-Exempt Hospital - Day Shift	162	0.3879	63	
Tax-Exempt Hospital - Other Shifts	242	0.2979	72	
Total Employees	3,776		1,878	39%
Functional Population Full-Time Equivalents			4,765	

Source: NHES, SNHPC, ESRI, Shook Kelley, Inc., *The Planner's Estimating Guide*, DPGF, 2013.

General Government

The General Government Operating summary in Table 11 was derived from the Town's FY2013 budget and the Town's 2012 (most recent) Comprehensive Annual Financial Report (CAFR). This data forms the basis for the methodology to estimate the impacts of the various services provided by the General Government departments.

Table 11: General Government Operating Summary

TOWN OF LONDONDERRY						Town of Londonderry		Woodmont Commons at Buildout					
GENERAL GOVERNMENT						Departmental function is not grow th sensitive.							
ANNUAL EXPENDITURE IMPACTS						Permanent Residential Population							
Year Ending June 30						Functional FTE Population - Residential							
						Functional FTE Population - Employment							
						Functional FTE Population - Total							
						Separate calculation							
FY13 BUDGET													
Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#		Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
\$11,319	\$777	\$0	\$0	\$12,096	1	Town Council	N/A	0	\$0.00	0.0	0.000	0	0.0
315,122	69,044	0	0	384,166	2	Town Manager	N/A	0	\$0.00	3.0	0.000	0	0.0
300	0	0	0	300	3	Moderator	N/A	0	\$0.00	0.0	0.000	0	0.0
0	1	0	0	1	4	Budget Committee	N/A	0	\$0.00	0.0	0.000	0	0.0
370,681	66,721	0	0	437,402	5	Town Clerk/Tax Collector	FP-T	23,793	\$18.38	4.0	0.000	4,766	0.8
6,435	10,972	0	0	17,407	5	Voter Registration	N/A	0	\$0.00	0.0	0.000	0	0.0
14,304	400	0	0	14,704	6	Checklist	N/A	0	\$0.00	0.0	0.000	0	0.0
478,375	97,750	0	0	576,125	8	Finance	FP-T	23,793	\$24.21	5.0	0.000	4,766	1.0
20,600	0	0	0	20,600	8	Personnel Administration	N/A	0	\$0.00	0.0	0.000	0	0.0
345,576	17,125	0	0	362,701	9	Assessing	FP-T	23,793	\$15.24	3.0	0.000	4,766	0.6
0	301,595	23,000	0	324,595	10	Information Technology	FP-T	23,793	\$13.64	0.0	0.000	4,766	0.0
0	104,500	0	0	104,500	12	Legal	N/A	0	\$0.00	0.0	0.000	0	0.0
36,247	4,086	0	0	40,333	14	Zoning	FP-T	23,793	\$1.70	0.0	0.000	4,766	0.0
0	460,325	0	26,397	486,722	15	General Government	Other	CALC	CALC	0.0	CALC	CALC	0.0
0	0	0	15,927	15,927	42	Cultural Activities	N/A	0	\$0.00	0.0	0.000	0	0.0
0	32,974	0	0	32,974	16	Cemetery	N/A	0	\$0.00	0.0	0.000	0	0.0
16,240	207,782	0	0	224,022	17	Insurance	N/A	0	\$0.00	0.0	0.000	0	0.0
0	3,300	0	0	3,300	18	Conservation	N/A	0	\$0.00	0.0	0.000	0	0.0
373,674	34,100	0	0	407,774	33	Community Development	N/A	0	\$0.00	4.0	0.000	0	0.0
\$1,988,873	\$1,411,452	\$23,000	\$42,324	\$3,465,649			Total			19.0			2.4

Source: Town of Londonderry, 2013.

At buildout, Woodmont is expected to generate incremental impacts of \$304,000 on the General Government departments, as seen in Table 12. Based on interviews with Town staff, no capital impacts are expected.

Table 12: Woodmont General Government Annual Impacts at Buildout

		Year
GENERAL GOVERNMENT DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH	Cost per Assigned Functional	20
WOODMONT COMMONS		
Projected Residential Population	R	3,604
Functional Population FTEs - Residential	FP-R	2,888
Functional Population FTEs - Employment	FP-E	1,877
Functional Population FTEs - Total	FP-T	4,765
Finance	FP-T	\$24.21
Assessing	FP-T	\$15.24
Information Technology	FP-T	\$13.64
Legal	N/A	\$0.00
Zoning	FP-T	\$1.70
Community Development	N/A	\$0.00
Total		\$261,099
Allocation General Government Costs	16%	42,661
GENERAL GOVERNMENT DEPARTMENT		\$303,760
GENERAL GOVERNMENT DEPARTMENT - ROUNDED		\$ 304,000

Source: Town of Londonderry, DPFG, 2013.

According to interviews with Planning & Economic Development staff, the demands of Woodmont will occur at a pace that can be initially absorbed with current staffing levels. As the Town continues to grow and Woodmont development proceeds, it is likely that the department will need clerical staffing for meeting attendance and recording. This position would serve the entire community and not be directly attributable to Woodmont and would be the result of increasing departmental demands to meet an increasing population and employment base. The buildout scenario tables in the Appendix reflect the demands for the position identified in Table 13. Because the commercial uses are expected to be completed by Year 13, the demand for the position is anticipated to affect Years 10 to 13. An allocation percentage was not provided by the Planning & Economic Development staff; therefore, DPFG assumed 50 percent as a conservative estimate.

Table 13: Planning & Economic Development Impacts Years 10-13

Impacts Estimated by Planning & Economic Development Department:

Year 10	Clerical Staff Annual Salary	\$48,000
This position will serve the entire community and will not be directly attributable to Woodmont.		
DPFG estimate of allocation to Woodmont Commons		50%
		\$24,000

Police Department

The Police Department summary in Table 14 was derived from the Town's FY2013 budget and the Town's 2012 (most recent) Comprehensive Annual Financial Report CAFR.

Table 14: Police Department Operating Summary

TOWN OF LONDONDERRY		Town of Londonderry		Woodmont Commons at Buildout	
POLICE DEPARTMENT		N/A	0	N/A	0
ANNUAL EXPENDITURE IMPACTS		R	24,163	R	3,604
Year Ending June 30		FP-R	19,361	FP-R	2,888
		FP-E	4,432	FP-E	1,878
		FP-T	23,793	FP-T	4,766
		Other	CALC	Other	CALC
FY13 BUDGET		Separate calculation		Separate calculation	
Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#
\$1,226,900	\$97,650	\$0	\$0	\$1,324,550	20
79,846	157,100	0	0	236,946	20
4,777,881	93,300	154,000	0	5,025,181	20
675,633	0	0	0	675,633	20
23,257	1,400	0	0	24,657	20
\$6,783,517	\$349,450	\$154,000	\$0	\$7,286,967	
Statistics 2005 to 2012:					
Number of Stations					
Number of Patrol Units					
Source: Town of Londonderry, 2013.					

Table 15 reflects the application of the functional population per capita approach to estimate impacts on the Police Department. Using this approach, Woodmont is expected to generate impacts on the Police Department of \$1.2 million at buildout.

Table 15: Woodmont Police Department Annual Impacts – Functional Population Approach

	Cost per Assigned Functional	Year
		20
POLICE DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH WOODMONT COMMONS		
Projected Residential Population	R	3,604
Functional Population FTEs - Residential	FP-R	2,888
Functional Population FTEs - Employment	FP-E	1,877
Functional Population FTEs - Total	FP-T	4,765
Police Administration	N/A	\$0.00
Police Station	FP-T	\$9.96
Police Uniformed Officers	FP-T	\$211.20
Police Support	FP-T	\$28.40
Police Animal Control	R	\$1.02
POLICE DEPARTMENT		\$1,192,821
POLICE DEPARTMENT - ROUNDED		\$1,193,000

Source: Town of Londonderry, DPFG, 2013.

The case study approach was also applied to the Police Department. Following a detailed analysis provided by that department, the assumptions and results in Tables 16, 17, and the Appendix were provided to estimate the impacts of Woodmont on the Town.

Table 16: Police Department Case Study Assumptions

Impacts Estimated by Police Department:					
Cost per Officer:			TCO Records Clerk Salary Schedule:		
Hiring & Training	\$30,491	Year 1	Start	\$68,971	
PO-Start Salary	\$85,380	Year 2	Year 1	\$70,184	Year 6
PO-1 Salary	\$97,869	Year 3	Year 2	\$71,427	Year 7
PO-2 Salary	\$99,719	Year 4	Year 3	\$72,702	Year 8
PO-3 Salary	\$101,615	Year 5	Year 4	\$74,008	Year 9
			Year 5	\$75,347	Year 10
					\$80,953

Annual Capital Costs per Uniformed Officer		Total Police Officer Personnel Costs	
Equipped Vehicle Cost	\$48,556	Year 1	\$0
Useful life, in years	5	Year 2	\$85,380
Annual Vehicle Cost	\$9,711	Year 3	\$183,249
		Year 4	\$282,968
		Year 5	\$469,963
Police Officer Training Cost per Officer	\$30,491	Year 6	\$498,687
		Year 7	\$589,663
		Year 8	\$605,944
		Year 9	\$693,174
		Year 10	\$879,319

Source: Town of Londonderry, 2013.

According to the Police Department, 9 police officers, 2 telecommunications personnel, 2 Records personnel, and 4 new patrol vehicles will be needed to serve Woodmont at buildout. The annual cost at buildout is estimated to be \$976,000. For purposes of this analysis, it is assumed that these personnel will be housed at the Town's current Police facility, although continued background growth may require that a larger facility or a small substation may be needed.

Table 17: Woodmont Police Department Annual Impacts – Case Study Approach

	Year
POLICE DEPARTMENT - DEPARTMENTAL CASE STUDY	20
New Personnel and Vehicles:	
Telecommunications Officer (TO)	
Cumulative New TO's	2
Records Personnel (RP)	
Cumulative new RP	2
Patrol Officers (PO)	
Cumulative new PO's	9
New Vehicles	1
Total Vehicles	4
New Personnel and Vehicles Costs:	
Telecommunications Officer (TO)	
Annual Cost New TO's	\$23,964
Records Personnel (RP)	
Annual Cost New RP	\$23,964
Patrol Officers (PO)	
Annual Cost New PO's	\$879,319
Current Year New Officer Training	\$0
Total New Officer Training	\$274,419
Annual Cost New Vehicles	\$48,556
Total Cost New Vehicles	\$194,224
POLICE DEPARTMENT	\$975,803
POLICE DEPARTMENT - ROUNDED	\$976,000

Source: Town of Londonderry, DPFG, 2013.

Fire Department

Because of the many design elements of the project that have yet to be determined in addition to the uncertainties of the end users of the commercial space, a response call based approach was used to estimate the impacts on the Fire Department for purposes of this analysis. This methodology was also applied in the Town's 2007 Fire Impact Fee Study. Table 18 reflects the projected residential units, projected non-residential square footage, and the new response calls associated with those uses as reported in the 2007 study. The 2007 study assumed 2,016 new residential units would generate 271 annual new response calls, and 15.2 million square feet of new non-residential uses would generate 1,499 new annual response calls. Over the Town's buildout, the percentage of residential response calls is expected to decrease from 55.4 percent residential in 2006 to 37 percent at buildout, and the percentage of non-residential response calls is

expected to correspondingly increase from 44.6 percent to 63.0 percent at buildout. The development profile of Woodmont is consistent with the Town's expectation that new non-residential land uses will increase substantially in future years.

Table 18: Projected Response Calls in the Town's 2007 Impact Fee Study

Future Responses At Town Buildout	Town Total
New Residential Units	2,016
Response Call Ratio	0.134
New Residential Response Calls	271
New Non-Residential Sq. Ft.	15,197,821
Divided by 1,000	15,198
Response Call Ratio	0.099
New Non-Residential Response Calls	1,499
2006 Responses	2,074
New Residential Responses	271
New Non-Residential Responses	1,499
Projected Responses at Buildout	3,844
Residential Responses:	Response %
2006	55.4%
At Town Buildout	37.0%
Non-Residential Responses:	
2006	44.6%
At Town Buildout	63.0%

Source: Town of Londonderry, 2013.

A comparative analysis of the Fire Department's statistics is summarized in Table 20 as follows:

- The majority of the increase in response calls from 2003 to 2012 pertain to non fire responses.
- The number of Fire Department equipment and apparatus has been stable from 2003 to 2012, with the exception of a third ambulance added in 2012. However over this same time period, response calls increased from 2,530 in 2003 to 3,290 in 2012 (a 21 percent increase).
- Although response calls increased 21 percent from 2003 to 2012, the number of Fire Department employees remained the same.

Table 19: Londonderry Fire Department Operating Statistics

Reponse Calls	2003	2006	2012
Fires Extinguished	70	95	59
Non fire responses	969	1,062	1,492
Rescue EMS Responses	1,491	1,598	1,739
Total	2,530	2,755	3,290

Increase in Response Calls	2003 to 2006	2006 to 2012
Fires Extinguished	25	(36)
Non fire responses	93	430
Rescue EMS Responses	107	141
Total Increase in Response Calls	225	535

Increase in Response Calls	2003 to 2006	2006 to 2012
Fires Extinguished	11%	-7%
Non fire responses	41%	80%
Rescue EMS Responses	48%	26%
Total Increase in Response Calls	100%	100%

Inspections and plan/permit review calls	740	1,142	1,010
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Fire Department Employees	48	48	47
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Fire Department Facilities and Equipment			
Stations	3	3	3
Pumpers	4	4	4
Ladder Trucks	1	1	1
Ambulances	2	2	3
Command Vehicles	1	1	1
Rescue Trucks	1	1	1
Staff Vehicles	3	3	3

Source: Town of Londonderry, 2013.

The Fire Department summary in Table 20 was derived from the Town's FY2013 budget and the Town's 2012 (most recent) CAFR.

Table 20: Fire Department Operating Summary

APPENDIX TABLE A-10

TOWN OF LONDONDERRY
FIRE DEPARTMENT
ANNUAL EXPENDITURE IMPACTS
Year Ending June 30

Town of Londonderry		Departmental function is not growth sensitive.	
N/A	0	R	24,163
FR-R	19,361	FR-R	2,888
FR-E	4,432	FR-E	1,878
FR-T	23,793	FR-T	4,765
Other	CALC	Other	CALC

Woodmont Commons at Buildout		Departmental function is not growth sensitive.	
N/A	0	R	3,604
FR-R	2,888	FR-R	2,888
FR-E	1,878	FR-E	1,878
FR-T	4,765	FR-T	4,765
Other	CALC	Other	CALC

FY13 BUDGET

Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#	
\$832,949	\$179,674	\$0	\$0	\$1,012,623	23	Fire Administration
0	82,500	1,000	0	83,500	23	Fire Station
341,658	84,500	0	0	426,158	23	Fire Ambulance
(480,000)				(480,000)		Ambulance Revenue
3,876,563	39,500	0	0	3,916,063	23	Fire Fighting
114,916	0	0	0	114,916	23	Fire Prevention
361,955	15,000	11,000	0	387,955	23	Fire Communications
0	1,000	0	0	1,000	23	Fire Emergency Mgt
				120,000		Maintenance Trust Fund
\$5,048,041	\$402,174	\$12,000	\$0	\$5,582,215		(per John Vogl)

FY2012 Personnel	
Administration	2
Captain	4
Lieutenants	12
Firefighters	24
Communications	4
Prevention	1
Total	47

Estimated Response Rates Per Dwelling Unit or Non-Res Sq. Ft.		% of Calls
Single Family	0.141 per Unit	39.5%
Multifamily	0.113 per 1000 GFA	12.7%
Retail, Lodging, Offices, Services	0.158 per 1000 GFA	17.1%
Industrial	0.076 per 1000 GFA	7.4%
Other	Various	23.3%
Total		100.0%

Source: Town of Londonderry, DPF, 2013.

Using the response rates per land use type documented in the Town's 2007 Fire Impact Fee Study (Table 21), annual responses for the various land uses in Woodmont were projected. At buildout, Woodmont is anticipated to generate 546 response calls annually.

Future response call volume will be influenced by many factors, none of which can be determined with any certainty at this time. The actual operating and capital cost demands on the Fire Department will be more predictable at the site plan review phase than at this conceptual phase of the project. During site plan review, the Developer may choose to mitigate the impacts or modify the project's design to avoid mitigation.

Table 21: Projected Fire Department Annual Response Calls for Woodmont

	Year
FIRE DEPARTMENT - RESPONSE CALLS	20
Residential Units:	
New Accessory Units	130
New Primary Residences	1,300
Non-Residential Square Footage:	
Office	725,000
New Retail	897,500
Lodging	370,000
Tax-Exempt Hospital	250,000
Projected Responses:	
New Accessory Units	15
New Primary Residences	183
Office	112
New Retail	139
Lodging	57
Tax-Exempt Hospital	39
Total Responses	546

Sources: Town of Londonderry, DPF, 2013.

To estimate the annual capital cost per response call, the total cost (in 2013 dollars) of the Town's existing capital facilities and equipment was estimated as shown in Table 22. By applying the financing terms assumed below, the annual capital cost was determined. The results were then divided by the Town's annual response calls. The results yield an annual capital cost of \$649 per response call. This capital cost per response call was then applied to the projected response calls for Woodmont. At buildout, the annual capital impact is expected to be \$354,000 (546 response calls times \$649 annual capital cost = \$354,000).

Table 22: Londonderry Fire Department Capital Cost per Call Response

Existing Inventory 2012:	#	Per Unit Cost	Total Cost	Interest Rate	Term	Annual Cost - Financed	Annual Cost - Excluding Financing
Number of Stations	3	\$3,300,000	\$9,900,000	5%	15	\$939,463	\$660,000
Number of Pumps	4	\$710,000	\$2,840,000	5%	5	\$643,132	568,000
Number of Ladder Trucks	1	\$990,000	\$990,000	5%	5	\$224,190	198,000
Number of Ambulances	3	\$300,000	\$900,000	5%	5	\$203,809	180,000
Number of Command Vehicles	1	\$130,000	\$130,000	5%	5	\$29,439	26,000
Number of Rescue Trucks	1	\$270,000	\$270,000	5%	5	\$61,143	54,000
Number of Staff Vehicles	3	\$50,000	\$150,000	5%	5	\$33,968	30,000
			\$15,180,000		Total	\$2,135,144	\$1,716,000
					Annual Responses	3,290	3,290
					Annual Capital Cost per Response	\$649	\$522

Source: Town of Londonderry, DPGF, 2013.

As shown in Table 22 above, the annual capital cost per response call, excluding financing costs, is estimated to be \$522. This amount is applied to the annual projected response calls over the study period to arrive at \$3.4 million (Table 23), which represents the cumulative cash flow expenditures provided in this analysis for Fire Department capital costs. The specific capital needs of the Fire Department will be more determinable during the site plan application and review process. For example, applicants may select more conventional streets types/blocks/structures to avoid the added cost of more customized choices. In other words, it is premature at this point to assume that the more expensive and least familiar choices will be ultimately selected.

Table 23: Fire Department Capital Costs Included in Woodmont Fiscal Analysis

CAPITAL COSTS, EXCLUDING FINANCING COSTS	20
Capital Cost per Response, excluding financing costs	\$522
Annual Capital Costs, excluding financing costs	\$285,000
Cumulative Capital Costs, excluding financing costs	\$3,393,000

Source: Town of Londonderry, DPGF, 2013.

The operating impacts of Woodmont are calculated in Table 24. The Town's FY2013 entire Fire Department budget of \$5.5 million (net of annual ambulance revenue) was divided by the annual response call volume of 3,290 to yield a net operating cost per response call of \$1,662. At buildout, the annual operating impact is expected to be \$906,000 which is calculated by multiplying \$1,662 by the 546 projected response calls.

Table 24: Londonderry Fire Department Net Operating Cost per Call Response

FY2012 Statistics	Responses			
Fires Extinguished	59			
Non fire responses	1,492			
Rescue EMS Responses	1,739		Net Cost Per	
Total	3,290	\$5,467,299	Response	
				Cost Per
			Employment	Employee
Inspections and plan/permit review	1,010	\$114,916	13,420	\$8.56
Total		\$5,582,215		

Source: Town of Londonderry, DPGF, 2013.

Woodmont will impact the Inspections role of the Fire Department although it is difficult to project the impacts with any certainty as the number and types of businesses are yet unknown. The nonresidential land uses will be sprinkled according to building code. Because the Woodmont employment estimates are a derivation of building square footage and because the existing Town employment is known, the employment population approach was deemed a reasonable proxy for estimating the annual cost of inspections. At buildout, the Inspection cost is estimated to be \$35,000 annually. The current Fire Prevention budget is \$115,000 so the estimate for Woodmont's impact is 30 percent of the Town's existing budget.

As shown in Table 25, the capital and operating impacts of the residential and nonresidential land uses in Woodmont are expected to generate annual demands of \$1.3 million on the Fire Department by applying this methodology. The impacts identified at the site plan review phase will be more representative of the actual impacts as the development design and end users will be more certain.

Table 25: Woodmont Fire Department Annual Capital and Operating Impacts

	Year
FIRE DEPARTMENT - RESPONSE	
CALL/FUNCTIONAL POPULATION APPROACH	20
WOODMONT COMMONS	
Woodmont Commons New Employees	3,776
Accessory Unit Population	258
Total Allocation Base for Inspections	4,034
Residential Units:	
New Accessory Units	130
New Primary Residences	1,300
Non-Residential Square Footage:	
Office	725,000
New Retail	897,500
Lodging	370,000
Tax-Exempt Hospital	250,000
Projected Responses:	
New Accessory Units	15
New Primary Residences	183
Office	112
New Retail	139
Lodging	57
Tax-Exempt Hospital	39
Total Responses	546

Sources: Town of Londonderry, DPF, 2013.

Operating Cost per Response - Net of Ambulance Revenue	\$1,662	\$906,637
Capital Cost per Response	\$649	354,069
Inspections and plan/permit review	\$8.56	34,540
FIRE DEPARTMENT		\$1,295,246
FIRE DEPARTMENT - ROUNDED		\$1,295,000

Source: Town of Londonderry, DPF, 2013.

Cable Department

The Cable Department summary in Table 26 was derived from the Town's FY2013 budget and the Town's 2012 (most recent) CAFR.

Table 26: Cable Department Operating Summary

TOWN OF LONDONDERRY			Town of Londonderry		Woodmont Commons at Buildout			
CABLE			N/A	0	Departmental function is not growth sensitive.			
ANNUAL EXPENDITURE IMPACTS			R	24,163	Permanent Residential Population			
Year Ending June 30			FP-R	19,361	Functional FTE Population - Residential			
			FP-E	4,432	Functional FTE Population - Employment			
			FP-T	23,793	Functional FTE Population - Total			
			Other	CALC	Separate calculation			
</								

Source: Town of Londonderry, DPF, 2013.

No capital impacts are anticipated, and the annual operating impacts on the Cable Department are estimated in Table 27. At buildout, Woodmont will generate \$19,000 in additional Town revenue from Cable Department operations.

Table 27: Woodmont Cable Department Annual Operating Impacts

		Year
CABLE DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH		Cost per Assigned Functional FTE
WOODMONT COMMONS		20
Projected Residential Population	R	3,604
Functional Population FTEs - Residential	FP-R	2,888
Functional Population FTEs - Employment	FP-E	1,877
Functional Population FTEs - Total	FP-T	4,765
Cable	R	\$5.72
Cable	R	(\$10.97)
CABLE		(\$18,934)
CABLE DEPARTMENT - ROUNDED		\$ (19,000)

Source: Town of Londonderry, DPF, 2013.

Building Department

According to information provided by the Building Department, Woodmont will generate cumulative net costs of \$78,000 over buildout as shown in Table 28. However, the Building Department anticipates fees can be adjusted such that Woodmont will have a neutral operating impact on the department. No capital impacts are anticipated.

Table 28: Woodmont Building Department Cumulative Net Impact**IMPACTS ESTIMATED BY BUILDING DEPARTMENT**

Total Projected Revenue Attributable to Woodmont Commons	\$479,443
Total Projected Expenses Attributable to Woodmont Commons	557,240
Net	<u>(\$77,797)</u>

According to the Building Department, the projected development revenue (based on current estimate construction costs/fees) represents a sufficient offset to provide adequate level of service. It is likely that fees can be adjusted accordingly to offset those fluctuations.

Source: Town of Londonderry, DPF, 2013.

Public Works

The Public Works Department summary in Table 29 was derived from the Town's FY2013 budget and the Town's 2012 (most recent) CAFR.

Table 29: Public Works Department Operating Summary

TOWN OF LONDONDERRY						Town of Londonderry			Woodmont Commons at Buildout		
PUBLIC WORKS						Departmental function is not growth sensitive.			N/A		
ANNUAL EXPENDITURE IMPACTS						Permanent Residential Population			R		
Year Ending June 30						Functional FTE Population - Residential			FP-R		
						Functional FTE Population - Employment			FP-E		
						Functional FTE Population - Total			FP-T		
						Separate calculation			Other		
									CALC		
FY13 BUDGET											
Personnel	Operating	Capital	Other								
4110-4260	4330-4690	4740-4760	4866-4905	Total	#						
1,575,013	271,040	0	0	1,846,053	26	Public Works Administration					
0	1,267,882	0	0	1,267,882	26	Highways and Streets					
25,337	1,886,470	0	0	1,911,807	27	Solid Waste Administration					
				(70,000)		Drop Off Center Revenue					
\$1,600,350	\$3,425,392	\$0	\$0	\$4,955,742							

Source: Town of Londonderry, DPF, 2013.

At this conceptual stage of the project, estimating the impacts on the Public Works Department is a challenge. Although Woodmont is expected to include 10 miles of new streets, it is unknown as to the extent and location of private versus public streets. Furthermore, the number of traffic signals and street lights is also unknown. The Developer has been and will continue to work with the Town in identifying the impacts and planning for their resolution as the development design, site plan review and applications and such site plans approach reality.

A functional population approach was used, for purposes of this analysis, because the Woodmont total functional population of 4,309 at buildout represents 18 percent of the Town's existing functional population whereas Woodmont's 10 new street miles represent only 6 percent of the Town's existing 180 street miles.

As reflected in Table 30, the annual Public Works operating impacts are estimated to be \$992,000. Capital needs will be identified at the site plan review phase and will be mitigated as necessary.

Table 30: Woodmont Public Works Annual Impacts at Buildout

		Year
PUBLIC WORKS DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH WOODMONT COMMONS	Cost per Assigned Functional FTE	20
Projected Residential Population	R	3,604
Functional Population FTEs - Residential	FP-R	2,888
Functional Population FTEs - Employment	FP-E	1,877
Functional Population FTEs - Total	FP-T	4,765
Public Works Administration	FP-T	\$77.59
Highways and Streets	FP-T	\$53.29
Solid Waste Administration	FP-T	\$80.35
Drop Off Center Revenue	FP-T	(\$2.94)
PUBLIC WORKS DEPARTMENT		\$992,476
PUBLIC WORKS DEPARTMENT - ROUNDED		\$ 992,000

Source: Town of Londonderry, DPFG, 2013.

Cultural and Recreation Department

The Cultural and Recreation Department summary in Table 31 was derived from the Town's FY2013 budget and the Town's 2012 (most recent) CAFR.

Table 31: Cultural and Recreation Department Operating Summary

TOWN OF LONDONDERRY			Town of Londonderry		Woodmont Commons at Buildout		
CULTURAL AND RECREATION ANNUAL EXPENDITURE IMPACTS Year Ending June 30	N/A	0	Departmental function is not growth sensitive.		N/A	0	
	R	24,163	Permanent Residential Population		R	3,604	
	FP-R	19,361	Functional FTE Population - Residential		FP-R	2,888	
	FP-E	4,432	Functional FTE Population - Employment		FP-E	1,878	
	FP-T	23,793	Functional FTE Population - Total		FP-T	4,766	
	Other	CALC	Separate calculation		Other	CALC	
FY13 BUDGET							
Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#		
\$77,996	\$69,465	\$0	\$0	\$147,461	30	Recreation	
945,939	254,370	0	0	1,200,309	31	Library Fund	
40,634	8,889	0	0	49,523	32	Senior Affairs	
\$1,064,569	\$332,724	\$0	\$0	\$1,397,293			

Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
R	24,163	\$6.10	1	0.000	3,604	0.1
R	24,163	\$49.68	14	0.001	3,604	2.1
N/A	0	\$0.00	0	0.000	0	0.0
Total			15.0			2.2

Source: Town of Londonderry, DPFG, 2013.

Applying a functional population methodology based on these statistics yields an annual Cultural and Recreation cost at buildout of \$201,000 as shown in Table 32.

Table 32: Woodmont Cultural and Recreation Annual Impacts – Functional Population Approach

		Year
CULTURAL AND RECREATION - FUNCTIONAL POPULATION METHODOLOGY APPROACH WOODMONT COMMONS	Cost per Assigned Functional FTE	20
Projected Residential Population	R	3,604
Functional Population FTEs - Residential	FP-R	2,888
Functional Population FTEs - Employment	FP-E	1,877
Functional Population FTEs - Total	FP-T	4,765
Recreation	R	\$21,994
Library Fund	R	179,029
CULTURAL AND RECREATION DEPARTMENT		<u>\$201,023</u>
CULTURAL AND RECREATION DEPARTMENT - ROUNDED		<u>\$ 201,000</u>

Source: Town of Londonderry, DPF, 2013.

The Recreation and Library Departments prepared detailed operating and capital assessments of the impact of Woodmont during and at buildout. The results at buildout are summarized in Table 33. Based on the Town's analysis, Woodmont is anticipated to generate annual operating impacts on the Library of \$120,000 at buildout. No capital costs are anticipated. Woodmont is expected to generate annual Recreation Department costs of \$42,000 and an allocable capital cost of \$25,000.

Table 33: Woodmont Cultural and Recreation Annual Impacts – Case Study Approach

IMPACTS ESTIMATED BY LIBRARY DEPARTMENT				
Library	FTE	Operating Annual Cost	Woodmont Commons Population	Per Resident
Full-time Librarian	1.0	\$79,820		
Library Technician	PT	26,316		
Library Page	PT	8,195		
Programming and services		5,202		
Total		\$119,533	3,398	\$35.18
IMPACTS ESTIMATED BY RECREATION DEPARTMENT				
Recreation Dept	FTE	Operating Annual Cost	Capital Needs	Softball Field
Summer Programs	1.0		Facility Cost	\$150,000
Summer Programs	1.0		Land Cost	15,000
Softball Programs	0.5		Total	\$165,000
Annual Cost All Positions		\$30,000	Allocable to	15.4%
Operating Costs -1 Field		\$10,000	Woodmont	
Annual Equipment		\$2,000	Commons	\$25,000
Annual Cost		\$42,000		

Source: Town of Londonderry, DPF, 2013.

Fiscal Impact Methodology and Significant Assumptions

The objective of fiscal impact analysis is to estimate the financial impacts of a development or land use change on the revenues and expenditures of the governmental units affected by the development. The analysis evaluates the fiscal characteristics of the proposed development and is designed to help local governments measure the estimated difference between anticipated revenues and the related costs of the new development.

The Government Finance Officers Association (GFOA) outlines the most common methods for estimating service costs in fiscal impact analysis as: average cost, marginal cost, comparisons to other governments and econometric modeling. In many cases, fiscal impact analysis uses a combination of these methods to generate a projection.

- Average Cost is the easiest and most common method and assumes the current cost of serving residents and businesses will equal the cost of serving the new development. The average cost method provides a rough estimate of both direct and indirect costs associated with development. However, this method does not account for demographic change, existing excess capacity or potential economies of scale in service delivery. Methods of calculating average cost include per capita costs, service standard costs and proportional valuation costs.
- Marginal Cost uses site-specific information to determine services costs for a new development. A case study approach is typically necessary to gather detailed information about the existing capacity within public services and infrastructure to accommodate growth from a development project. This method assumes that information about local service levels and capacity is more accurate than standards based on average data
- Comparable Governments incorporate the experience by similar governments with comparable development projects. Studying other governments before and after specific projects can provide useful information in determining additional costs and the increase in costs over a long period of time.
- Econometric Modeling uses complex econometric models and is best used for estimating impacts from large projects that create many indirect effects on the existing community such as a utility plant or an entertainment center.

The fiscal impact analysis of Woodmont uses a marginal/average cost hybrid methodology to determine the project's impact on capital and operating costs on the Town's tax-supported General Fund. Personnel and operating costs are projected on a variable, or incremental basis, for expenditures and capital improvements. Revenues, such as property taxes, will be projected on a marginal basis whereas revenues attributable to growth will be reflected on an average basis. A

case study approach was used for revenue and cost assumptions developed on the marginal basis.

The FY2013 budget forms the basis for the Town's service level, revenue and cost assumptions. An evaluation of each department, and line items within, was performed to determine which costs are variable (likely to fluctuate with growth) or fixed (not likely to be impacted by growth). Furthermore, the analysis assumes that no impact fees are assessed or collected.

Due to the densities of the project, the Developers have assumed a 20-year buildout. This fiscal impact analysis does not represent a market analysis, market feasibility analysis, or valuation analysis nor have market-assessment type procedures been performed in the course of the engagement. As such, the buildout tables presented in the Appendix represent a possible scenario.

Results of the accompanying have been generally rounded to the nearest thousand dollars.

Constant Dollar Approach

All revenues and expenditures are based on constant 2013 dollars, and the analysis assumes no inflation over the study period. A constant dollar approach is commonly used in fiscal impact analysis to avoid the difficulty of forecasting and interpreting results expressed in inflated dollars. Consideration of inflation in fiscal impact analysis requires local governments to perform sophisticated financial modeling in order to produce credible assumptions, and most local governments do not have the resources to conduct such modeling.

Property Tax Rates

The Town's property tax rate of \$4.85 per \$1,000 assessed value (\$0.00485) was assumed to be constant in this analysis. Furthermore, the Londonderry School District, State of New Hampshire for Education Equalization, and Rockingham County property tax rates are held constant at the current rates of \$12.44, \$2.30, and \$0.91, respectively, per \$1,000 assessed value.

Full-Time Equivalent Functional Population

Incorporating full-time equivalent functional population methodology into per capita calculations provides a framework for more reasonable and equitable projections. According to the Fiscal Impact Analysis Model Training Manual (FIAM), "Local city/county governments receive revenues from land, development and the activities of their populations of residents, workers, and visitors. Local city/county governments also render services to all residents, to all who are working in the city/county and to all visitors to the city/county. Therefore, on the cost side of the equation, counties incur costs to provide services to residents, those employed in the city/county, and to visitors. At various times during a 24-hour period, a resident may become a person employed in the city/county, and then later in the day may be a resident again. To such an individual, the city/county has rendered services for a full 24 hours. Other residents may leave the city/county to

work in another city/county. In this case, the city/county only provides services to that person when they are physically in the city/county. Some who work in the city/county may not live in the city/county. City/county services are only provided to those workers when they are in the city/county. Finally, visitors receive service during the whole period of their visit, but obviously not when they leave the city/county.

To properly measure the services provided to each of these groups, a weighting procedure is needed that reflects the duration of time each group is resident in the city/county. This calculation provides us with the full-time equivalent (FTE) population, employees and visitors. For residents and workers, the model assumes a working period of 2,000 hours per year. In this way, the fiscal impact of the FTE residents, employees and visitors can be properly identified.”

However, simply assigning the employment population a factor of 0.2679 $[(9 \times 5) / (7 \times 24) = 0.2679]$ does not take into consideration the significant variation in demand for public services by type of land use. To address this limitation in the FIAM model, guidance contained in the Planner's Estimating Guide: Projecting Land-Use and Facility Needs (the Guide) was applied to the development of the FTE functional population estimates. As the Guide explains, trip generation data provided by the Institute of Transportation Engineers (ITE) can be used to estimate the functional population for land uses with employees. Also, the 2000 Nationwide Household Transportation Survey (Federal Highway Administration 2001) provides vehicle trip statistics for the type of trip. These data sources can be used to produce information on total trips, total people including visitors, and total workers by major nonresidential employment-based land-use category.

The Guide estimates functional populations in three tables. The first set of calculations establishes the baseline parameters for computing the two functional population variations described above. The table combines data from the ITE's Trip Generation (1997) handbook with the Federal Highway Administration's 2000 Nationwide Household Transportation Survey (2001). The second table uses these baseline assumptions to establish functional population coefficients. The third table multiplies the current or projected population by the coefficients for both of the functional population variations to estimate total functional population.

The coefficients are calculated as follows:

$$\{[(\text{in-place occupant ratio}) \times (\text{hours in place})] + [(\text{visitors per employee}) \times (\text{visitor hours per trip})] \times (\text{days per week})\} / (\text{hours per week})$$

For the permanent population, the Guide suggests a functional coefficient of 0.670. In this study, an additional calculation was performed to arrive at a more precise estimate of the permanent population coefficient. The lesser of the Town's employment population or permanent population was multiplied by the difference between the standard employment coefficient of 0.2679 and the computed employment coefficient. This difference balances the model to ensure the permanent

and employment populations are properly accounted for and appropriately weighted in the application of the functional population approach to assigning allocable shares of certain operating and capital costs.

**Woodmont Commons
Fiscal Impact Analysis**

APPENDIX

APPENDIX TABLE A-1

TOWN OF LONDONDERRY

NET FISCAL IMPACT

Year Ending June 30

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	Year 20
GENERAL FUND																				
Property Taxes																				
Real - Commercial	\$0	\$47,000	\$199,000	\$282,000	\$416,000	\$558,000	\$864,000	\$1,039,000	\$1,274,000	\$1,389,000	\$1,504,000	\$1,667,000	\$1,756,000	\$1,802,000	\$1,802,000	\$1,802,000	\$1,802,000	\$1,802,000	\$1,802,000	\$1,802,000
Real - Residential	123,000	246,000	368,000	491,000	614,000	737,000	860,000	983,000	1,105,000	1,228,000	1,351,000	1,474,000	1,597,000	1,712,000	1,827,000	1,942,000	2,057,000	2,172,000	2,287,000	2,402,000
Total Property Taxes	\$123,000	\$293,000	\$567,000	\$773,000	\$1,030,000	\$1,295,000	\$1,724,000	\$2,022,000	\$2,379,000	\$2,617,000	\$2,855,000	\$3,141,000	\$3,353,000	\$3,514,000	\$3,629,000	\$3,744,000	\$3,859,000	\$3,974,000	\$4,089,000	\$4,204,000
Total Property Taxes, Net of Collection % <div>99.1%</div>	\$122,000	\$290,000	\$562,000	\$766,000	\$1,021,000	\$1,283,000	\$1,708,000	\$2,004,000	\$2,358,000	\$2,593,000	\$2,829,000	\$3,113,000	\$3,323,000	\$3,482,000	\$3,596,000	\$3,710,000	\$3,824,000	\$3,938,000	\$4,052,000	\$4,166,000
Motor Vehicle Permit Fees	\$49,000	\$98,000	\$147,000	\$196,000	\$245,000	\$294,000	\$343,000	\$392,000	\$441,000	\$490,000	\$539,000	\$588,000	\$637,000	\$681,000	\$724,000	\$768,000	\$812,000	\$856,000	\$900,000	\$943,000
GENERAL FUND REVENUES	\$171,000	\$388,000	\$709,000	\$962,000	\$1,266,000	\$1,577,000	\$2,051,000	\$2,396,000	\$2,799,000	\$3,083,000	\$3,368,000	\$3,701,000	\$3,960,000	\$4,163,000	\$4,320,000	\$4,478,000	\$4,636,000	\$4,794,000	\$4,952,000	\$5,109,000
GENERAL FUND EXPENDITURES																				
General Government	\$10,000	\$23,000	\$38,000	\$55,000	\$76,000	\$97,000	\$124,000	\$142,000	\$160,000	\$215,000	\$235,000	\$256,000	\$272,000	\$252,000	\$261,000	\$270,000	\$278,000	\$287,000	\$295,000	\$304,000
Police	0	116,000	216,000	318,000	589,000	514,000	640,000	632,000	756,000	1,024,000	918,000	923,000	923,000	927,000	976,000	927,000	927,000	927,000	927,000	976,000
Fire	24,000	48,000	136,000	201,000	286,000	380,000	523,000	589,000	704,000	787,000	967,000	1,057,000	1,147,000	1,168,000	1,189,000	1,211,000	1,232,000	1,253,000	1,274,000	1,295,000
Cable	(1,000)	(2,000)	(3,000)	(4,000)	(5,000)	(6,000)	(7,000)	(8,000)	(9,000)	(10,000)	(11,000)	(12,000)	(13,000)	(14,000)	(15,000)	(15,000)	(16,000)	(17,000)	(18,000)	(19,000)
Public Works	31,000	74,000	124,000	179,000	249,000	317,000	404,000	464,000	524,000	610,000	678,000	746,000	797,000	825,000	853,000	881,000	909,000	937,000	965,000	992,000
Cultural and Recreation	6,000	12,000	19,000	40,000	46,000	52,000	58,000	117,000	98,000	104,000	110,000	116,000	123,000	128,000	134,000	139,000	145,000	150,000	156,000	162,000
GENERAL FUND EXPENDITURES	\$70,000	\$271,000	\$530,000	\$789,000	\$1,241,000	\$1,354,000	\$1,742,000	\$1,936,000	\$2,233,000	\$2,730,000	\$2,897,000	\$3,086,000	\$3,249,000	\$3,286,000	\$3,398,000	\$3,413,000	\$3,475,000	\$3,537,000	\$3,599,000	\$3,710,000
GENERAL FUND ANNUAL NET SURPLUS	\$101,000	\$117,000	\$179,000	\$173,000	\$25,000	\$223,000	\$309,000	\$460,000	\$566,000	\$353,000	\$471,000	\$615,000	\$711,000	\$877,000	\$922,000	\$1,065,000	\$1,161,000	\$1,257,000	\$1,353,000	\$1,399,000
CUMULATIVE GENERAL FUND NET SURPLUS	\$101,000	\$218,000	\$397,000	\$570,000	\$595,000	\$818,000	\$1,127,000	\$1,587,000	\$2,153,000	\$2,506,000	\$2,977,000	\$3,592,000	\$4,303,000	\$5,180,000	\$6,102,000	\$7,167,000	\$8,328,000	\$9,585,000	\$10,938,000	\$12,337,000

Source: DPFG, 2013.

APPENDIX A-2

COMMERCIAL BUILDOUT SCHEDULE

COMMERCIAL LAND USE/SF YEAR ENDING JUNE 30		YEAR																				
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
NON-RETAIL																						
General Office																						
Completed Square Feet		0	0	0	0	50,000	100,000	100,000	125,000	0	0	50,000	100,000	100,000	100,000	0	0	0	0	0	0	0
Cumulative		0	0	0	0	50,000	150,000	250,000	375,000	375,000	375,000	425,000	525,000	625,000	725,000	725,000	725,000	725,000	725,000	725,000	725,000	725,000
Square Foot Tax Value	\$185																					
Tax Value		\$0	\$0	\$0	\$0	\$5,537,000	\$16,610,000	\$31,375,000	\$47,985,000	\$59,981,000	\$69,209,000	\$78,437,000	\$87,665,000	\$106,121,000	\$124,577,000	\$133,803,000	\$133,803,000	\$133,803,000	\$133,803,000	\$133,803,000	\$133,803,000	\$133,803,000
NEW RETAIL																						
Completed Square Feet		0	0	50,000	60,000	60,000	85,000	75,000	115,000	125,000	100,000	75,000	75,000	77,500	0	0	0	0	0	0	0	0
Cumulative		0	0	50,000	110,000	170,000	255,000	330,000	445,000	570,000	670,000	745,000	820,000	897,500	897,500	897,500	897,500	897,500	897,500	897,500	897,500	897,500
Square Foot Tax Value	\$194																					
Tax Value		\$0	\$0	\$9,689,000	\$21,316,000	\$32,943,000	\$49,415,000	\$63,949,000	\$86,234,000	\$110,457,000	\$129,835,000	\$144,369,000	\$158,903,000	\$173,919,000	\$173,919,000	\$173,919,000	\$173,919,000	\$173,919,000	\$173,919,000	\$173,919,000	\$173,919,000	\$173,919,000
LODGING																						
Completed Square Feet		0	0	0	125,000	0	0	0	120,000	0	125,000	0	0	0	0	0	0	0	0	0	0	0
Cumulative		0	0	0	125,000	125,000	125,000	125,000	245,000	245,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000
Square Foot Tax Value	\$172																					
Tax Value		\$0	\$0	\$0	\$19,740,000	\$19,740,000	\$19,740,000	\$19,740,000	\$43,877,000	\$43,877,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000	\$63,618,000
TAX-EXEMPT HOSPITAL																						
Completed Square Feet		0	0	0	0	0	0	0	0	0	0	250,000	0	0	0	0	0	0	0	0	0	0
Cumulative		0	0	0	0	0	0	0	0	0	0	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Square Foot Tax Value	\$0																					
Tax Value																						
Rounding															\$2,000							
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Source: Pillsbury Development, Shook Kelley, DPFG, 2013.

APPENDIX TABLE A-3

RESIDENTIAL YEAR ENDING JUNE 30	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
ACCESSORY UNITS																				
Absorption	10	10	10	10	10	10	10	10	10	10	10	10	10	0	0	0	0	0	0	0
Cumulative	10	20	30	40	50	60	70	80	90	100	110	120	130	130	130	130	130	130	130	130
Unit Value	\$160,000																			
Tax Value	1,600,000	\$3,200,000	\$4,800,000	\$6,400,000	\$8,000,000	\$9,600,000	\$11,200,000	\$12,800,000	\$14,400,000	\$16,000,000	\$17,600,000	\$19,200,000	\$20,800,000	\$20,800,000	\$20,800,000	\$20,800,000	\$20,800,000	\$20,800,000	\$20,800,000	\$20,800,000
SINGLE FAMILY																				
Absorption	65	65	65	65	65	65	65	65	65	65	65	65	65	65	65	65	65	65	65	65
Cumulative	65	130	195	260	325	390	455	520	585	650	715	780	845	910	975	1,040	1,105	1,170	1,235	1,300
Unit Value	\$365,000																			
Tax Value	\$23,725,000	\$47,450,000	\$71,175,000	\$94,900,000	\$118,625,000	\$142,350,000	\$166,075,000	\$189,800,000	\$213,525,000	\$237,250,000	\$260,975,000	\$284,700,000	\$308,425,000	\$332,150,000	\$355,875,000	\$379,600,000	\$403,325,000	\$427,050,000	\$450,775,000	\$474,500,000
TOTAL RESIDENTIAL																				
Cumulative Units	75	150	225	300	375	450	525	600	675	750	825	900	975	1,040	1,105	1,170	1,235	1,300	1,365	1,430
Cumulative Tax Value	\$25,325,000	\$50,650,000	\$75,975,000	\$101,300,000	\$126,625,000	\$151,950,000	\$177,275,000	\$202,600,000	\$227,925,000	\$253,250,000	\$278,575,000	\$303,900,000	\$329,225,000	\$352,950,000	\$376,675,000	\$400,400,000	\$424,125,000	\$447,850,000	\$471,575,000	\$495,300,000

Source: Pillsbury Development,
Shook Kelley, DPGF, 2013.

APPENDIX TABLE A-4

WOODMONT POPULATION

Land Use/Units	PPH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	Total
New Accessory Units	1.98	10	20	30	40	50	60	70	80	90	100	110	120	130	130	130	130	130	130	130	130	130
New Primary Residences	2.57	65	130	195	260	325	390	455	520	585	650	715	780	845	910	975	1,040	1,105	1,170	1,235	1,300	1,300
Total Units		75	150	225	300	375	450	525	600	675	750	825	900	975	1,040	1,105	1,170	1,235	1,300	1,365	1,430	1,430
Projected Residential Population																						
New Accessory Units		20	40	60	79	99	119	139	159	179	198	218	238	258	258	258	258	258	258	258	258	258
New Primary Residences		167	335	502	669	837	1,004	1,171	1,338	1,506	1,673	1,840	2,008	2,175	2,342	2,510	2,677	2,844	3,011	3,179	3,346	3,346
Projected Residential Population		187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604	3,604
Annual Woodmont Commons																						
Population Growth		187	187	187	187	187	187	187	187	187	187	187	187	187	167	167	167	167	167	167	167	0

Source: Town of Londonderry, Pillsbury Development, Shook Kelley, DPFG, 2013.

APPENDIX TABLE A-5

		SF Per Employee Vacancy Adjusted																					
NEW EMPLOYMENT		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20		
NON-RETAIL																							
Office																							
Completed Square Feet	300	0	0	0	50,000	100,000	100,000	125,000	0	0	50,000	100,000	100,000	100,000	0	0	0	0	0	0	0		
Cumulative	333	0	0	0	50,000	150,000	250,000	375,000	375,000	375,000	425,000	525,000	625,000	725,000	725,000	725,000	725,000	725,000	725,000	725,000	725,000		
Annual New Employees		0	0	0	150	300	300	375	0	0	150	300	300	300	0	0	0	0	0	0	0		
Rounding		0	0	0	0	0	0	0	0	0	0	0	0	0	2								
Cumulative New Employees		0	0	0	150	450	750	1,125	1,125	1,125	1,275	1,575	1,875	2,177	2,177	2,177	2,177	2,177	2,177	2,177	2,177		
NEW RETAIL																							
Completed Square Feet	800	0	50,000	60,000	60,000	85,000	75,000	115,000	125,000	100,000	75,000	75,000	77,500	0	0	0	0	0	0	0	0		
Cumulative	889	0	50,000	110,000	170,000	255,000	330,000	445,000	570,000	670,000	745,000	820,000	897,500	897,500	897,500	897,500	897,500	897,500	897,500	897,500	897,500		
Annual New Employees		0	56	68	68	96	84	129	141	113	84	84	87	0	0	0	0	0	0	0	0		
Cumulative New Employees		0	56	124	191	287	371	501	641	754	838	923	1,010	1,010	1,010	1,010	1,010	1,010	1,010	1,010	1,010		
LODGING																							
Completed Square Feet	2,000	0	0	125,000	0	0	0	120,000	0	125,000	0	0	0	0	0	0	0	0	0	0	0		
Cumulative	2,000	0	0	125,000	125,000	125,000	125,000	245,000	245,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000		
Annual New Employees		0	0	63	0	0	0	60	0	63	0	0	0	0	0	0	0	0	0	0	0		
Cumulative New Employees		0	0	63	63	63	63	123	123	185	185	185	185	185	185	185	185	185	185	185	185		
TAX-EXEMPT HOSPITAL																							
Completed Square Feet	619	0	0	0	0	0	0	0	0	0	250,000	0	0	0	0	0	0	0	0	0	0		
Cumulative	619	0	0	0	0	0	0	0	0	0	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000		
Annual New Employees		0	0	0	0	0	0	0	0	0	404	0	0	0	0	0	0	0	0	0	0		
Cumulative New Employees		0	0	0	0	0	0	0	0	0	404	404	404	404	404	404	404	404	404	404	404		
Woodmont Commons Annual New Employees		0	56	130	218	396	384	564	141	175	638	384	387	302	0	0	0	0	0	0	0		
Woodmont Commons New Employees		0	56	186	404	799	1,184	1,748	1,889	2,064	2,702	3,087	3,474	3,776	3,776	3,776	3,776	3,776	3,776	3,776	3,776		

Note 1: Employment estimates are calculated on net occupied square footage.

Source: Pillsbury Development, Shook Kelley, DPF&G, 2013.

APPENDIX TABLE A-6

Source: Planner's Estimating Guide: Projecting Land-Use and Facility Needs
24/7 FUNCTIONAL POPULATION COEFFICIENTS

Land Use Category	ITE Code	24/7 Week	In-Place Occupant Ratio	Hours In Place	Trips Per Employee*	One Way Trips Per Employee	Journey-To-Work Occupants Per Trip**	Daily Occupants Per Trip**	Visitors Per Employee	Visitor Hours Per Trip	24/7 Coefficient
Permanent Population											
Group Care Population											
Hotel/Motel Population											
Construction	110	5	1.00	9.00	3.020	1.510	1.300	2.020	1.0872	1.00	0.3002
Manufacturing	140	5	1.00	9.00	2.100	1.050	1.300	2.020	0.7560	1.00	0.2904
Transportation, Commun. & Utilities	110	5	1.00	9.00	3.020	1.510	1.300	2.020	1.0872	1.00	0.3002
Wholesale Trade	150	5	1.00	9.00	3.890	1.945	1.300	2.020	1.4004	1.00	0.3095
Retail	820	7	1.00	9.00	40.332	20.166	1.190	1.930	14.9229	1.00	0.9968
Finance, Insurance and Real Estate	710	5	1.00	9.00	3.320	1.660	1.135	1.915	1.2948	1.00	0.3064
Office and Services	710	5	1.00	9.00	3.320	1.660	1.135	1.915	1.2948	1.00	0.3064
Group Care Employees	252				2.610						
Group Care Employees	253	7	1.00	9.00	3.480	1.740	1.135	1.915	1.3572	2.00	0.4881
Hotel/Motel Employees	310	5	1.00	9.00	8.920	4.460	1.135	1.915	3.4788	1.00	0.3714
Government	730	5	1.00	9.00	11.950	5.975	1.135	1.915	4.6605	1.00	0.4066
Medical Offices/Clinics	720	5	1.00	9.00	8.910	4.455	1.135	1.915	3.4749	2.00	0.4747
Hospital - Day Shift	610	5	1.00	9.00	5.170	2.585	1.135	1.915	2.0163	2.00	0.3879
Hospital - Evening/Night Shift	610	5	1.00	9.00	2.585	1.293	1.135	1.915	1.0082	1.00	0.2979
Nursing Home	620	5	1.00	9.00	0.200	0.100	1.135	1.915	0.0780	1.00	0.2702
Church		5	1.00	9.00	3.320	1.660	1.135	1.915	1.2948	1.00	0.3064
Civic/Art		5	1.00	9.00	3.320	1.660	1.135	1.915	1.2948	1.00	0.3064
Ag-Other		5	1.00	9.00	3.020	1.510	1.300	2.020	1.0872	1.00	0.3002
Education		5	1.00	9.00	2.000	1.000	1.000	1.000	0.0000	0.00	0.2679
Students - included in permanent pop.	na		1.00	9.00	na	na	na	na	na	na	

Trips per Retail Employee:	Neighborhood			Existing
	Retail	Trip		Retail
Retail Scale:	Employees	Rate	Share	24/7
				Coefficient
Neighborhood < 50k Sq Ft	0	87.31	0%	0.00
Community 50k Sq Ft- 250k Sq Ft	1,094	49.15	100%	1.00
Regional 250k Sq Ft - 500k Sq Ft		38.37	0%	x
Super Regional 500k - 1000k Sq Ft		29.96	0%	9.00
Sum of Weighted Trips Per 1k Sq Ft	1,094		100%	x
Estimated Retail Space			897,500	7.00
Retail Employees			1,094	63.00
Employees Per 1,000 sf			1.22	+
Trips Per Employee			40.3323	14.92
1-Way Trips Per Employee			20.17	x
Visitors Per Employee			14.92	1.00
				x
				7.00
				104.46
				167.46
				divided by
				168.00
				0.9968
			24/7 Hours	
			24/7 Coefficient	

Source: Planners Estimating Guide, ESRI, DPGF, 2013.

APPENDIX TABLE A-7
WOODMONT COMMONS FUNCTIONAL POPULATION

FUNCTIONAL POPULATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
FUNCTIONAL POPULATION - RESIDENTIAL																				
Projected Residential Population	187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604
Functional Population Coefficient	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013	0.8013
Functional Population FTEs - Residential	150	300	450	600	750	900	1,050	1,200	1,350	1,500	1,649	1,799	1,949	2,083	2,217	2,352	2,486	2,620	2,754	2,888
FUNCTIONAL POPULATION - EMPLOYMENT																				
OFFICE																				
Office Employment	0	0	0	150	450	750	1,125	1,125	1,125	1,275	1,575	1,875	2,177	2,177	2,177	2,177	2,177	2,177	2,177	2,177
Functional Population Coefficient	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064	0.3064
Functional Population - Office	0	0	0	46	138	230	345	345	345	391	483	574	667	667	667	667	667	667	667	667
NEW RETAIL																				
New Retail Employment	0	56	124	191	287	371	501	641	754	838	923	1,010	1,010	1,010	1,010	1,010	1,010	1,010	1,010	1,010
Functional Population Coefficient	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968	0.9968
Functional Population - Walkable Retail	0	56	123	191	286	370	499	639	751	835	920	1,006	1,006	1,006	1,006	1,006	1,006	1,006	1,006	1,006
LODGING																				
Lodging Employment	0	0	63	63	63	63	123	123	185	185	185	185	185	185	185	185	185	185	185	185
Functional Population Coefficient	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714	0.3714
Functional Population - Lodging	0	0	23	23	23	23	45	45	69	69	69	69	69	69	69	69	69	69	69	69
TAX-EXEMPT HOSPITAL																				
Tax-Exempt Hospital Employment	0	0	0	0	0	0	0	0	0	404	404	404	404	404	404	404	404	404	404	404
Functional Population Coefficient	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342	0.3342
Functional Population - Tax-Exempt Hospita	0	0	0	0	0	0	0	0	0	135	135	135	135	135	135	135	135	135	135	135
Functional Population FTEs - Employment	0	56	146	260	447	623	889	1,029	1,165	1,430	1,607	1,784	1,877	1,877	1,877	1,877	1,877	1,877	1,877	1,877
Functional Population FTEs - Total	150	356	596	860	1,197	1,523	1,939	2,229	2,515	2,930	3,256	3,583	3,826	3,960	4,094	4,229	4,363	4,497	4,631	4,765

Source: Town of Londonderry, Pillsbury Development, Shook Kelley, The *Planners Estimating Guide* , DPGF, 2013.

**TOWN OF LONDONDERRY
GENERAL GOVERNMENT
ANNUAL EXPENDITURE IMPACTS
Year Ending June 30**

Town of Londonderry		Woodmont Commons at Buildout	
N/A	0	N/A	0
R	24,163	R	3,604
FP-R	19,361	FP-R	2,888
FP-E	4,432	FP-E	1,878
FP-T	23,793	FP-T	4,765
Other	CALC	Other	CALC

								Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#									
\$11,319	\$777	\$0	\$0	\$12,096	1	Town Council	N/A	0	\$0.00	0.0	0.000	0	0.0	
315,122	69,044	0	0	384,166	2	Town Manager	N/A	0	\$0.00	3.0	0.000	0	0.0	
300	0	0	0	300	3	Moderator	N/A	0	\$0.00	0.0	0.000	0	0.0	
0	1	0	0	1	4	Budget Committee	N/A	0	\$0.00	0.0	0.000	0	0.0	
370,681	66,721	0	0	437,402	5	Town Clerk/Tax Collector	FP-T	23,793	\$18.38	4.0	0.000	4,765	0.8	
6,435	10,972	0	0	17,407	5	Voter Registration	N/A	0	\$0.00	0.0	0.000	0	0.0	
14,304	400	0	0	14,704	6	Checklist	N/A	0	\$0.00	0.0	0.000	0	0.0	
478,375	97,750	0	0	576,125	8	Finance	FP-T	23,793	\$24.21	5.0	0.000	4,765	1.0	
20,600	0	0	0	20,600	8	Personnel Administration	N/A	0	\$0.00	0.0	0.000	0	0.0	
345,576	17,125	0	0	362,701	9	Assessing	FP-T	23,793	\$15.24	3.0	0.000	4,765	0.6	
0	301,595	23,000	0	324,595	10	Information Technology	FP-T	23,793	\$13.64	0.0	0.000	4,765	0.0	
0	104,500	0	0	104,500	12	Legal	N/A	0	\$0.00	0.0	0.000	0	0.0	
36,247	4,086	0	0	40,333	14	Zoning	FP-T	23,793	\$1.70	0.0	0.000	4,765	0.0	
0	460,325	0	26,397	486,722	15	General Government	Other	CALC	CALC	0.0	CALC	CALC	0.0	
0	0	0	15,927	15,927	42	Cultural Activities	N/A	0	\$0.00	0.0	0.000	0	0.0	
0	32,974	0	0	32,974	16	Cemetery	N/A	0	\$0.00	0.0	0.000	0	0.0	
16,240	207,782	0	0	224,022	17	Insurance	N/A	0	\$0.00	0.0	0.000	0	0.0	
0	3,300	0	0	3,300	18	Conservation	N/A	0	\$0.00	0.0	0.000	0	0.0	
373,674	34,100	0	0	407,774	33	Community Development	N/A	0	\$0.00	4.0	0.000	0	0.0	
\$1,988,873	\$1,411,452	\$23,000	\$42,324	\$3,465,649			Total			19.0			2.4	

GENERAL GOVERNMENT DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY WOODMONT COMMONS		Assigned Functional FTE	Year																			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Projected Residential Population	R	187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604	
Functional Population FTEs - Residential	FP-R	150	300	450	600	750	900	1,050	1,200	1,350	1,500	1,649	1,799	1,949	2,083	2,217	2,352	2,486	2,620	2,754	2,888	
Functional Population FTEs - Employment	FP-E	0	56	146	260	447	623	889	1,029	1,165	1,430	1,607	1,784	1,877	1,877	1,877	1,877	1,877	1,877	1,877	1,877	
Functional Population FTEs - Total	FP-T	150	356	596	860	1,197	1,523	1,939	2,229	2,515	2,930	3,256	3,583	3,826	3,960	4,094	4,229	4,363	4,497	4,631	4,765	
Finance	FP-T	\$24.21	\$3,632	\$8,620	\$14,431	\$20,824	\$28,984	\$36,878	\$46,951	\$53,973	\$60,898	\$70,947	\$78,841	\$86,758	\$92,642	\$95,887	\$99,132	\$102,401	\$105,645	\$108,890	\$112,135	\$115,379
Assessing	FP-T	\$15.24	2,287	5,427	9,085	13,110	18,247	23,217	29,558	33,979	38,339	44,665	49,634	54,619	58,323	60,366	62,409	64,467	66,509	68,552	70,595	72,637
Information Technology	FP-T	\$13.64	2,046	4,857	8,131	11,732	16,330	20,777	26,453	30,409	34,311	39,972	44,420	48,881	52,196	54,024	55,852	57,694	59,522	61,350	63,178	65,006
Legal	N/A	\$0.00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Zoning	FP-T	\$1.70	254	603	1,010	1,458	2,029	2,582	3,287	3,778	4,263	4,967	5,519	6,074	6,486	6,713	6,940	7,169	7,396	7,623	7,850	8,077
Community Development	N/A	\$0.00	0	0	0	0	0	0	0	0	24,000	24,000	24,000	24,000	0	0	0	0	0	0	0	0
Total			\$8,219	\$19,507	\$32,657	\$47,124	\$65,590	\$83,454	\$106,249	\$122,139	\$137,811	\$184,551	\$202,414	\$220,332	\$233,647	\$216,990	\$224,333	\$231,731	\$239,072	\$246,415	\$253,758	\$261,099
Allocation General Government Costs	16%		1,343	3,187	5,336	7,700	10,717	13,635	17,360	19,956	22,517	30,153	33,072	36,000	38,175	35,454	36,653	37,862	39,062	40,261	41,461	42,661
GENERAL GOVERNMENT DEPARTMENT			\$9,562	\$22,694	\$37,993	\$54,824	\$76,307	\$97,089	\$123,609	\$142,095	\$160,328	\$214,704	\$235,486	\$256,332	\$271,822	\$252,444	\$260,986	\$269,593	\$278,134	\$286,676	\$295,219	\$303,760
GENERAL GOVERNMENT DEPARTMENT - ROUND 1			\$ 10,000	\$ 23,000	\$ 38,000	\$ 55,000	\$ 76,000	\$ 97,000	\$ 124,000	\$ 142,000	\$ 160,000	\$ 215,000	\$ 235,000	\$ 256,000	\$ 272,000	\$ 252,000	\$ 261,000	\$ 270,000	\$ 278,000	\$ 287,000	\$ 295,000	\$ 304,000

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APPENDIX TABLE A-9

TOWN OF LONDONDERRY

POLICE DEPARTMENT

ANNUAL EXPENDITURE IMPACTS

Year Ending June 30

N/A	0	Town of Londonderry
R	24,163	Departmental function is not growth sensitive.
FP-R	19,361	Permanent Residential Population
FP-E	4,432	Functional FTE Population - Residential
FP-T	23,793	Functional FTE Population - Employment
Other	CALC	Functional FTE Population - Total
		Separate calculation

N/A	0	Woodmont Commons at Buildout
R	3,604	Departmental function is not growth sensitive.
FP-R	2,888	Permanent Residential Population
FP-E	1,878	Functional FTE Population - Residential
FP-T	4,765	Functional FTE Population - Employment
Other	CALC	Functional FTE Population - Total
		Separate calculation

Impacts Estimated by Police Department:

TCO Records Clerk Salary Schedule:			
Cost per Officer:	Start	\$68,971	
Hiring & Training	\$30,491	Year 1	\$70,184 Year 6 \$76,720
PO-Start Salary	\$85,380	Year 2	\$71,427 Year 7 \$78,626
PO-1 Salary	\$97,869	Year 3	\$72,702 Year 8 \$78,626
PO-2 Salary	\$99,719	Year 4	\$74,008 Year 9 \$78,626
PO-3 Salary	\$101,615	Year 5	\$75,347 Year 10 \$80,953

FY13 BUDGET

Personnel	Operating	Capital	Other		
4110-4260	4330-4690	4740-4760	4866-4905	Total	#
\$1,226,900	\$97,650	\$0	\$0	\$1,324,550	20
79,846	157,100	0	0	236,946	20
4,777,881	93,300	154,000	0	5,025,181	20
675,633	0	0	0	675,633	20
23,257	1,400	0	0	24,657	20
\$6,783,517	\$349,450	\$154,000	\$0	\$7,286,967	

Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
N/A	0	\$0.00	10.0	0.000	0	0.0
FP-T	23,793	\$9.96	1.0	0.000	4,765	0.2
FP-T	23,793	\$211.20	40.0	0.002	4,765	8.0
FP-T	23,793	\$28.40	9.0	0.000	4,765	1.8
R	24,163	\$1.02	0.0	0.000	3,604	0.0
Total			60.0			10.0

Statistics 2005 to 2012:
Number of Stations
Number of Patrol Units

1
27

Police Uniformed Officers
Per 1,000 Population

1.66

2.22

Source: Town of Londonderry, 2013.

Source: Town of Londonderry, 2013.

Year																							
POLICE DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH WOODMONT COMMONS		Cost per Assigned Functional	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Projected Residential Population		R	187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604	
Functional Population FTEs - Residential		FP-R	150	300	450	600	750	900	1,050	1,200	1,350	1,500	1,649	1,799	1,949	2,083	2,217	2,352	2,486	2,620	2,754	2,888	
Functional Population FTEs - Employment		FP-E	0	56	146	260	447	623	889	1,029	1,165	1,430	1,607	1,784	1,877	1,877	1,877	1,877	1,877	1,877	1,877	1,877	
Functional Population FTEs - Total		FP-T	150	356	596	860	1,197	1,523	1,939	2,229	2,515	2,930	3,256	3,583	3,826	3,960	4,094	4,229	4,363	4,497	4,631	4,765	
Police Administration		N/A	\$0.00	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Police Station		FP-T	\$9.96	1,494	3,545	5,935	8,564	11,920	15,167	19,310	22,198	25,046	29,179	32,425	35,682	38,102	39,436	40,770	42,115	43,449	44,784	46,118	47,453
Police Uniformed Officers		FP-T	\$211.20	31,680	75,188	125,877	181,635	252,810	321,662	409,523	470,772	531,176	618,825	687,677	756,740	808,063	836,364	864,665	893,178	921,479	949,780	978,081	1,006,382
Police Support		FP-T	\$28.40	4,259	10,109	16,924	24,421	33,990	43,247	55,060	63,295	71,416	83,201	92,458	101,743	108,644	112,449	116,254	120,087	123,892	127,697	131,503	135,308
Police Animal Control		R	\$1.02	191	382	573	764	955	1,146	1,337	1,528	1,719	1,910	2,101	2,292	2,483	2,653	2,824	2,995	3,165	3,336	3,507	3,678
POLICE DEPARTMENT			\$37,624	\$89,224	\$149,309	\$215,384	\$299,675	\$381,222	\$485,230	\$557,793	\$629,357	\$733,115	\$814,661	\$896,457	\$957,292	\$990,902	\$1,024,513	\$1,058,375	\$1,091,985	\$1,125,597	\$1,159,209	\$1,192,821	
POLICE DEPARTMENT - ROUNDED			\$38,000	\$89,000	\$149,000	\$215,000	\$300,000	\$381,000	\$485,000	\$558,000	\$629,000	\$733,000	\$815,000	\$896,000	\$957,000	\$991,000	\$1,025,000	\$1,058,000	\$1,092,000	\$1,126,000	\$1,159,000	\$1,193,000	

Source: Town of Londonderry, DPFG, 2013.

POLICE DEPARTMENT - DEPARTMENTAL CASE STUDY																				Year
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
New Personnel and Vehicles:																				
Telecommunications Officer (TO)	0	0	0	0	0	1	0	1												
Cumulative New TO's	0	0	0	0	0	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2
Records Personnel (RP)	0	0	0	0	0	1	0	1												
Cumulative new RP	0	0	0	0	0	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2
Patrol Officers (PO)	0	1	1	1	2	0	1	0	1	2										
Cumulative new PO's	0	1	2	3	5	5	6	6	7	9	9	9	9	9	9	9	9	9	9	9
New Vehicles					1						1				1					1
Total Vehicles					1						2				3					4
New Personnel and Vehicles Costs:																				
Telecommunications Officer (TO)	\$0	\$0	\$1,213	\$1,243	\$2,488	\$2,549	\$2,614	\$2,679	\$3,245	\$1,373	\$1,906	\$2,327	\$0	\$2,327						
Annual Cost New TO's	\$0	\$0	\$1,213	\$2,456	\$4,944	\$7,493	\$10,107	\$12,786	\$16,031	\$17,404	\$19,310	\$21,637	\$21,637	\$23,964	\$23,964	\$23,964	\$23,964	\$23,964	\$23,964	\$23,964
Records Personnel (RP)	\$0	\$0	\$1,213	\$1,243	\$2,488	\$2,549	\$2,614	\$2,679	\$3,245	\$1,373	\$1,906	\$2,327	\$0	\$2,327						
Annual Cost New RP	\$0	\$0	\$1,213	\$2,456	\$4,944	\$7,493	\$10,107	\$12,786	\$16,031	\$17,404	\$19,310	\$21,637	\$21,637	\$23,964	\$23,964	\$23,964	\$23,964	\$23,964	\$23,964	\$23,964
Patrol Officers (PO)	\$0	\$85,380	\$97,869	\$99,719	\$186,995	\$28,724	\$90,976	\$16,281	\$87,230	\$186,145										
Annual Cost New PO's	\$0	\$85,380	\$183,249	\$282,968	\$469,963	\$498,687	\$589,663	\$605,944	\$693,174	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319	\$879,319
Current Year New Officer Training	\$0	\$30,491	\$30,491	\$30,491	\$60,982	\$0	\$30,491	\$0	\$30,491	\$60,982	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total New Officer Training	\$30,491	\$30,491	\$60,982	\$91,473	\$152,455	\$152,455	\$182,946	\$182,946	\$213,437	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419	\$274,419
Annual Cost New Vehicles					\$48,556					\$48,556					\$48,556					\$48,556
Total Cost New Vehicles					\$48,556					\$97,112					\$145,668					\$194,224
POLICE DEPARTMENT	\$0	\$115,871	\$216,166	\$318,371	\$589,389	\$513,673	\$640,368	\$631,516	\$755,727	#####	\$917,939	\$922,593	\$922,593	\$927,247	\$975,803	\$927,247	\$927,247	\$927,247	\$927,247	\$975,803
POLICE DEPARTMENT - ROUNDED	\$0	\$116,000	\$216,000	\$318,000	\$589,000	\$514,000	\$640,000	\$632,000	\$756,000	#####	\$918,000	\$923,000	\$923,000	\$927,000	\$976,000	\$927,000	\$927,000	\$927,000	\$927,000	\$976,000

Source: Town of Londonderry, DPFG, 2013.

APPENDIX TABLE A-10

TOWN OF LONDONDERRY
FIRE DEPARTMENT
ANNUAL EXPENDITURE IMPACTS
Year Ending June 30

FY13 BUDGET

Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#
\$832,949	\$179,674	\$0	\$0	\$1,012,623	23
0	82,500	1,000	0	83,500	23
341,658	84,500	0	0	426,158	23
(480,000)				(480,000)	
3,876,563	39,500	0	0	3,916,063	23
114,916	0	0	0	114,916	23
361,955	15,000	11,000	0	387,955	23
0	1,000	0	0	1,000	23
				120,000	
\$5,048,041	\$402,174	\$12,000	\$0	\$5,582,215	

Town of Londonderry
Departmental function is not growth sensitive.
Permanent Residential Population
Functional FTE Population - Residential
Functional FTE Population - Employment
Functional FTE Population - Total
Separate calculation

Woodmont Commons at Buildout
Departmental function is not growth sensitive.
Permanent Residential Population
Functional FTE Population - Residential
Functional FTE Population - Employment
Functional FTE Population - Total
Separate calculation

FY2012 Personnel
Administration 2
Captain 4

Lieutenants 12
Firefighters 24
Communications 4
Prevention 1
Total 47

Estimated Response Rates Per Dwelling Unit or Non-Res Sq. Ft.
Single Family 0.141 per Unit 39.5%
Multifamily 0.113 per 1000 GFA 12.7%
Retail, Lodging, Offices, Services 0.155 per 1000 GFA 17.1%
Industrial 0.076 per 1000 GFA 7.4%
Other Various 23.3%
Total 100.0%

Existing Inventory 2012:
Number of Stations
Number of Pumps
Number of Ladder Trucks
Number of Ambulances
Number of Command Vehicles
Number of Rescue Trucks
Number of Staff Vehicles

#	Per Unit Cost	Total Cost	Interest Rate	Term
3	\$3,300,000	\$9,900,000	5%	15
4	\$710,000	\$2,840,000	5%	5
1	\$990,000	\$990,000	5%	5
3	\$300,000	\$900,000	5%	5
1	\$130,000	\$130,000	5%	5
1	\$270,000	\$270,000	5%	5
3	\$50,000	\$150,000	5%	5

Total
Annual Responses
Annual Capital Cost per Response

FY2012 Statistics	Responses	Net Cost Per Response	Cost Per Employee
Fires Extinguished	59		
Non fire responses	1,492		
Rescue EMS Responses	1,739		
Total	3,290	\$5,467,299	\$1,662
Inspections and plan/permit review	1,010	\$114,916	\$8.56
Total		\$5,582,215	

Source: Town of Londonderry, DPFG, 2013.

Source: Town of Londonderry, DPFG, 2013.

	Year																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
FIRE DEPARTMENT - RESPONSE																				
CALL/FUNCTIONAL POPULATION APPROACH																				
WOODMONT COMMONS																				
Woodmont Commons New Employees	0	56	186	404	799	1,184	1,748	1,889	2,064	2,702	3,087	3,474	3,776	3,776	3,776	3,776	3,776	3,776	3,776	3,776
Accessory Unit Population	20	40	60	79	99	119	139	159	179	198	218	238	258	258	258	258	258	258	258	258
Total Allocation Base for Inspections	20	96	246	483	899	1,303	1,887	2,047	2,242	2,901	3,305	3,712	4,034	4,034	4,034	4,034	4,034	4,034	4,034	4,034
Residential Units:																				
New Accessory Units	10	20	30	40	50	60	70	80	90	100	110	120	130	130	130	130	130	130	130	130
New Primary Residences	65	130	195	260	325	390	455	520	585	650	715	780	845	910	975	1,040	1,105	1,170	1,235	1,300
Non-Residential Square Footage:																				
Office	0	0	0	50,000	150,000	250,000	375,000	375,000	375,000	425,000	525,000	625,000	725,000	725,000	725,000	725,000	725,000	725,000	725,000	725,000
New Retail	0	0	50,000	110,000	170,000	255,000	330,000	445,000	570,000	670,000	745,000	820,000	897,500	897,500	897,500	897,500	897,500	897,500	897,500	897,500
Lodging	0	0	125,000	125,000	125,000	125,000	245,000	245,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000	370,000
Tax-Exempt Hospital	0	0	0	0	0	0	0	0	0	0	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Projected Responses:																				
New Accessory Units	1	2	3	5	6	7	8	9	10	11	12	14	15	15	15	15	15	15	15	15
New Primary Residences	9	18	27	37	46	55	64	73	82	92	101	110	119	128	137	147	156	165	174	183
Office	0	0	0	8	23	39	58	58	58	66	81	97	112	112	112	112	112	112	112	112
New Retail	0	0	8	17	26	40	51	69	88	104	115	127	139	139	139	139	139	139	139	139
Lodging	0	0	19	19	19	19	38	38	57	57	57	57	57	57	57	57	57	57	57	57
Tax-Exempt Hospital	0	0	0	0	0	0	0	0	0	0	39	39	39	39	39	39	39	39	39	39
Total Responses	10	21	58	85	120	159	219	247	296	330	406	444	481	491	500	509	518	527	536	546

Sources: Town of Londonderry, DPFG, 2013.

Operating Cost per Response - Net of Ambulance Revenue	\$1,662	\$17,108	\$34,216	\$96,401	\$141,842	\$200,163	\$264,923	\$364,456	\$411,186	\$492,688	\$548,433	\$675,012	\$737,196	\$800,025	\$815,255	\$830,485	\$845,716	\$860,946	\$876,176	\$891,407	\$906,637
Capital Cost per Response	\$649	6,681	13,362	37,647	55,394	78,170	103,460	142,331	160,580	192,410	214,180	263,612	287,897	312,434	318,381	324,329	330,277	336,225	342,173	348,121	354,069
Inspections and plan/permit review	\$8.56	170	821	2,105	4,137	7,694	11,156	16,158	17,532	19,201	24,837	28,299	31,784	34,540	34,540	34,540	34,540	34,540	34,540	34,540	34,540
FIRE DEPARTMENT		\$23,959	\$48,400	\$136,152	\$201,373	\$286,027	\$379,539	\$522,946	\$589,299	\$704,299	\$787,450	\$966,923	\$1,056,877	\$1,146,998	\$1,168,176	\$1,189,354	\$1,210,533	\$1,231,711	\$1,252,889	\$1,274,067	\$1,295,246
FIRE DEPARTMENT - ROUNDED		\$24,000	\$48,000	\$136,000	\$201,000	\$286,000	\$380,000	\$523,000	\$589,000	\$704,000	\$787,000	\$967,000	\$1,057,000	\$1,147,000	\$1,168,000	\$1,189,000	\$1,211,000	\$1,232,000	\$1,253,000	\$1,274,000	\$1,295,000

Source: Town of Londonderry, DPFG, 2013.

APPENDIX TABLE A-11

TOWN OF LONDONDERRY		Town of Londonderry		Woodmont Commons at Buildout	
CABLE		N/A	0	N/A	0
ANNUAL EXPENDITURE IMPACTS		R	24,163	R	3,604
Year Ending June 30		FP-R	19,361	FP-R	2,888
		FP-E	4,432	FP-E	1,878
		FP-T	23,793	FP-T	4,765
		Other	CALC	Other	CALC
		Departmental function is not growth sensitive.			
		Permanent Residential Population			
		Functional FTE Population - Residential			
		Functional FTE Population - Employment			
		Functional FTE Population - Total			
		Separate calculation			

FY13 BUDGET

Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#		Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
45,638	38,350	0	54,200	138,188	29	Cable	R	24,163	\$5.72	3	0.000	3,604	0.4
373,674	34,100	0	0	(265,132)		Cable	R	24,163	(\$10.97)		0.000	3,604	0.0
\$419,312	\$72,450	\$0	\$54,200	(\$126,944)			Total			3.0			0.4

Source: Town of Londonderry, DPGF, 2013.

		Year																																							
CABLE DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH	Cost per Assigned Functional FTE																																								
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20																				
		WOODMONT COMMONS																																							
		Projected Residential Population	R	187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604																		
		Functional Population FTEs - Residential	FP-R	150	300	450	600	750	900	1,050	1,200	1,350	1,500	1,649	1,799	1,949	2,083	2,217	2,352	2,486	2,620	2,754	2,888																		
		Functional Population FTEs - Employment	FP-E	0	56	146	260	447	623	889	1,029	1,165	1,430	1,607	1,784	1,877	1,877	1,877	1,877	1,877	1,877	1,877	1,877																		
		Functional Population FTEs - Total	FP-T	150	356	596	860	1,197	1,523	1,939	2,229	2,515	2,930	3,256	3,583	3,826	3,960	4,094	4,229	4,363	4,497	4,631	4,765																		
Cable	R	\$5.72	1,070	2,141	3,211	4,281	5,351	6,422	7,492	8,562	9,632	10,703	11,773	12,843	13,913	14,870	15,827	16,784	17,741	18,697	19,654	20,611																			
Cable	R	(\$10.97)	(2,053)	(4,107)	(6,160)	(8,214)	(10,267)	(12,321)	(14,374)	(16,428)	(18,481)	(20,534)	(22,588)	(24,641)	(26,695)	(28,530)	(30,366)	(32,202)	(34,038)	(35,874)	(37,709)	(39,545)																			
CABLE			(\$983)	(\$1,966)	(\$2,949)	(\$3,933)	(\$4,916)	(\$5,899)	(\$6,882)	(\$7,866)	(\$8,849)	(\$9,831)	(\$10,815)	(\$11,798)	(\$12,782)	(\$13,660)	(\$14,539)	(\$15,418)	(\$16,297)	(\$17,177)	(\$18,055)	(\$18,934)																			
CABLE DEPARTMENT - ROUNDED		\$	(1,000)	\$	(2,000)	\$	(3,000)	\$	(4,000)	\$	(5,000)	\$	(6,000)	\$	(7,000)	\$	(8,000)	\$	(9,000)	\$	(10,000)	\$	(11,000)	\$	(12,000)	\$	(13,000)	\$	(14,000)	\$	(15,000)	\$	(15,000)	\$	(16,000)	\$	(17,000)	\$	(18,000)	\$	(19,000)

Source: Town of Londonderry, DPGF, 2013.

APPENDIX TABLE A-12

TOWN OF LONDONDERRY

BUILDING
ANNUAL EXPENDITURE IMPACTS
Year Ending June 30

		Town of Londonderry		Woodmont Commons at Buildout		IMPACTS ESTIMATED BY BUILDING DEPARTMENT
	N/A	0	Departmental function is not growth sensitive.	N/A	0	
	R	24,163	Permanent Residential Population	R	3,604	Total Projected Revenue Attributable to Woodmont Commons \$479,443
	FP-R	19,361	Functional FTE Population - Residential	FP-R	2,888	Total Projected Expenses Attributable to Woodmont Commons 557,240
	FP-E	4,432	Functional FTE Population - Employment	FP-E	1,878	Net (\$77,797)
	FP-T	23,793	Functional FTE Population - Total	FP-T	4,765	According to the Building Department, the projected development revenue (based on current estimate construction costs/fees) represents a sufficient offset to provide adequate level of service. It is likely that fees can be adjusted accordingly to offset those fluctuations.
	Other	CALC	Separate calculation	Other	CALC	Source: Town of Londonderry, DPFG, 2013.

FY13 BUDGET

Personnel	Operating	Capital Outlay	Other				Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
4110-4260	4330-4690	4740-4760	4866-4905	Total	#		FP-T	23,793	\$12.05	3.0	0.000	4,765	0.6
\$267,591	\$19,195	\$0	\$0	\$286,786	24	Building	Total			3.0			0.6
(175,000)				(175,000)		Building Permits							
\$92,591	\$19,195	\$0	\$0	\$111,786									

BUILDING DEPARTMENT - FUNCTIONAL POPULATION METHODOLOGY APPROACH WOODMONT COMMONS	Cost per Assigned Functional FTE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Projected Residential Population	R	187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604
Functional Population FTEs - Residential	FP-R	150	300	450	600	750	900	1,050	1,200	1,350	1,500	1,649	1,799	1,949	2,083	2,217	2,352	2,486	2,620	2,754	2,888
Functional Population FTEs - Employment	FP-E	0	56	146	260	447	623	889	1,029	1,165	1,430	1,607	1,784	1,877	1,877	1,877	1,877	1,877	1,877	1,877	1,877
Functional Population FTEs - Total	FP-T	150	356	596	860	1,197	1,523	1,939	2,229	2,515	2,930	3,256	3,583	3,826	3,960	4,094	4,229	4,363	4,497	4,631	4,765
Building	N/A	\$12.05	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BUILDING			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BUILDING DEPARTMENT - ROUNDED			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Source: Town of Londonderry, DPFG, 2013.

APPENDIX TABLE A-14

TOWN OF LONDONDERRY

CULTURAL AND RECREATION
ANNUAL EXPENDITURE IMPACTS
Year Ending June 30

FY13 BUDGET

Personnel 4110-4260	Operating 4330-4690	Capital Outlay 4740-4760	Other 4866-4905	Total	#
\$77,996	\$69,465	\$0	\$0	\$147,461	30
945,939	254,370	0	0	1,200,309	31
40,634	8,889	0	0	49,523	32
\$1,064,569	\$332,724	\$0	\$0	\$1,397,293	

Town of Londonderry

N/A	0	Departmental function is not growth sensitive.
R	24,163	Permanent Residential Population
FP-R	19,361	Functional FTE Population - Residential
FP-E	4,432	Functional FTE Population - Employment
FP-T	23,793	Functional FTE Population - Total
Other	CALC	Separate calculation

Woodmont Commons at Buildout

N/A	0
R	3,604
FP-R	2,888
FP-E	1,878
FP-T	4,765
Other	CALC

Cost Allocation Base	Applicable Population Factor	Cost Per FTE Population	Current Town Employees	Town Employees Per FTE Population	Woodmont Commons FTE Pop at Buildout	New Town Employees at Buildout
R	24,163	\$6.10	1	0.000	3,604	0.1
R	24,163	\$49.68	14	0.001	3,604	2.1
N/A	0	\$0.00	0	0.000	0	0.0
Total			15.0			2.2

IMPACTS ESTIMATED BY LIBRARY DEPARTMENT

Library	FTE	Operating Annual Cost	Woodmont Commons Population	Per Resident
Full-time Librarian	1.0	\$79,820		
Library Technician	PT	26,316		
Library Page	PT	8,195		
Programming and services		5,202		
Total		\$119,533	3,604	\$33.17

IMPACTS ESTIMATED BY RECREATION DEPARTMENT

Recreation Dept	FTE	Operating Annual Cost	Capital Needs	Softball Field
Summer Programs	1.0		Facility Cost	\$150,000
Summer Programs	1.0		Land Cost	15,000
Softball Programs	0.5		Total	\$165,000
Annual Cost All Positions		\$30,000	Allocable to	15.4%
Operating Costs -1 Field		\$10,000	Woodmont	
Annual Equipment		\$2,000	Commons	\$25,000
Annual Cost		\$42,000		

Source: Town of Londonderry, DPF, 2013.

Source: Town of Londonderry, DPF, 2013.

CULTURAL AND RECREATION - FUNCTIONAL POPULATION METHODOLOGY APPROACH WOODMONT COMMONS		Cost per Assigned Functional FTE																				
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Projected Residential Population	R		187	374	561	749	936	1,123	1,310	1,497	1,684	1,871	2,059	2,246	2,433	2,600	2,767	2,935	3,102	3,269	3,437	3,604
Functional Population FTEs - Residential	FP-R		150	300	450	600	750	900	1,050	1,200	1,350	1,500	1,649	1,799	1,949	2,083	2,217	2,352	2,486	2,620	2,754	2,888
Functional Population FTEs - Employment	FP-E		0	56	146	260	447	623	889	1,029	1,165	1,430	1,607	1,784	1,877	1,877	1,877	1,877	1,877	1,877	1,877	1,877
Functional Population FTEs - Total	FP-T		150	356	596	860	1,197	1,523	1,939	2,229	2,515	2,930	3,256	3,583	3,826	3,960	4,094	4,229	4,363	4,497	4,631	4,765
Recreation	R	\$6.10	\$1,142	\$2,284	\$3,426	\$4,568	\$5,710	\$6,852	\$7,995	\$9,137	\$10,279	\$11,421	\$12,563	\$13,705	\$14,847	\$15,868	\$16,889	\$17,910	\$18,931	\$19,952	\$20,973	\$21,994
Library Fund	R	\$49.68	9,296	18,593	27,889	37,185	46,482	55,778	65,075	74,371	83,667	92,964	102,260	111,556	120,853	129,164	137,474	145,785	154,096	162,407	170,718	179,029

CULTURAL AND RECREATION DEPARTMENT	\$10,438	\$20,877	\$31,315	\$41,753	\$52,192	\$62,630	\$73,070	\$83,508	\$93,946	\$104,385	\$114,823	\$125,261	\$135,700	\$145,032	\$154,363	\$163,695	\$173,027	\$182,359	\$191,691	\$201,023
CULTURAL AND RECREATION DEPARTMENT - ROUI	\$ 10,000	\$ 21,000	\$ 31,000	\$ 42,000	\$ 52,000	\$ 63,000	\$ 73,000	\$ 84,000	\$ 94,000	\$ 104,000	\$ 115,000	\$ 125,000	\$ 136,000	\$ 145,000	\$ 154,000	\$ 164,000	\$ 173,000	\$ 182,000	\$ 192,000	\$ 201,000

Source: Town of Londonderry, DPF, 2013.

CULTURAL AND RECREATION -
DEPARTMENTAL CASE STUDY
APPROACH

Recreation																						
Operating Costs			\$0	\$0	\$0	\$15,000	\$15,000	\$15,000	\$15,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	
Capital Cost			0	0	0	0	0	0	0	25,000	0	0	0	0	0	0	0	0	0	0	0	
Total Recreation			\$0	\$0	\$0	\$15,000	\$15,000	\$15,000	\$15,000	\$67,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	
Cost per Resident																						
Library	R	\$33.17	\$6,000	\$12,000	\$19,000	\$25,000	\$31,000	\$37,000	\$43,000	\$50,000	\$56,000	\$62,000	\$68,000	\$74,000	\$81,000	\$86,000	\$92,000	\$97,000	\$103,000	\$108,000	\$114,000	\$120,000
CULTURAL AND RECREATION DEPARTMENT - ROUI			\$6,000	\$12,000	\$19,000	\$40,000	\$46,000	\$52,000	\$58,000	\$117,000	\$98,000	\$104,000	\$110,000	\$116,000	\$123,000	\$128,000	\$134,000	\$139,000	\$145,000	\$150,000	\$156,000	\$162,000

Source: Town of Londonderry, DPF, 2013.

TECHNICAL MEMORANDUM
WOODMONT COMMONS FISCAL IMPACT
LONDONDERRY SCHOOL DISTRICT
May 20, 2013

This technical memorandum is supplemental to the Woodmont Commons Fiscal Impact Analysis – Town of Londonderry (FIA) prepared by Development Planning & Financing Group (DPFG) dated May 17, 2013. Refer to that report for additional information about the project and including the relevant FIA assumptions.

Tax Base

As reflected in Table 1, commercial properties are projected to represent 43 percent of Woodmont's tax base. Property taxes generated by the commercial base are a valuable source of revenue for the Londonderry School District (School District). Although commercial properties generate additional property tax revenues, they do not generate additional public school costs.

Table 1: Woodmont Commons Tax Base Compared to the Existing Londonderry Tax Base

REAL PROPERTY TAX BASE	Tow n of Londonderry FY 12	%	Woodmont Commons	%	Total	%
Residential	\$2,486,520,000	73%	\$495,300,000	57%	\$2,981,820,000	70%
Commercial	912,288,000	27%	371,342,000	43%	1,283,630,000	30%
Total Tax Base	\$3,398,808,000	100%	\$866,642,000	100%	\$4,265,450,000	100%

Source: Tow n of Londonderry; Pillsbury Development, Shook Kelley, DPFG, 2013.

Revenue Impacts

Based on the assumptions documented in the FIA, Woodmont Commons (Woodmont) is expected to generate annual property taxes of \$10.7 million for the School District at buildout. Over the 20-year study period of the FIA wherein the School District property tax rate is held constant , Woodmont is expected to generate cumulative revenues of \$125.0 million for the School District.



Table 2: School District Property Tax Revenue Impacts

LONDONDERRY SCHOOL DISTRICT			
NET FISCAL IMPACT		Year	20-YEAR
Year Ending June 30	Tax Rate	20	CUMULATIVE
Property Taxes Collected on Behalf of :			
Londonderry School District	\$12.44		
DISTRIBUTION OF TAXES COLLECTED			
Londonderry School District		\$10,684,000	\$125,012,000

Source: DPFG, 2013.

Projected Public School Students

The enrollment rates in the Londonderry 2012 School Impact Fee Update were applied to the two Woodmont housing unit types to project the number of new public school students. An enrollment rate of 0.614 was applied to the 1,300 new primary residences, and an enrollment rate of 0.277 was applied to the new 130 accessory units.

The results in Table 3 indicate Woodmont could generate 834 public school students. However, the actual impact may be lower if the School District's enrollment rates continue to decline. For example, the School District's single family enrollment rate declined from 0.824 in 2002 to 0.746 in 2006 and to 0.614 in 2012. National demographic projections continue to reflect a shrinking family size and an aging population; both indicators of downward pressure on enrollment rates.

Table 3: Projected Public School Students

WOODMONT COMMONS		Year
Land Use/Units		20
New Accessory Units		130
New Primary Residences		1,300
	Enrollment Rate	
Public School Students		
New Accessory Units	0.277	36
New Primary Residences	0.614	798
Total Public School Students		834

Operating and Capital Cost Impacts

DPFG requested that the School District prepare a case study fiscal analysis to determine the incremental impacts of Woodmont on the School District's operating and capital costs. Because there is currently adequate capacity within the school system for additional students, the School District was the most qualified to quantify these impacts.

The estimates in Table 4 indicate Woodmont will generate annual operating costs of \$3,669 and total capital costs of \$ 3,255 per public school student. In total, Woodmont will generate annual incremental

operating costs of \$3.1 million (calculated as 834 students times \$3,669) and total capital costs of \$2.7 million (calculated as 834 students times \$3,255).

Table 4: Woodmont Operating and Capital Costs

	Salary	Elementary	Middle	High School	SAU	Total	Total New Employees
New Operating Costs							
New Teachers	\$66,000	7.0	5.0	3.0	0.0	15.0	
Teachers		\$462,000	\$330,000	\$198,000	\$0	\$990,000	
New Aides	\$0	TBD	0.0	0.0	0.0	0.0	
Aides		\$150,000				150,000	
New Administration	\$100,000	2.0	0.0	0.0	0.5	2.5	
Administration		\$200,000	\$0	\$0	\$50,000	250,000	
New Nurses	\$66,000	1.50	0.00	0.00	0.00	1.50	
Nurses		\$99,000	\$0	\$0	\$0	99,000	
New SPED Teach	\$66,000	1.50	0.00	0.00	0.00	1.50	
SPED Teach		\$99,000	\$0	\$0	\$0	99,000	
New Transportation	\$46,000		0.0	0.0	5.0	5.0	
Transportation		\$0	\$0	\$0	\$230,000	230,000	
SPED	40%				615,200	615,200	
New General Administration	25%				384,500	384,500	
Total		\$1,010,000	\$330,000	\$198,000	\$1,279,700	\$2,817,700	25.5
Initial School District Enrollment Projections						768	
Incremental Operating Cost Per Student						\$3,669	
Estimated Capital Costs						\$2,500,000	
Incremental Capital Costs Per Student						\$3,255	

New Students		
LEEP	5%	42
Kindergarten	5%	42
Elementary	50%	417
Middle School	35%	292
High School	5%	42
		<u>834</u>

Annual Incremental Operating Costs \$3,669 \$3,060,000

Incremental Capital Costs \$3,255 \$2,715,000

Source: Londonderry School District, DPGF, 2013.

Net Fiscal Impact

As shown in Table 5, at buildout Woodmont will generate an annual net fiscal surplus of \$7.3 million for the School District, primarily as a result of the project's significant commercial properties.

Table 5: Woodmont Annual Net Surplus

LONDONDERRY SCHOOL DISTRICT			
NET FISCAL IMPACT		Year	20-YEAR
Year Ending June 30	Tax Rate	20	CUMULATIVE
Property Taxes Collected on Behalf of :			
Londonderry School District	\$12.44		
DISTRIBUTION OF TAXES COLLECTED			
Londonderry School District		\$10,684,000	\$125,012,000
EXPENDITURES			
ANNUAL OPERATING COSTS		\$3,060,000	
CAPITAL COSTS	\$2,715,000		
Term, in years	10		
Interest Rate	5%		
Total Annual Capital Costs		352,000	
Total Annual Costs		3,412,000	
ANNUAL NET SURPLUS		\$7,272,000	

Note: SGR = Public School Student
Generation Rate
Source: Town of Londonderry, DPFG,
2013.



4.5 Development Agreement

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN

SEPTEMBER 2013

WOODMONT COMMONS
DEVELOPMENT AGREEMENT

Pillsbury Realty Development, LLC

HYRAX Derry Partners, LLC

Demoulas Super Markets, Inc.

Robert D. and Stephen R. Lievens

and

The Town of Londonderry, New Hampshire

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WOODMONT COMMONS DEVELOPMENT AGREEMENT

This Woodmont Commons Development Agreement (the "Agreement") is made and entered into this ____ day of September, 2013 by and between Pillsbury Realty Development, LLC, HYRAX Derry Partners, LLC, Demoulas Super Markets, Inc., and Robert D. and Stephen R. Lievens and the Town of Londonderry, New Hampshire (hereinafter the, "Town"), all of which have legal or equitable interests in the properties listed on Exhibit A (the "PUD Properties") attached hereto.

I. STATEMENT OF PURPOSE

Pillsbury Realty Development, LLC (hereinafter, the "Developer") has petitioned the Town to recognize as a Planned Unit Development ("PUD") approximately 600 acres within the Town's jurisdiction for a sustainable, multi-phased, mixed use commercial, industrial and residential planned unit development to be known as "Woodmont Commons" (hereinafter referred to as "Woodmont" or the "Development"). Pillsbury Realty Development, LLC, HYRAX Derry Partners, LLC, Demoulas Super Markets, Inc., and Robert D. and Stephen R. Lievens (hereinafter, collectively the "Landowners") each own real property within Woodmont. Woodmont is a unique and innovative land use development which the Town recognizes for the potential benefits – fiscal, environmental, and otherwise – that the Development may offer to the residents of the Town.

Woodmont is a project of magnitude and complexity with elements that are described in a planned unit development master plan and referenced in this development agreement between the Developer, the Landowners and the Town. This Agreement is subject to, and will be executed upon, approval by the Londonderry Town Council following a public hearing and in

connection with approval of the Woodmont Commons Planned Unit Development by the Londonderry Planning Board, as requested by the Developer.

NOW, THEREFORE, based upon the terms and conditions set forth herein and in consideration of the mutual promises and assurances herein provided, the parties agree as follows:

II. BACKGROUND

A. The Developer, on behalf of the Landowners, has petitioned to recognize the Properties as a PUD, as defined in a planned unit development master plan, which comprise approximately 600 acres located within the Town and generally straddling Interstate 93 between existing exits 4 and 5 in the location of Pillsbury Road and its intersection with Gilcreast Road. The Development real property is more particularly described within Exhibit B, the so-called “Woodmont Commons Master Plan: Planned Unit Development” (the “PUD Master Plan”), which is attached hereto and incorporated herein by reference. The PUD Master Plan includes overall conceptual plans, permitted land uses, development and design standards related to land use and infrastructure, and site plan and subdivision review procedures specific to the Woodmont Commons PUD.

The real property described and depicted within Exhibit B comprises the Development and shall be subject to the terms and provisions of the planned unit development master plan and this Agreement. This Agreement may be amended as provided by law (i) to extend to additional real property rezoned by the Town and incorporated into Woodmont, (ii) to modify its terms and provisions, and (iii) to address additional matters, whether or not contemplated or potentially contemplated at the time of first execution.

B. After careful review and deliberation, the Londonderry Town Council has determined that, subject to the Planning Board's approval of the PUD application, Woodmont is consistent with the Town's land use planning objectives and policies, as well as the health, safety, welfare and economic well-being of residents of and visitors to the Town.

C. The Developer, the Landowners and the Town enter into this Agreement for the purpose of: 1) confirming the potential maximum amount of, and the permitted types of, uses and associated development and design standards for Woodmont Commons; 2) coordinating the construction, apportionment of use, and design of infrastructure that will serve the Development and the community at large; 3) confirming the regulations relating to the dedication and/or provision of public facilities by the Developer as described herein; and 4) providing assurances to the Developer that it may proceed with the Development, in good faith reliance upon the Woodmont planned unit development master plan as an approved PUD and without encountering future changes in ordinances and regulations that would materially impair its ability to develop Woodmont as contemplated in the approved planned-unit development zoning and under the terms of this Agreement.

III. ADOPTION, DURATION, AND DEVELOPMENT

A. Public Hearing.

The Londonderry Town Council conducted a public hearing on September 9, 2013 to consider the approval and execution of this Agreement at the recommendation of the Planning Board. The Notice of Public Hearing specified, among other things, the location of the Development, the planned unit development master plan applicable to the Development, and a place where a copy of this Agreement and the Woodmont PUD Master Plan could be obtained.

During the public hearing, the Council approved this Agreement, subject to the Planning Board's approval of the PUD Master Plan, as requested by the Developer.

B. Duration.

The term of this Agreement shall commence on the date of its execution by the parties, which has been inserted on the first page hereof. Subject to any subsequent agreement extending the original duration, this Agreement shall expire twenty (20) years from the date of execution.

C. Development of Woodmont.

1. PUD Master Plan.

Subject to subparagraph III.D. hereafter, Woodmont shall be developed in accordance with the terms and conditions of the PUD Master Plan approved by the Planning Board and authorizing rezoning. A copy of the approved PUD Master Plan is attached hereto as Exhibit B. Capitalized terms not otherwise defined in this Agreement shall have the same meaning set forth in the PUD Master Plan.

2. Single Planned-Unit Development.

Woodmont shall be developed as a single planned-unit development and considered one comprehensive project. Analyses regarding density, transportation, open space and other matters have been made consistent with the entire Development and not in isolation or on a project-by-project basis as each project shall be integrated into the entire Development and PUD Master Plan.

3. Timing Schedule for the Development.

Woodmont shall be developed as provided for in the PUD Master Plan, with development areas and the timing of development determined on the basis of sound planning and demographic and market conditions, and as approved in the form of subdivision and site plan

approvals by the Planning Board. Subject to the requirement that active and substantial development shall commence within four (4) years and such other requirements as the Planning Board conditions its approval of the PUD Master Plan, the identification of development areas and the timing of development shall be determined by the Developer, as defined in the PUD Master Plan, and as may be designated or assigned by the Developer from time to time.

D. Future Changes and Modifications.

It is understood and agreed that because of its magnitude and complexity, the development of Woodmont will occur over a period of multiple years and in market conditions that cannot accurately be predicted or anticipated. Further, as a planned unit development to be developed with the principles of anticipatory design as set forth in the PUD Master Plan, Woodmont will utilize technologies, methods, designs, and techniques that will change over time. Accordingly, it is acknowledged and agreed that the Developer may seek Planning Board approval for modifications and supplementations to the PUD Master Plan from time to time as provided in the PUD Master Plan. All references to the PUD Master Plan in this Agreement shall include and consider all such minor and major amendments to the PUD Master Plan as may be approved by the Planning Board from time to time.

E. Declaration of Restrictive Covenants.

It is understood and agreed that prior to the Developer's or Landowners' conveyance of any property within Woodmont, and subsequent to the execution of this Agreement, the Developer shall record in the Rockingham County Registry of Deeds with respect to the Development a Declaration of Restrictive Covenants and other conditions upon conveyances, in a form attached hereto as Exhibit C, (hereinafter, collectively, the "Declaration"), duly executed by the record owner or owners of each parcel included within the Development, stating that the

Development is within the zoning jurisdiction of the Town of Londonderry and is zoned as a planned-unit development pursuant to the terms of the PUD Master Plan. Said Declaration shall further state that the Development and the use of property therein are subject to regulations applicable to Woodmont as stated in the PUD Master Plan, a copy of which is available for inspection at the Planning and Economic Department of the Town of Londonderry (the "Planning Department") at the Londonderry Town Hall, 268 B Mammoth Road, Londonderry, New Hampshire 03053. In addition, the Declaration shall specify that the Developer, its successors and assigns, as the Developer as therein defined, has the preliminary and initial authority to make certain decisions with regards to the use and improvement of real properties comprising Woodmont (prior to the filing of applications for individual projects with the Town's land use boards). Finally, the Declaration shall provide that (i) each deed conveying land within Woodmont recorded subsequent to the recordation of the Declaration shall state that the respective conveyance is subject to this Declaration, but that the failure to include such statement, or to include a sufficiently suitable statement, in a deed, shall not affect the enforceability of the Declaration with respect to the property conveyed or invalidate the respective conveyance; and (ii) no projects, rezoning petition, PUD Master Plan adjustment, variation, alteration or amendment, application for variance, special exception or conditional use approval shall be submitted to the Town, or its land use boards, or proposed in any manner, without the written consent of the Developer, which shall not be unreasonably withheld.

IV. PUD MASTER PLAN PERMITTED USES AND POTENTIAL TOTAL DEVELOPMENT

The permitted uses and potential total development for Woodmont are established in the Section 2.2.3 of the PUD Master Plan. In the event that additional real property is incorporated

into Woodmont, the total authorized development shall be adjusted as set forth in an amended PUD Master Plan.

V. ARCHITECTURAL AND DESIGN STANDARDS

Architectural and design standards for Woodmont shall be as set forth in the PUD Master Plan.

VI. TRANSPORTATION

A. General.

1. Transportation Impact Assessment and Responsibility for Mitigation and the Cost of Transportation Improvements.

As provided in Section 2.3.3 of the PUD Master Plan, a Transportation Impact Assessment, with its multiple iterations, has been prepared for Woodmont and attached to the Master Plan as a Supplemental Document. The Transportation Impact Assessment, along with Section 3.0 of the PUD Master Plan, addresses the potential maximum densities and allowable building square footage of the land uses authorized in the PUD Master Plan and recommends both on-site and off-site thoroughfare mitigation and/or improvements to be completed at intervals, as discussed in the Master Transportation Impact Analysis included at Section 4.2 of the Master Plan, and as occurring during the build-out of Woodmont.

The Developer shall be solely responsible for the cost of on-site and PUD Master Plan-related off-site thoroughfare mitigation and/or transportation improvements as discussed in the Master Transportation Impact Analysis, as the same Analysis may be supplemented from time to time, and as approved by the Planning Board in the form of subdivisions and site plans developed within the PUD and in accordance with the PUD Master Plan. The additional traffic and transportation capacities triggered by PUD Master Plan-related mitigation and improvements shall be reserved by the Town, and the Planning Board, for consumption and utilization by

Developer for Woodmont and its successors and assigns specifically in regards to development of the PUD Master Plan.

The Town, through its various administrative departments and municipal boards, shall require that all third parties seeking to develop in the Town, and potentially having affect upon or having impact to thoroughfares, intersections and other transportation infrastructure mitigated and/or improved by Developer in connection with the development of the PUD Master Plan study transportation impacts using the assumption that the PUD will reach its projected full build-out. These third party projects shall be evaluated and all traffic generation and transportation impacts for such third party projects shall be reviewed and undertaken with the assumption that the PUD Master Plan is or shall be fully developed. For example, a third party proposing commercial development outside of the PUD, but in such reasonable proximity to the PUD that its traffic generation will mix with Woodmont's traffic generation, then such third party proposal shall be considered and evaluated as if the PUD Master Plan has been fully developed.

To the extent PUD-related mitigation and/or improvements, paid for by the Developer, generates traffic and thoroughfare capacities that are beyond that which is reasonably necessary to service the subdivisions and site plans occurring in accordance with the anticipated development of the full PUD Master Plan, then Developer shall be entitled to receive, and the Planning Board shall be required to arrange as a condition of such third-party's planning approval, reimbursement to Developer for third-party's utilization and/or consumption of said excess capacity.

2. NHDOT and FHWA Approvals.

The Developer and the Town agree that all roads owned, managed and maintained by the State of New Hampshire are subject to permits and approvals of the New Hampshire Department of Transportation ("NHDOT") and the Federal Highway Administration ("FHWA"). With respect to any permit or approval necessary for a site plan or project approved by the Planning Board, the Town shall support the efforts of the Developer in obtaining any and all requisite permits and approvals from NHDOT and FHWA for development of Woodmont consistent with the general development threshold and mitigation concepts contained within the PUD Master Plan, including the furtherance of the Town's Master Plan with respect to infrastructure improvements to existing Town and State improvements.

B. Dedications and Maintenance.

With the exception of such roadways and traffic improvements as are determined by the Developer in accordance with the PUD Master Plan to be private and to be maintained at the expense of the Developer, all roadways, thoroughfares and traffic-related improvements within Woodmont may be publicly dedicated, accepted and maintained, if approved by the Planning Board and accepted by the Town Council.

C. Thoroughfare Standards.

Roadways, thoroughfares, sidewalks and pathways, and traffic-related improvements within Woodmont shall be designed and constructed as provided in the PUD Master Plan and the Master Transportation Impact Analysis included at Section 4.2 of the PUD Master Plan, subject to such standards of the Town, NHDOT, and FHWA.

D. Traffic Signals.

The Developer shall maintain the right to purchase, construct, and install poles and traffic signals within Woodmont consistent with its design standards, subject to the approval of the traffic signal design by the Town and State for safety, function, and compliance with Town Standards and/or NHDOT standards, whichever are applicable. All poles and traffic signals may be dedicated to, accepted by and thereafter become the property of and maintained by the Town or other relevant governmental entity, if they are within the public right-of-way or thoroughfare.

E. Condemnation of Right of Way or Easements for Off-Site Improvements.

If acquisition of right of way or easements is necessary or appropriate to meet any requirement of the PUD Master Plan, this Agreement, or the Transportation Impact Study, then the Developer, if it is responsible for the construction of the improvement, will exert reasonable and good faith efforts to obtain by private negotiation from the relevant property owners, the right of way or easements necessary to meet such requirement. In the event that the Developer is unable to obtain any of the required right of way after exerting reasonable, good faith efforts to negotiate to do so, the Developer may request that the Town obtain the required right of way by exercise of eminent domain. If in the exercise of its discretion to open streets and install infrastructure, the Town determines that certain property is necessary for a public use and purpose, as the same is referenced in RSA Chapter 498-A, which determination shall not be unreasonably delayed, then the Town shall without undue delay obtain the required right of way or easement by purchasing the same or through eminent domain proceedings. In the event that the Town purchases any required right of way or easements at the request of the Developer, then the Developer shall reimburse the Town for its purchase price and reasonable expenses related to the purchase. In the event that the Town acquires any required right of way or easements through

eminent domain proceedings, the Developer will reimburse the Town for any award of just compensation and/or damages (as determined through settlement or verdict), including interest, that the Town is required to pay, and for appraisal fees, reasonable attorney's fees and other reasonable costs and expenses incurred by the Town in connection therewith. The Developer shall be entitled to recommend qualified condemnation counsel to the Town, should the Town elect to use outside counsel, although the final decision on selection of condemnation counsel is left to the Town. The Developer shall not be liable for settlement payments in excess of appraised value unless it has given its prior written consent to be bound by the same.

VII. PUBLIC FACILITIES

A. Public Financing.

The Town and the Developer acknowledge that Woodmont may provide for economic growth, the expansion of the non-residential tax base, and the creation of employment opportunities within the Town. The Town agrees to cooperate with and assist the Developer and other applicable governmental entities, including the State of New Hampshire and various Federal Governmental entities, to facilitate the development and construction of public facilities that the Town deems in the best interests of the citizens of Londonderry. The Developer believes that some form of Public Financing will be necessary for the development and construction of certain public facilities and utilities. For the purpose of this Agreement, Public Financing shall refer to: (i) any grant, reimbursement, loan or other payment made by any governmental entity with respect to the development and construction of such public facilities, in whole or in part, (ii) the proceeds of any bond financing lawfully issued by any governmental entity used for such purposes (other than general obligation bonds); and, (iii) the authorization of one or multiple development districts available pursuant to RSA Chapter 162-K, including the adoption of a tax

increment financing plan pursuant to RSA 162-K:9 to offset the private costs of developing infrastructure and other improvements consistent with RSA 162-K:6, III within Woodmont. If approved, Public Financing may be utilized for all costs associated with the development and construction of such public facilities and development district improvements, including planning, permitting, design, fees, mitigation, engineering, construction, construction management, bonding, insurance, construction finance expenses, and all other costs permitted by applicable law.

1. Road and Transportation Improvements.

Construction of, and improvements to, major road and transportation facilities in, through and/or proximate to the periphery of Woodmont, as identified in the Master Transportation Impact Analysis incorporated into the PUD Master Plan at Section 4.2, including interchanges with, and improvements on, Interstate 93, Exit 4a, and State Route 102, are to be constructed in accordance with the PUD Master Plan and the Master Transportation Impact Analysis. With the approval of the Planning Board, the Developer may construct such other transportation or parking related facilities as may be appropriate to further the development of Woodmont. With the exception of parking related facilities, all transportation and related infrastructure referred to in this subsection shall be hereinafter referred to as "Major Road Improvements." Similarly, the Town shall periodically update its municipal master plan in accord with the requirements of RSA 674:1 et seq.

2. Wastewater Collection System.

A wastewater collection system shall be installed in phases to serve Woodmont and the Town. Pump stations, force mains and gravity sewer lines will be constructed in

accordance with the PUD Master Plan and as approved by the Planning Board in subsequent subdivision and site plan applications.

3. Potable Water Distribution Lines and Facilities.

Major water distribution lines will be constructed in accordance with the PUD Master Plan as needed to serve Woodmont and the Town. Further, if required to maintain potable water storage and system pressure requirements, the Master Developer will work with the Town and Pennichuck Water Works to secure an appropriate site within the PUD for, and the construction of, a water storage tank and/or potable water storage facilities.

4. Recreational and Community Facilities.

The Developer may provide for the construction of the recreation facilities to benefit Woodmont, the Town and surrounding areas, including but not limited to those provided for in the PUD Master Plan.

B. Water and Wastewater Systems.

1. Wastewater Capacity.

For Woodmont to meet its long term development goals, and provided mutually-agreeable financial arrangements are made between Woodmont and the Town, the Town shall provide and/or contract with the Town of Derry, New Hampshire or the City of Manchester, New Hampshire, over the term of this Agreement, for sufficient wastewater capacity as development occurs within Woodmont. Wastewater generated within the Development shall be treated in accordance with the PUD Master Plan.

2. Water Supply.

For Woodmont to meet its long term development goals, and provided mutually-agreeable financial arrangements are made between Woodmont and the Town, the Town shall

provide and/or contract with Pennichuck Water Works, over the term of this Agreement, for sufficient water supply as development occurs within Woodmont, at locations consistent with the PUD Master Plan, and at the periphery of Woodmont, the exact locations of which shall be mutually agreed upon by all parties.

VIII. FISCAL MATTERS

A. General.

It is acknowledged and agreed (i) that the public facilities developed and constructed pursuant to the foregoing Article VII and dedicated to the Town may facilitate economic growth, expand the Town's tax base, and create employment opportunities for the Town's citizens, all with significant economic benefit to the Town; and (ii) if so, it is appropriate that certain credits should be made available to the Developer for expenditures associated with such public facilities and utilities. Further, it is acknowledged that the Woodmont Commons Fiscal Impact Analysis performed by Development Planning & Financing Group, Inc. ("DPFG"), dated May 17, 2013, as peer-reviewed by RKG Associates, Inc., reasonably projected that the PUD will be substantially fiscally-positive at full build-out at the conclusion of an estimated twenty (20) years.¹

B. Commitment to Maintain Net Positive Fiscal Impact.

While DPFG projected that the PUD will be substantially fiscally-positive at projected full build-out at the conclusion of twenty (20) years, it is acknowledged that the PUD may not always maintain cumulative and continual net positive fiscal impact at all times throughout the projected span of the twenty-year development projection. Further, since said fiscal projections are inherently based upon estimations, and the actual sequence development is unknown at this

¹ RKG Associates opined that the development should be revenue positive at full build-out, although likely less so than DPFG's estimate.

time, such projections are only reliable to the extent they ultimately mimic future realities. Therefore, to protect the Town against financial shortfalls, Developer will reassess cumulative fiscal impacts annually and report the same to the Town. The annual update of the Woodmont Commons fiscal impact analysis will rely upon the transparency established in the Woodmont Commons Fiscal Impact Analysis dated May 17, 2013 (2013 Report), using the following: (1) real property tax revenues shall be calculated by the Town of Londonderry Tax Assessor for all real property within the PUD area based on the assessed value as of April 1 of the previous year; (2) the Town of Londonderry Town Clerk shall calculate the motor vehicle permit fees based on the motor vehicles registered to addresses within the PUD area; and, (3) incremental general fund expenditures generated by Woodmont Commons based on methodologies employed in the 2013 Report (a copy of which is attached to this Development Agreement as Exhibit D) with inputs updated to reflect (a) current data and costs and (b) the current budgeting. Should said reporting indicate that Woodmont, taken cumulatively and as a whole, has placed a negative impact upon the financial resources of the Town in the years from inception to the year of review, then Developer shall make payment to the Town, to correct the deficiency. Said payment to the Town shall be in the amount necessary to bring Woodmont back to cumulative financial neutrality for the years assessed

C. Sewer Access, Connection and User Fees.

The purpose of Sewer Access, Connection and User Fees for sewer service is to recover the cost of previous capital investments in sewer systems and to build capital reserve funds for future investment in sewer collection and treatment facilities. In view of the investment necessary to provide sewer service to and within Woodmont, the Developer will receive a credit against prevailing impact fees, as the obligation to pay the same may be modified by the PUD

Master Plan, payable with respect to development within Woodmont for any and all capital expenditures made in sewer infrastructure that is dedicated to the Town, on a dollar-for-dollar basis and prorated for its share of use.

D. Recreation Impact Fees.

Subject to Planning Board approval, the Developer may receive a credit against any recreation impact fees owed with respect to development within Woodmont for the value, included any amounts expended upon the creation, restoration or rehabilitation of any open space historic or cultural resource sites or facilities dedicated to the Town or donated to any non-profit entity for the purpose of recreation. In addition, subject to Planning Board approval, the Developer may receive a credit against any Recreation Impact Fees owed for any amounts expended on the development of public parks, recreation or open space sites as stated in the PUD Master Plan.

E. Transportation Development Fees.

The purpose of Transportation Development Fees is to recover a portion of the cost associated with the construction of Major Road Improvements. Accordingly, the Developer shall receive a credit against prevailing Transportation Development Fees owed for amounts expended on the construction of Major Road Improvements, as discussed in the Master Transportation Impact Analysis included at Section 4.2 of the Master Plan, and as provided in this Agreement.

F. Access and Connection Fees.

The purpose of Access and Connection Fees is to recover a portion of the costs associated with the construction of wastewater treatment facilities. The calculation of the fee owed is based on Town or State published estimates of daily combined water/sewer service demand. To the

extent that standards that require reduction in water use are adopted for Woodmont, then Access and Connection Fees owed with respect to development within Woodmont shall be calculated based on the reduction in daily combined water/sewer service demand or the actual usage data within the PUD, to the extent available. In addition, Access and Connection Fees shall be reduced by readings off a “deduct meter” for development within Woodmont, paid by Woodmont, that uses water for irrigation or reduces potable water consumption for irrigation. Access and Connection Fees shall be reduced by use of a “deduct meter” throughout Woodmont for the installation of water re-use distribution infrastructure as Woodmont is developed, and development within Woodmont shall be exempt from impact fees for water re-use infrastructure improvements that duplicate Woodmont’s then-existing systems.

G. Use of Fee Credits.

As Woodmont develops, to the extent that the Developer is entitled to fee credits under this Article VIII which exceed amounts of the respective fee then payable, the Developer may utilize the excess credit amounts in satisfaction of future development fees for similar development within Woodmont.

H. Optional Reimbursement.

With respect to the cost of any of the public facilities constructed under Article VII for which the Developer is entitled to a credit hereunder, when such public facilities serve other property owners who pay development fees with regard thereto, the Developer may elect to claim a credit for such cost as provided herein or, if it so elects, receive as a reimbursement that portion of the development fees paid by such other property owner equivalent to the amount of the credit. If the Developer elects to receive as a reimbursement that portion of the development fees paid by such other property owner equivalent to the amount of the credit, it shall be

incumbent on the Developer to provide the Town's Department of Planning and Economic Development with a full accounting of the credit and the reimbursement.

IX. LAWS AND PERMITS IN EFFECT AT TIME OF AGREEMENT GOVERN DEVELOPMENT

A. Applicable Laws, Regulations and Ordinances.

Unless specifically provided in the PUD Master Plan, the Town Standards applicable to Woodmont are and shall be those in force for other, non-PUD Master Plan development as the same are amended from time to time by the Town. Accordingly, except as set forth in Section 2.8.3.8 of the Londonderry Zoning Ordinance and as the same may be modified in the PUD Master Plan and, the Developer shall have a vested right to develop Woodmont in accordance with the PUD Master Plan, the terms of this Agreement, and any of the Town Standards as they exist as of the date of this Agreement. To the extent there are any such revisions, implementations, or amendments to the PUD Master Plan subsequent to the date of this Agreement or establishes new, modified, or elective standards or regulations, the Developer shall become vested as to those laws, standards and regulations as though they existed at the date of the PUD Master Plan approval. Additionally, no future town development moratoria or increases in Town development impact or development fees shall apply to the Development without the written consent of the Developer. In other words, absent its written consent, the Developer shall pay the lesser amount of: (1) the development impact or development fees in effect at the time of Planning Board approval of a particular site plan or project; or (2) the development impact or development fees in effect on March 1, 2013.

With respect to Section 1.4 of the Londonderry Zoning Ordinance, Growth Management and Innovative Land Use Control (the "GMO"), the GMO shall apply to Woodmont. Because the GMO includes a mandatory sunset provision, if it is re-adopted prior to its expiration, the

GMO will continue to apply to Woodmont; however, if the current GMO expires pursuant to the sunset provision or other legislative action, no subsequently enacted GMO shall apply to Woodmont. During the period of this Agreement, in the event that: (i) Londonderry is in a period of legitimate growth; (ii) the GMO applies to Woodmont; and (iii) the GMO is “in effect” for the Town, the Developer shall have the right to request a waiver of its provisions from the Planning Board based on the results of its cumulative fiscal impact analyses. The Planning Board shall consider the request for the waiver and render a decision on the request. Each of the Developer and the Town shall, for the duration of this Agreement, retain on file copies of the PUD Master Plan and all other applicable Town Standards as they exist on the date of this agreement.

B. Statutory and Common Law Vesting.

The vesting of rights and privileges as described in subparagraph A. above shall not preclude the Developer from establishing permanent vested rights pursuant to the doctrines and principles of New Hampshire statutory (i.e., NHRSA 674:39) and common law.

X. ADDITIONAL PROVISIONS

A. Developer’s Voluntary Capital Contributions to Town.

1. Police, Fire and EMS

Like any significant development project, the development of Woodmont, in accordance with its PUD Master Plan, and as development is subsequently approved in the form of future subdivisions and site plans by the Planning Board, is anticipated to consume a proportionate amount of essential municipal services, including resources for police, fire and emergency response.

At such time as the Town, through its Planning Board, as advised by the various subdivisions of the Town, reasonably determines that within the succeeding twenty-four (24) months said municipal police, fire and emergency responders may not be able to reasonably service the needs generated by the Town as the same are augmented by Woodmont, then Developer shall be responsible for the provision to the Town of the following: (1) temporary dedication and fit-up of a portion of the existing "Woodmont Packing House" located at 15A Pillsbury Road, Londonderry, NH for use as a municipally-operated police, fire and emergency substation; (2) permanent dedication and fit-up of a suitable substation facility to be made available within twenty-four (24) months after the Town has reasonably determined, as referenced above, that it cannot service the municipal police, fire and emergency response needs of the Town and, (3) purchase or reimbursement of the costs to purchase an EMS ambulance, police cruiser AND a police motorcycle for the Town (all of similar class and type as those then and otherwise owned and operated by the Town). The Town shall be responsible for arranging the provision of any and all equipment, maintenance servicing and operations personnel to be stationed at 15A Pillsbury Road without contribution from Developer. Developer's contribution, as stated herein, shall be limited to the stated capital improvements, substation fit-up and the enumerated capital equipment items, as stated, and shall not under any circumstances extend to operating and maintenance expenses incurred in the normal course of staffing, utilizing and maintaining the substation or its integration with other then existing or future municipal assets, personnel or systems.

2. Cemetery Donation to the Trustees of the Trust Funds.

Following final approval of the Master Plan, and full execution of this Agreement, and after the successful conclusion of any applicable appeals periods relating thereto, Developer shall file with the Planning Board such land use applications as may be reasonably necessary to subdivide up to three (3)

acres of land adjacent to and between Pillsbury Cemetery and Woodmont for the purpose of conveying said acres to the Town. Said land may be owned, held and utilized by the Trustees of Trust Funds for the benefit of Pillsbury Cemetery and for any other purposes relating to the construction, operation and maintenance of a cemetery, including, without limitation, administration, burials, visitation, landscaping, privacy buffering, privacy screening, and travel ways. Said subdivision and donation of the land shall constitute the full and complete donation by Developers for the benefit of Pillsbury Cemetery, as Developers shall have no further obligation, financial, engineering or otherwise, beyond the act of subdivision, and exclusive of site planning, other than conveyance of the donated lands.

3. Land for School within Woodmont.

At such time as the Town reasonably determines that within the succeeding twenty-four (24) months, it will become necessary to construct a school within Woodmont, Developer shall offer to sell to the Town a parcel of land in a mutually-agreeable location solely for the purpose of constructing a new school at a price no greater than eighty-five percent (85%) of fair market value. The parcel shall be the minimum acreage reasonably necessary for development of a public grade school. If the parties cannot agree on the fair market value of the property, it shall be determined by an independent and contemporaneous appraisal performed by a mutually-agreeable appraiser with the cost of the appraisal divided equally between the Town and Developer.

B. Binding Effect.

The terms and provisions of this Agreement, and the benefits and burdens associated therewith, shall inure to the parties to this Agreement and their assigns, grantees and successors in interest.

C. Notices.

Any notice, demand, request, consent, approval or communication which a signatory party is required to or may give to another signatory party hereunder shall be in writing and shall

be delivered or addressed to the other at the address below set forth or to such other address as such party may from time to time direct by written notice given in the manner herein prescribed. Such notice or communication shall be deemed to have been given or made when communicated by personal delivery or by independent courier service or by facsimile or if by mail on the fifth (5th) business day after the deposit thereof in the United States Mail, postage prepaid, registered or certified, addressed as hereinafter provided. Parties shall make reasonable inquiry to determine whether the names of the persons listed in this Agreement should be substituted with the name of the listed person's successor. Notwithstanding the foregoing, it is not the intent of this section that formal notice be made for regular or routine communications between the Town and the Developer concerning permit requests, site plan reviews or other daily matters related to the development of the project.

All notices, demands, requests, consents, approvals or communications shall be addressed:

To the Town at:

Kevin Smith
Town Manager
Town of Londonderry
268 B Mammoth Road
Londonderry, New Hampshire 03053

with copies to:

Michael D. Ramsdell, Esq.
Ramsdell Law Firm, P.L.L.C.
46 South Main Street
Concord, New Hampshire 03301

To the Developer at:

Michael L. Kettenbach, Member
Pillsbury Realty Development, LLC
100 Ferry Street

Hudson, New Hampshire 03051

with copies to:

Ari B. Pollack, Esq.
Gallagher, Callahan & Gartrell, P.C.
214 North Main Street
P.O. Box 1415
Concord, New Hampshire 03302-1415

D. Construction.

The parties agree that each party and its legal counsel have reviewed and had equal opportunity to revise this Agreement and that any rule of construction resolving ambiguities against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits hereto.

E. Assignment.

With the Town's approval, which will not be reasonable withheld, the Developer may assign substantially all of its rights and responsibilities hereunder to subsequent developer(s) or successor(s), provided that no assignment shall relieve the assigning party of responsibility with respect to the remaining portion of the relevant parcel or parcels of land owned by the assigning party or the Developer's capital contribution obligation pursuant to section XA above without the written consent of the Town, which consent shall not be unreasonably withheld. In the event that the Developer sells all of its relevant parcel or parcels of land and assigns its respective rights and responsibilities to a subsequent developers or other successor in interest, then the Developer shall be relieved of all of its covenants, commitments and obligations hereunder.

F. Governing Law and Venue.

This Agreement shall be governed by the laws of the State of New Hampshire and interpreted by the Superior Court for the State of Hampshire or the United States District Court for the District of New Hampshire.

G. Counterparts.

This Agreement may be executed in several counterparts, each of which shall be deemed an original, and such counterparts shall constitute one and the same instrument.

H. Severability.

If any term or provision herein shall be judicially determined to be void or of no effect, such determination shall not affect the validity of the remaining terms and provisions.

I. Authority.

Each party represents that it has undertaken all actions necessary for corporate or public approval of this Agreement, and that the person signing this Agreement has the authority to bind the Town or the Developer.

J. Approval and Recordation.

This Agreement shall be executed by each of the Town, the Landowners and the Developer and recorded by the Developer within fourteen (14) days of the Town's execution. Failure to record within fourteen (14) days shall not be deemed a material breach of this Agreement enabling the Town to modify or terminate this Agreement.

IN WITNESS WHEREOF, the parties hereby set their hands and seals, effective the date first above written.

DEVELOPER

Pillsbury Realty Development, LLC

By: _____

Title: _____

State of New Hampshire

County of _____

I hereby certify that _____ (Name) personally appeared before me this day acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above.

Date: _____

Notary's Signature

My Commission Expires: _____

LANDOWNERS

HYRAX Derry Partners, LLC

By: _____

Title: _____

State of New Hampshire

County of _____

I hereby certify that _____ (Name) personally appeared before me this day acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above.

Date: _____

Notary's Signature

My Commission Expires: _____

Demoulas Super Markets, Inc.

By: _____
Title: _____

Commonwealth of Massachusetts
County of _____

I hereby certify that _____ (Name) personally appeared before me this day acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above.

Date: _____

Notary's Signature
My Commission Expires: _____

Robert D. and Stephen R. Lievens

By: _____
Individually

By: _____
Individually

State of New Hampshire
County of _____

I hereby certify that _____ (Names) personally appeared before me this day acknowledging to me that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above.

Date: _____

Notary's Signature
My Commission Expires: _____

TOWN

Town of Londonderry

By: _____
Title _____

Witness: _____
Title: _____

State of New Hampshire
County of _____

I hereby certify that _____ (Name) personally appeared before me this day acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above.

Date: _____

Notary's Signature
My Commission Expires: _____

APPROVED AS TO FORM

Michael D. Ramsdell, Esq.
Town Attorney

State of New Hampshire
County of _____

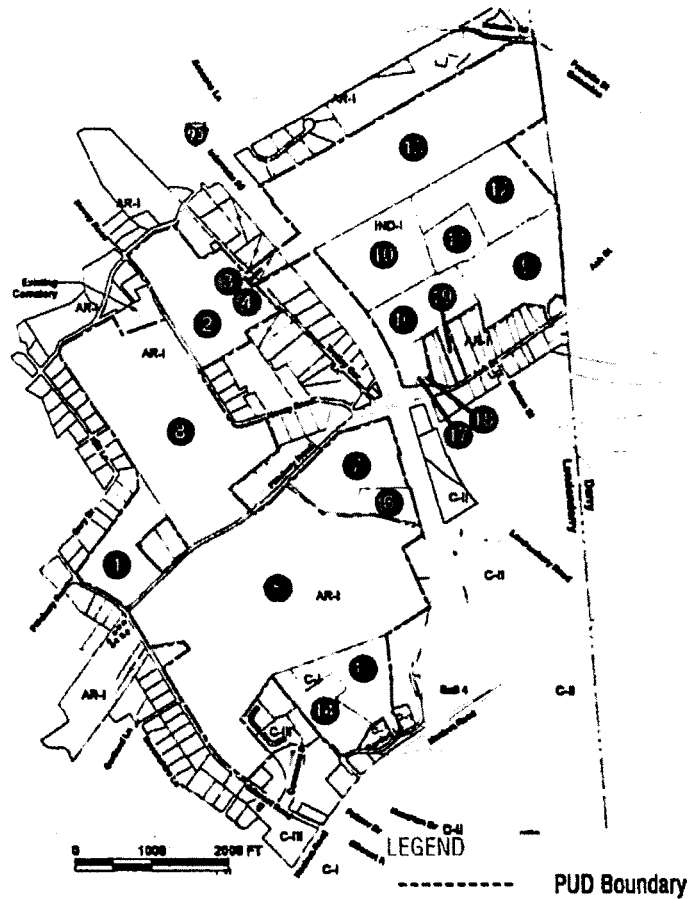
I hereby certify that _____ (Name) personally appeared before me this day acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated above.

Date: _____

Notary's Signature
My Commission Expires: _____

EXHIBIT A
Depiction of Properties Subject to Agreement and Within Master Plan

2.1.2 Map and Boundary Description



Woodmont Commons Property List

Lot	Parcel ID	Acres	Underlying Zoning	West	East	Lot
1	010 015 0	24.000	Agricultural-Residential (AR-I)	24.000		1
2	010 023 0	38.000	Agricultural-Residential (AR-I)	38.000		2
3	010 029 2A	1.187	Agricultural-Residential (AR-I)	1.187		3
4	010 029 2B	1.187	Agricultural-Residential (AR-I)	1.187		4
5	010 041 0	162.003	Agricultural-Residential (AR-I)	162.003		5
6	010 041 1	5.000	Agricultural-Residential (AR-I)	5.000		6
7	010 041 2	25.190	Agricultural-Residential (AR-I)	25.190		7
8	010 042 0	96.980	Agricultural-Residential (AR-I)	96.980		8
9	010 045 0	28.000	Agricultural-Residential (AR-I)		28.000	9
10	010 046 0	29.000	Industrial I (IND-I)		29.000	10
11	010 047 0	9.000	Industrial I (IND-I)		9.000	11
12	010 048 0	29.000	Industrial I (IND-I)		29.000	12
13	010 050 0	96.000	Industrial I (IND-I)		96.000	13
14	010 052 0	14.650	Commercial I (C-I)	14.650		14
15	010 052 1	18.640	Commercial I (C-I)	18.640		15
16	010 057 0	20.480	Industrial I (IND-I)		20.480	16
17	010 058 0	1.300	Agricultural-Residential (AR-I)		1.300	17
18	010 059 0	1.060	Agricultural-Residential (AR-I)		1.060	18
19	010 062 0	2.720	Agricultural-Residential (AR-I)		2.720	19
		603.397		386.837	216.560	

Source: Londonderry GIS

EXHIBIT B
Approved PUD Master Plan for Woodmont Commons

EXHIBIT C
Form of Declaration of Restrictive Covenants

4.6 SAMPLE RESTRICTIVE COVENANT

This section includes a form of restrictive covenant to be executed and recorded by each Developer.

Return to: Town of Londonderry Planning Department
268B Mammoth Road
Londonderry, NH 03053

RESTRICTIVE COVENANT

[GRANTOR], a New Hampshire [Entity] having offices at [Address] ("Covenantor"), for consideration received and as a condition of approval for the Woodmont Commons Master Plan approved by the Planning Board of the Town of Londonderry, New Hampshire on *Month Day*, 2013 for a Planned Unit Development known as Woodmont Commons ("Approval"), hereby enters into this Restrictive Covenant relating to said real property in Londonderry, New Hampshire and further identified as Town of Londonderry Parcel Identification Nos. _____ ("the Restricted Properties").

As a condition of the Approval, Covenantor irrevocably agrees that the development, redevelopment, operation and maintenance of the Restricted Properties shall now and forever conform to the Woodmont Commons Master Plan, as the same may be amended by the Town of Londonderry Planning Board from time to time.

The covenants, conditions, reservations and restrictions of this Restrictive Covenant shall run with and bind the Restricted Properties in perpetuity and shall inure to the benefit of the Town of Londonderry, New Hampshire.

Prior to the Covenantor's conveyance of any property within Woodmont Commons, each deed conveying land within Woodmont Commons recorded subsequent to the recordation of this Declaration shall state that the respective conveyance is subject to this Declaration, but that the failure to include such statement, or to include a sufficiently suitable statement, in a deed, shall not affect the enforceability of the Declarations with respect to the property conveyed or invalidate the respective conveyance. Further, no projects, rezoning petition, Master Plan adjustment, variation, alteration or amendment, application for variance, special exception or conditional use approval shall be submitted to the Town, or its land use boards, or proposed in any manner, without the written consent of the Master Developer, which shall not be unreasonably withheld.

Use and development of the Restricted Properties is subject to regulations applicable to Woodmont Commons as stated in the Master Plan, a copy of which is available for inspection at the Planning

Department of the Town of Londonderry (the "Planning Department") at the Londonderry Town Hall, 268 B Mammoth Road, Londonderry, New Hampshire 03053.

Enforcement of this Restrictive Covenant shall be by any appropriate proceeding in law or equity in any court or administrative tribunal having jurisdiction against any person, persons, firm, company, trust, corporation, or other entity violating or attempting to violate or circumvent any covenant, condition, reservation or restriction contained herein, either to restrain a violation or to recover damages, or both. Failure to enforce any covenant, condition, reservation or restriction contained herein shall in no event be deemed a waiver of the right to do so thereafter. In the event of litigation or administrative proceedings to enforce these covenants, conditions, reservations and restrictions, or to recover damages, the prevailing party shall be entitled to recover court costs and reasonable attorney's fees.

Meaning and intending to restrict real properties conveyed to Covenantor by deed of _____ dated _____, 20____, and recorded in the Rockingham County Registry of Deeds in Book _____, Page _____.

Executed this _____ day of _____, 2013.

[Land Owner]

BY _____
_____, ITS _____

STATE OF NEW HAMPSHIRE
COUNTY OF _____

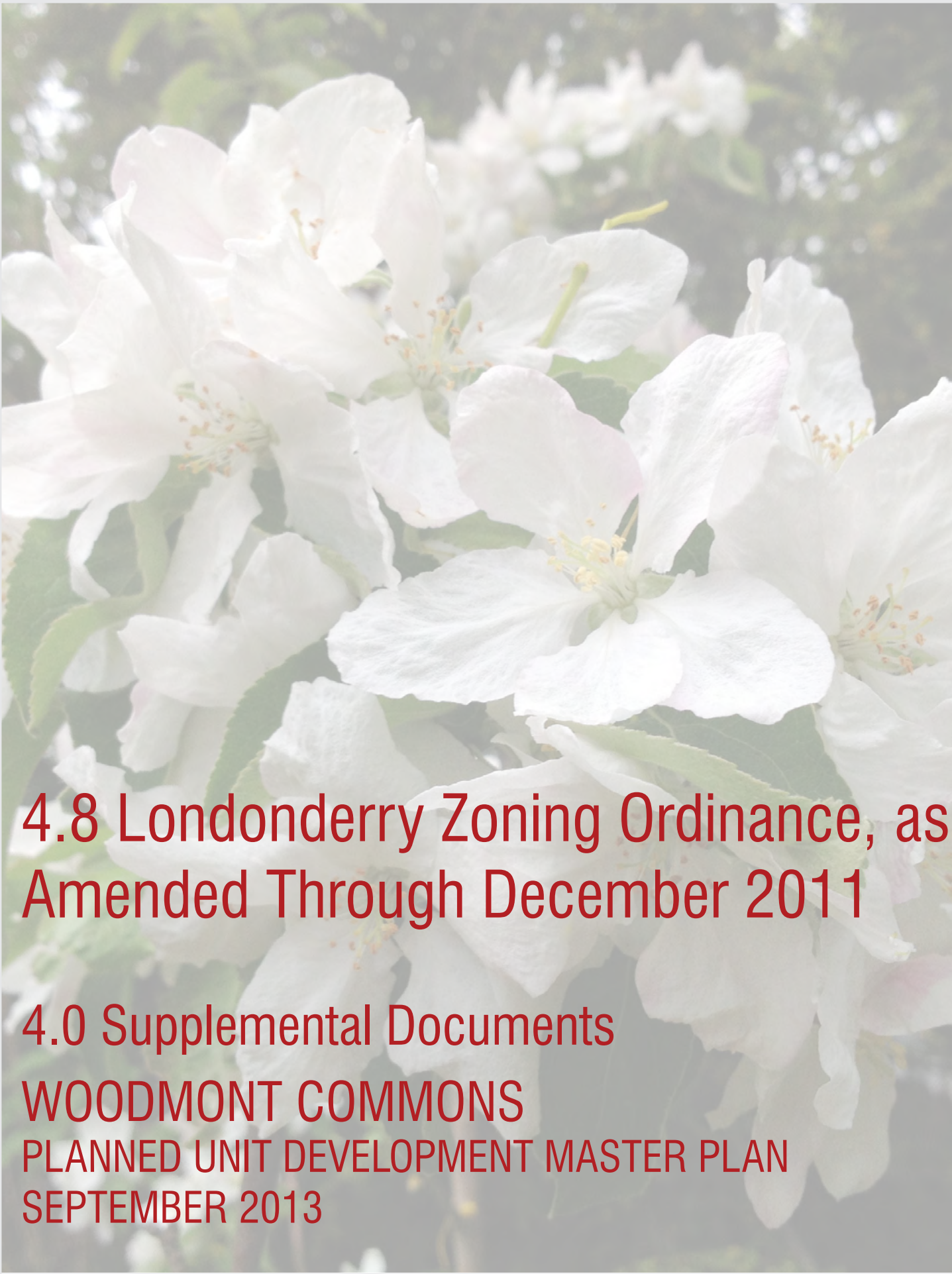
This instrument was acknowledged before me on _____ by _____ as
a _____ of _____.

Notary Public

Print Name _____

My Commission Expires _____

EXHIBIT D
Woodmont Commons Fiscal Impact Analysis dated May 17, 2013



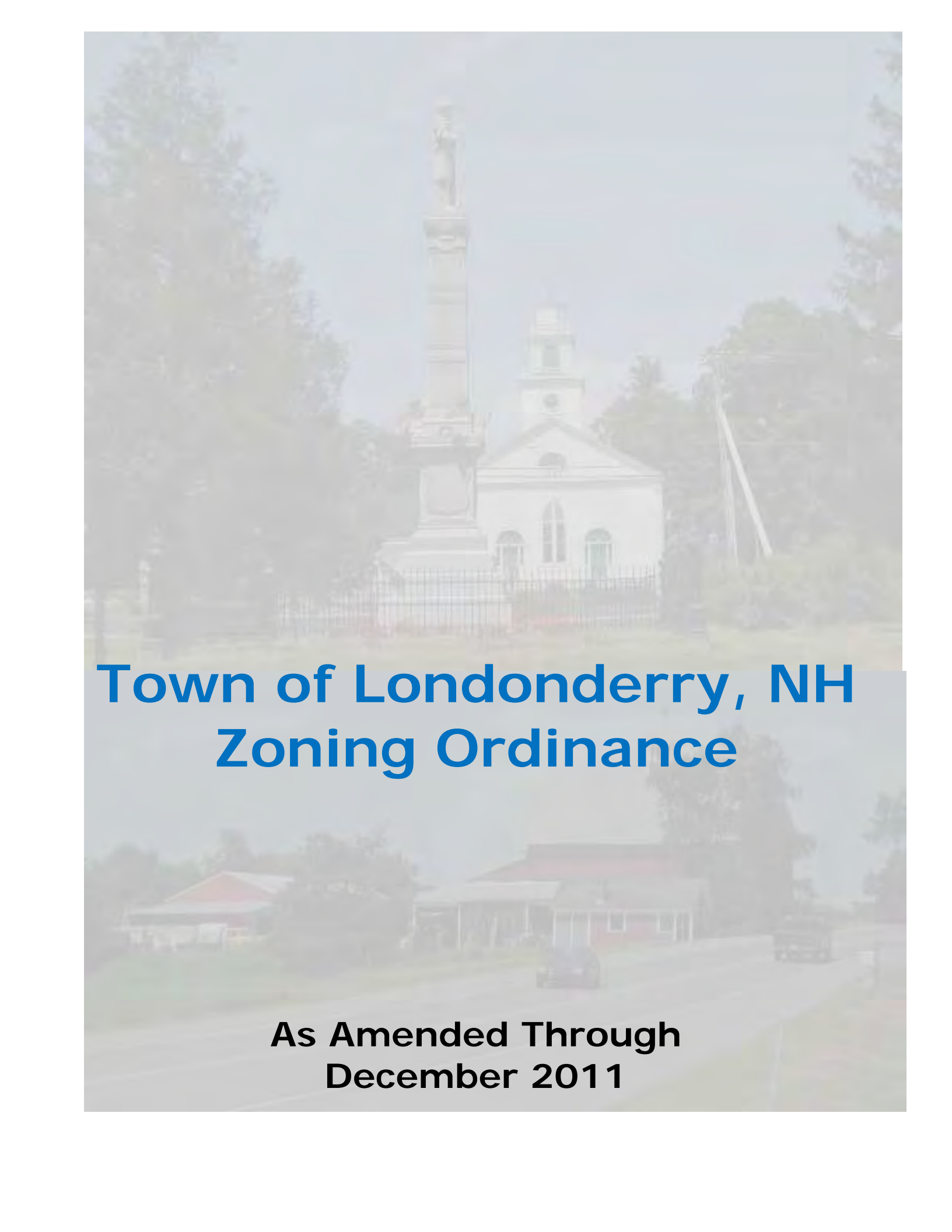
4.8 Londonderry Zoning Ordinance, as Amended Through December 2011

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN

SEPTEMBER 2013

The background image is a faded photograph of a white church with a steeple and a tall, ornate monument in front of it. The church has a gabled roof and arched windows. The monument is a tall, slender column topped with a statue. The scene is set in a grassy area with trees in the background.

Town of Londonderry, NH Zoning Ordinance

**As Amended Through
December 2011**

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1 PRACTICAL ZONING ADMINISTRATION

1.1 TITLE, AUTHORITY, PURPOSE, AND RULES OF CONSTRUCTION

1.1.1 Short Title

This Ordinance shall be known and may be cited as the Zoning Ordinance of the Town of Londonderry, New Hampshire, hereinafter referred to as "this Ordinance."

1.1.2 Authority

This Ordinance is adopted pursuant to the authority granted by Chapter 674 et seq., New Hampshire Revised Statutes Annotated, as amended.

1.1.3 Purpose

These zoning regulations and maps are being enacted for the purpose of preserving and promoting the health, safety and welfare of the community. It is the intention of the Planning Board and the Zoning Board to guide the future growth and development of the Town in accordance with a Master Plan which represents the most beneficial and convenient relationships among the residential, non-residential and public areas within the Town considering the suitability of each area for such uses, as indicated by existing conditions, trends in population and modes of living, and future requirements; and considering such conditions, trends and requirements, both within the Town and in relationship to areas outside thereof. It is further the intent of these regulations:

- 1.1.3.1 To provide adequate light, air and privacy; to secure safety from fire and other danger, and to prevent over-crowding of the land and undue congestion of population;
- 1.1.3.2 To protect the character, the social and economic stability of all parts of the Town, to guide the orderly growth and development of the Town, and to protect and conserve the value of land and structures appropriate to the various land use classes established by the master plan for the Town of Londonderry, and by these comprehensive zoning regulations;
- 1.1.3.3 To promote the most beneficial relationship between the uses of land and structures, and the road system which serves these uses, having particular regard for the potential amount and intensity of such land and structure uses in relationship to the traffic capacity of the road system, so as to avoid congestion in the streets and roadways, and to promote safe and convenient vehicular and pedestrian traffic movements appropriate to the various uses of land and structures throughout the Town;
- 1.1.3.4 To provide a guide for public action in the orderly and efficient provision of public facilities and services, and for private enterprise in undertaking development, investment and other economic activity relating to uses of land and structures throughout the Town;
- 1.1.3.5 To provide an adequate housing choice in a suitable living environment within the economic reach of all citizens;
- 1.1.3.6 To provide open space designed to protect the scenic beauty and natural features of the Town as well as to provide recreation space;
- 1.1.3.7 To preserve agricultural land; and
- 1.1.3.8 To preserve the character of Londonderry.

1.1.4 Rules of Construction

The following rules of construction apply to the text of this Ordinance.

- 1.1.4.1 The particular shall control the general.
- 1.1.4.2 In case of any difference of meaning or implication between the text of these regulations and any caption, illustration, summary Table or illustrative table, the text shall control.
- 1.1.4.3 The words “shall”, “will”, or “may not” are always mandatory and not discretionary. The word “may” is permissive.
- 1.1.4.4 Words used in the present tense shall include the future; and words used in the singular number shall include the plural; and the plural the singular, unless the context clearly indicates the contrary.
- 1.1.4.5 A “building” or “structure” includes any part thereof.
- 1.1.4.6 The phrase “used for” includes “arranged for,” “designed for,” “intended for,” “maintained for,” or “occupied for.”
- 1.1.4.7 The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- 1.1.4.8 Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunctions “and,” “or,” or “either... or,” the conjunction shall be interpreted as follows:
 - 1.1.4.8.1 “And” or “plus” indicates that all the connected items, conditions, provisions or events shall apply.
 - 1.1.4.8.2 “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - 1.1.4.8.3 “Either ... or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- 1.1.4.9 The word “includes” shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind of character.
- 1.1.4.10 All terms defined under various sections of the Town Subdivision and Site Plan Regulation, where occurring in these regulations, shall have the meanings specified in those Regulations, except where specifically defined in these regulations; however, in case of a conflict, the more restrictive shall apply.
- 1.1.4.11 The word “State” means the State of New Hampshire.
- 1.1.4.12 Any Residential, Agricultural, Civic, Industrial or Commercial activity existing at the time of the enactment of this Ordinance shall be considered as conforming to the provisions of this Ordinance. Exceptions would be any situations in violation of the Zoning Ordinance since its adoption in March 1963.

1.2 IMPACT FEES

1.2.1 Authority

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

1.2.2 Purpose

These provisions are intended to:

- 1.2.2.1 Assist in the implementation of the 1988 Town of Londonderry Master Plan, especially:
 - 1.2.2.1.1 Recommendation six (6) under the community facilities, which states, “Consider an impact fees program with regards to Londonderry’s community facility development,” and;
 - 1.2.2.1.2 Recommendation two (2) under transportation, which states, “Seek the participation of private developers in cost sharing for the needed improvements to Town roads and intersections.” Recommendation six (6) under the community facilities, and recommendation two (2) under transportation.

- 1.2.2.2 Insure the adequate provision of public facilities necessitated by the growth of the Town of Londonderry.
- 1.2.2.3 Assess an equitable share of the growth-related cost of new and expanded public capital facilities to all types of new development in proportion to the facility demands created by that development.

1.2.3 Findings

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

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

1.2.4 Definitions

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

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

1. The creation of new dwelling units, except for the replacement of existing units of the same size and density;

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

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

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

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

- 1.2.5.1 Any person who, after March 9, 1994 seeks approval of new development within the Town of Londonderry, New Hampshire, is hereby required to pay a public capital facilities impact fee in the manner and amount set forth in Section 1.2.6.
- 1.2.5.2 A person may request, from the Planning Board, a full or partial waiver of impact fee payments required in this ordinance. The amount of such waiver shall not exceed the value of the land, facilities construction, or other contributions to be made by that person toward public capital facilities. The value of on-site and off-site improvements which are required by the Planning Board as a result of subdivision or site plan review, and which would have to be completed by the developer, regardless of the impact fee provisions, shall not be considered eligible for waiver or credit under Section 1.2.11 of this Ordinance.
- 1.2.5.3 A person undertaking new development for residential use in which all or a portion of its occupancy will be restricted to persons age fifty five (55) and over, and where it can be shown to the satisfaction of the Planning Board that such restricted occupancy will be maintained for a period of at least twenty (20) years, may apply for a waiver of the school impact fees for the said restricted occupancy units.
- 1.2.5.4 A person undertaking new development for residential use in which all or a portion of its occupancy will meet the requirements of "workforce housing" as defined by RSA 674:58, and where it can be shown to the satisfaction of the Planning Board that such "workforce housing" will be maintained with appropriate restrictions for a period of at least forty (40) years, may apply for a waiver of impact fees for said workforce units.
- 1.2.5.5 No building permit for new development requiring payment of an impact fee pursuant to Section 1.2.6 of this Ordinance shall be issued until the public facilities impact fee has been determined and assessed by the Planning Board or its authorized agent.
- 1.2.5.6 A person undertaking new development for residential use in which all or a portion of its occupancy will be assisted living facilities restricted to persons who are age fifty five (55) and over and/or disabled, may apply for a waiver of Recreation Impact Fees for said restricted units where it can be shown to the satisfaction of the Planning Board that internal private recreation programs will be provided to the occupants by the developer and provisions to that effect will be maintained with appropriate restrictions for a period of at least twenty (20) years.

1.2.6 Computation of Impact Fee

- 1.2.6.1 The amount of the public facilities impact fee shall be determined by the Impact Fee Schedule prepared in accordance with the methodology established in a report by the Planning Board entitled, "Impact Fee Analysis: Town of Londonderry", as updated by the reports entitled, "Methodology for Assessment of Public School Impact Fees, Town of Londonderry, and "Methodology for Assessment of Recreation Impact Fees, Town of Londonderry" by Bruce C. Mayberry, as most recently adopted, "Methodology for Assessment of Public School Impact Fees, Update, Town of Londonderry, NH" by Bruce Mayberry, as most recently adopted, "Recreation Impact Fee Update" by Bruce Mayberry, as most recently adopted, "Police Department Impact Fee Methodology, Londonderry, NH" by Bruce Mayberry, as most recently adopted, "Fire Department Impact Fee Basis for Assessment, Londonderry, NH" by Bruce Mayberry, as most recently adopted, "NH Route 28 Eastern Corridor Study" prepared by Southern NH Planning Commission, as most recently adopted, "NH Route 28 Western Corridor Study" prepared by the Community Development Department, Stantec Consulting Services, and Southern NH Planning Commission, as most recently adopted, "NH Route 102 Upper Corridor Study" prepared by Southern NH Planning Commission, as most recently adopted, "NH Route 102 Central Corridor Study" prepared by Southern NH Planning Commission, as most recently adopted, "NH Route 102 Lower Corridor Study" prepared by Southern NH Planning Commission as most recently adopted, subject to annual adjustments in accordance with Section 1.2.14.
- 1.2.6.2 In the case of new development created by a change of use, redevelopment, or expansion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee for the new use as compared to that which was or would have been assessed for the previous use.

1.2.7 Payment of Fees

No certificate of occupancy shall be issued for new development until the assessed impact fee has been paid, or until the fee payer has established a mutually acceptable schedule for payment.

1.2.8 Appeals

- 1.2.8.1 Any aggrieved party may appeal to the Planning Board the amount of the public facilities impact fee, under the procedures established by the Board for handling such appeals.
- 1.2.8.2 If a fee payer elects to appeal the amount of the impact fee, the fee payer shall prepare and submit to the Planning Board an independent fee calculation study for the new development activity which is proposed. All costs incurred by the Town for the review of such study shall be paid by the fee payer.

1.2.9 Administration of Funds Collected

- 1.2.9.1 All funds collected shall be properly identified and promptly transferred for deposit in individual Public Capital Facilities Impact Fee Accounts for each of the facilities for which fees are assessed, and shall be special revenue fund accounts and under no circumstances shall such revenue accrue to the General Fund.
- 1.2.9.2 The Town Treasurer shall have custody of all fee accounts, and shall pay out the same only upon written orders of the Town Council.
- 1.2.9.3 The Town Treasurer shall record all fees paid, by date of payment and the name of the persons making payment, and shall maintain an updated record of current ownership, tax Map and lot reference number of properties for which fees have been paid under this Ordinance for a period of at least ten (10) years.
- 1.2.9.4 At the end of each fiscal year, the Town Treasurer shall make a report to the Town Council, giving a particular account of all public capital facilities impact fee transactions during the year.
- 1.2.9.5 Funds withdrawn from the Public Capital Facilities Impact Fee Accounts shall be used solely for the purpose of acquiring, constructing, expanding or equipping those public capital facilities identified in this Ordinance.
- 1.2.9.6 In the event that bonds or similar debt instruments have been issued for public capital facilities which were constructed in anticipation of new development, or are issued for advanced provision of capital facilities identified in this Ordinance, impact fees may be used to pay debt service on such bonds or similar debt instruments.

1.2.10 Refund of Fees Paid

- 1.2.10.1 The owner of record of property for which an impact fee has been paid shall be entitled to a refund of that fee, plus accrued interest where:
 - 1.2.10.1.1 The impact fee has not been encumbered or legally bound to be spent for the purpose for which it was collected within a period of six (6) years from the date of the final payment of the fee; or
 - 1.2.10.1.2 The Town has failed, within the period of six (6) years from the date of the final payment of such fee, to appropriate the non-impact fee share of related capital improvement costs.
- 1.2.10.2 The Town Council shall, annually, provide all owners of record who are due a refund, written notice of the amount due, including accrued interest.

1.2.11 Credit

- 1.2.11.1 Land and/or public capital facility improvements may be offered by the fee payer as total or partial payment of the required impact fee. The offer must be determined to represent an identifiable dollar value computed in a manner acceptable to the Town Council. The Town Council may authorize the fee payer an impact fee credit in the amount of the value of the contribution.
- 1.2.11.2 Any claim for credit must be made no later than the time of application for the building permit.
- 1.2.11.3 Credits shall not be transferable from one project of development to another without written approval of the Town Council.
- 1.2.11.4 Credits shall not be transferable from one component of the public capital facilities impact fee to any other component of this fee without written approval of the Town Council. Records of the amounts of reasons for such transfers shall be maintained.
- 1.2.11.5 Determinations made by the Town Council pursuant to the credit provisions of this Section may be appealed to the Board of Adjustment according to the procedures

applicable to appeals from administrative decisions contained in Section 1.2.8 of this Ordinance.

1.2.12 Additional Assessments

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

1.2.13 Premature and Scattered Development

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

1.2.14 Review

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

1.3 RESIDENTIAL DEVELOPMENT PHASING

1.3.1 Authority

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

1.3.2 Purposes

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

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

1.3.3 Phasing of Developments

A phasing plan shall be submitted for Planning Board approval for all residential developments of more than fifteen (15) lots or dwelling units (unless exempted under

§1.3.4), and at the applicant's option may be submitted for smaller developments. Such plans shall comply with the following phasing requirements:

- 1.3.3.1 For development proposed under the provisions of Section 3.3 Conservation Subdivisions: twenty five (25) dwelling units per year from the date of final approval;
 - 1.3.3.2 For development located in the R-III district: Three (3) multi-family buildings, the total number of dwelling units not to exceed forty eight (48) per year from the date of final approval;
 - 1.3.3.2.1 In the event that the Planning Board grants a conditional use permit to allow more than 16 units per building in the R-III District: such developments shall be permitted two (2) multi-family buildings, the total number of dwelling units not to exceed forty (40) units per year from the date of final approval.
 - 1.3.3.3 For multi-family development meeting the definition of “workforce housing” as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: Three (3) multi-family buildings, the total number of dwelling units not to exceed forty eight (48) per year from the date of final approval;
 - 1.3.3.3.1 In the event that the Planning Board grants a conditional use permit to allow more than 16 units per building in a multi-family development meeting the definition of “workforce housing” as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: such developments shall be permitted two (2) multi-family buildings, the total number of dwelling units not to exceed forty (40) units per year from the date of final approval.
 - 1.3.3.4 For single family development approved under the requirements of “Inclusionary Housing (Section 2.3.3): twenty five (25) dwelling units per year from the date of final approval;
 - 1.3.3.5 For conversions of previously approved and unbuilt Elderly Housing developments to “workforce housing” as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: The Phasing shall be one of the following:
 - 1.3.3.5.1 If the project was approved in Phases as part of the Elderly Housing site plan, the phasing shall be consistent with the approved phasing plan approved by the Planning Board for the Elderly Housing site plan. Each phase in such situation shall mean the number of dwelling units permitted in each year subsequent to final approval of the conversion by the Planning Board.
 - 1.3.3.5.2 If the Project was not subject to phasing as part of the approval for Elderly Housing, the appropriate requirements of either Section 1.3.3.3 of 1.3.3.4 shall apply.
 - 1.3.3.6 For other residential development proposed to be serviced with public water and public sewerage, and proposing no dwelling structures within 200 feet of a street other than one created by that development: twenty (20) dwelling units per year from the date of final approval;
 - 1.3.3.7 For all other residential developments: fifteen (15) dwelling units per year from the date of final approval.
- 1.3.4 **Exemptions from Phasing**
- The Planning Board shall grant exemption to the phasing requirements of Section 1.3.3 under the following condition: The proposed project is for Elderly Housing as defined in Section 4.7. The owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100% elderly occupants (age 55 and older).

1.4 GROWTH MANAGEMENT AND INNOVATIVE LAND USE CONTROL

1.4.1 Authority

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

1.4.2 Purposes

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

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

1.4.3 Findings - The Town Hereby Finds That:

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

1.4.4 Determining Maximum Sustainable Growth

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

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

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

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

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

- 1.4.7.1 Available building permits shall be allocated according to the following procedure. The number of dwelling units that may be authorized shall not exceed the smaller of (a) the number of units allowed to be authorized that calendar year under Section 1.4.4 but not yet authorized in the current calendar year, or (b) the number of dwelling units comprising a 2% increase in Londonderry housing stock at the beginning of the calendar year minus the number of housing units authorized in the eleven months preceding this determination.
 - 1.4.7.1.1 Except as otherwise provided in this Section no building permit may be issued without a permit scoring sheet application (henceforth "application") issued by the Planning Board. For purposes of this section, each proposed dwelling unit in a mobile home, single-family dwelling, two-family dwelling or multifamily dwelling, shall require a separate application sheet.
 - 1.4.7.1.2 From March 1 through March 21, the Planning Board shall, on a form prepared by the Board, review and score each application for allocation of building permits for the period.
 - 1.4.7.1.3 Prior to April 1, applications will be scored according to the following priority system:
 - 1.4.7.1.3.1 First priority shall be given to dwelling units which are exempt from the provisions of Section 1.4 under RSA 674:39 or RSA 676:12.
 - 1.4.7.1.3.2 Second priority shall be given to dwelling units in proposed two-lot subdivisions; provided that no more than 10% of the number of available dwelling unit authorizations may be allocated on this basis, and no more than one per subdivision.
 - 1.4.7.1.3.3 Priority for any remaining dwelling unit authorizations shall be based upon the number of points earned from the point system described in Section 1.4.7.2.
 - 1.4.7.1.3.4 In the event of a tie at the lowest priority or score for which authorizations will be made, the remaining number of unit authorizations shall be divided among all the projects having earned that priority or score. Division shall be in proportion to the number of units each applicant has applied for or, to the extent proportionate permit allocation is impossible, by lottery.
- 1.4.7.2 For purposes of determining priority in the system of permit allocation, development shall be assigned points or point debits according to the following:
 - 1.4.7.2.1 For development authorized under either Section 3.3 Conservation Subdivisions or Section 2.3.2 Multi-Family Residential: one (1) point;
 - 1.4.7.2.2 For development proposed to be serviced with Town sewerage, and proposing no dwelling structures within 200 feet of a street other than one created by that development: one (1) point;
 - 1.4.7.2.3 For development proposing no construction within lands Mapped as recommended open space by the Open Space Task Force and also not assessed under RSA 79-A Current Use Taxation at any time within the preceding three years: one (1) point;
 - 1.4.7.2.4 For development documented to increase traffic at build-out by no more than 10% on any existing street: one (1) point;
 - 1.4.7.2.5 For Elderly Housing (age 55 and older) as defined in Section 4.7 Definitions, provided that the owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100 % elderly occupants as such for a period of no less than twenty years. One (1) point;
 - 1.4.7.2.6 For single family or duplex inclusionary housing developments in which at least 25% of the dwelling units proposed will be "workforce housing", as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: two (2) points;

- 1.4.7.2.7 For multi-family developments in which the dwelling units proposed will be “workforce housing”, as defined by RSA 674:58, and approved by the Planning Board per the procedures outlined in RSA 674:60: one (1) point;
- 1.4.7.2.8 For development within a sub area of the Town determined by the Planning Board to have a localized facility capacity shortfall: a two (2) point debit if further growth would seriously inconvenience or disadvantage others already in the neighborhood, such as through school overcrowding; or a one (1) point debit if further growth would constitute a demonstrated threat to health (such as incapacity of waste management facilities) or safety (such as a severe road hazard), provided in such cases that actions have been committed by the Town to address the capacity shortfall.
- 1.4.7.2.9 One point for each year the project has been denied a Building Permit Allocation Certificate.
- 1.4.7.3 If by April 1, the surplus permits have not been issued for the year, a second allocation process using the procedure set forth in §1.4.7.1 and 2 shall take place. The Planning Board shall score applications submitted from May 1 through May 21. All applications shall be completed prior to June 1. If necessary a third allocation process shall be held with applications received from August 1 through August 21 and certificates issued by September first (September 1)
- 1.4.7.4 The owners of the lots scoring enough points to be awarded a building permit for a given period may apply for building permits from the Building Department from April 1 through December 31. Any application scoring enough points to be awarded a building permit that is not applied for by December 31 shall lapse.
- 1.4.7.5 Building permits, which are not used within one year of issuance, shall lapse.
- 1.4.7.6 Lapsed building permits may not be renewed if a notice of unsustainable growth remains in effect. In the case of such a lapsed permit, the number of permits available for the following year shall be increased by one.
- 1.4.7.7 An application earning enough points may be used for a building permit on any lot within the subdivision for which it was awarded but may not be used for lots outside that subdivision.
- 1.4.7.8 Building permits for non-residential construction, or for expansion, alteration, renovation or replacement of existing dwelling units, are not limited by Section 1.4.
- 1.4.7.9 Nothing in Section 1.4 shall be construed to authorize or require issuance of a building permit that is not eligible for issuance under any other provision of law.
- 1.4.8 **Applicability**
Nothing herein is intended to repeal the former Section XIII (numbered as passed by Article 98-01 by the Town Council), as amended, as it applies to subdivisions and site plans approved subject to the permit limitations of such ordinance. Said ordinance shall continue to apply to such subdivisions and site plans.
- 1.4.9 **Sunset**
This Ordinance shall expire on January 1, 2015 unless re-adopted prior to that date

1.5 SPECIAL DEVELOPMENT REVIEW PROCEDURES

- 1.5.1 **Planning Board Review**
In accordance with RSA 36-19-a, adopted March 6, 1973, the Londonderry Planning Board will review and approve or disapprove plans for the development of land tracts for non-residential uses whether or not such development includes a subdivision or re-subdivision of the site.

Additional Planning Board review procedures and requirements may be found within the specific zoning districts of this Zoning Ordinance.

1.5.2 Conditional Use Permits

- 1.5.2.1 As provided for in RSA 674:21, Innovative Land Use Control, this Section of the Zoning Ordinance shall provide for the granting of conditional use permits, by the Planning Board, as follows:
 - 1.5.2.1.1 The Planning Board shall then vote either to approve a conditional use permit as presented, approve it with conditions, or deny it.
 - 1.5.2.1.2 Prior to the granting of any conditional use permit, the applicant may be required to submit a performance security in a form acceptable to the Planning Board, depending on the scale of the proposed use. The security shall be submitted in a form and amount with surety and conditions satisfactory to the Planning Board to ensure that the construction will be carried out in accordance with the approved design. The security shall be submitted and approved prior to the issuance of any permit authorizing construction.
 - 1.5.2.1.3 The applicant may also be assessed reasonable fees to cover the cost of other special investigative studies and for the review of documents required by particular applications, reviews by the Town's legal counsel, and any third party consultant as may be required by the Planning Board per Section 2.01 d of the Site Plan Regulations.
- 1.5.2.2 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit in the Commercial District:
 - 1.5.2.2.1 Granting of the application would meet some public need or convenience.
 - 1.5.2.2.2 Granting of the application is in the public interest.
 - 1.5.2.2.3 The property in question is reasonably suited for the use requested.
 - 1.5.2.2.4 The use requested would not have a substantial adverse effect on the rights of the owners of surrounding properties.
 - 1.5.2.2.5 The traffic generated by the proposed use is consistent with the identified function, capacity, and level of service of transportation facilities serving the community
 - 1.5.2.2.6 There must be appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks, so as to assure public safety and to avoid traffic congestion.
- 1.5.2.3 Additional Conditional Use Permit procedures and requirements may be found within the specific districts of this Zoning Ordinance (Section 2)

2 ZONING DISTRICTS

2.1 DISTRICTS AND USES

2.1.1 Districts

For the purpose of this Ordinance, the Town of Londonderry is divided into seventeen (17) districts and sub-districts as follows:

<u>Full Name</u>	<u>Short Name</u>
Agricultural-Residential	AR-I
Multi-family Residential	R-III
Commercial-I	C-I
Commercial-II	C-II
Commercial-III	C-III
Commercial – IV	C-IV
Mixed Use Commercial	MUC
Industrial-I	IND-I
Industrial-II	IND-II
Gateway Business	GB
Planned Unit Development	PUD
Airport District	AD
Conservation Overlay	CO
Performance Overlay District	POD
Flood Plain Development	FP
Airport Approach Height Overlay	AH
Airport Approach Noise Overlay	AN
Historic District	H

2.1.2 District Boundaries & Zoning Maps

- 2.1.2.1 The location and boundaries of the Londonderry zoning districts are shown on the “Zoning Map of the Town of Londonderry, New Hampshire” dated June 9, 1994 or as most recently updated and signed and certified by the Town Clerk, which is part of this Ordinance. Where any uncertainty exists with respect to the boundary of any District as shown on the Zoning Map, the following rules shall apply:
 - 2.1.2.1.1 Where a boundary is indicated as a highway, street, railroad, watercourse or Town boundary, it shall be construed to be the centerline thereof or such Town boundary.
 - 2.1.2.1.2 Where a boundary is indicated as approximately parallel to a highway, street, railroad, watercourse, or Town boundary, it shall be construed to be parallel to the centerline thereof or such Town Boundary.
 - 2.1.2.1.3 Where a boundary coincides within ten (10) feet or less with a lot line, the boundary shall be construed to be the lot line.
 - 2.1.2.1.4 If no natural boundary is given, the location of any boundary shall be determined by use of coordinates identified by permanent bounds.
- 2.1.2.2 If a zoning district boundary line runs through any lot and the lot is of sufficient size and configuration to permit conforming lots in each district, the lot may be subdivided along the zoning district boundary line resulting in conforming lots. The subdivision shall be subject to Planning Board approval in accordance with the Subdivision Regulations.
- 2.1.2.3 If a zoning district boundary line runs through any lot and the lot is not of sufficient size and configuration to permit conforming lots in each district, the lot cannot be subdivided and the entire lot is deemed to be in the more restricted district. For purposes of this

section, the order of most restrictive to least restrictive is as follows: CO, AR-I, R-III, C-IV, POD, C-III, C-I, C-II, IND-I and IND-II, AD."

- 2.1.2.4 If a zoning district boundary line runs through a lot and one of the zoning districts within the lot is the Conservation Overlay District, Section 2.6.3 applies.

2.2 USE TABLE

2.2.1 Accessory Uses

With the exception of residential district, all uses permitted for each district shall be permitted as accessory uses within that district provided the combination of uses shall meet all other provisions of this Zoning Ordinance.

2.2.2 GB District Services Table (Follows Use Table below)

Londonderry Zoning Ordinance Use Table

														Overlay Districts					
		AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹	CO	AH	AZ	FP
RESIDENTIAL AND AGRICULTURAL																			
	Agriculture	P	P									P ⁵							
	Assisted Living Facilities		P	P	P	P		P				P ⁵		P	P				
	Back Lot Development	C										P ⁵		See specific district regs.					
	Dwelling, multi-family	C ³	P, C ³	C ³	C ³	C ³	C ³					P ⁵							
	Dwelling, single family	P, C ³	P, C ³	C ³	C ³	S, C ³	C ³					P ⁵							
	Dwelling, two-family	P, C ³	P, C ³	C ³	C ³	S, C ³	C ³					P ⁵							
	Elderly Housing	P	P	P	P	P	P					P ⁵		P	P				
	Manufactured housing	P, C ³	P, C ³																
	Mixed use residential						P	P				P ⁵							
	Mobile homes	P																	
	Nursing Home and accessory uses		P	P	P	P						P ⁵		P	P				
	Preexisting manufactured housing parks	P																	
	Presite Built Housing	P																	
		P																	
CIVIC USES																			
	Community center			P	P		C					P ⁴							
	Cemetery	P																	
	Public Facilities	P		P	P		C		P	P	P	P ⁴	P						
	Public Utilities	P	P	P	P				S	S	S	P ⁵	S						
	Recreational Facilities, Public	P			P							P ⁴		P	P				
	Religious Facilities	P		P	P	P	P					P ⁵		P	P				
	Cultural Uses and Performing Arts							C			P	P ⁴							
BUSINESS USES																			
	Aeronautical Facilities												P						
	Assembly, testing, repair and packing operations up to 250,000 sq. ft.								P	P	P	P ⁴							
	Assembly, testing, repair and packing operations 250,001 sq. ft. or larger								P	P	C	P ⁴							
	Bed and Breakfast Homestay	P										P ⁵							

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception

Londonderry Zoning Ordinance Use Table

	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹	CO	AH	AZ	FP
Business center development			P	P			P			P	P ⁴		P	P				
Conference/Convention Center							C			P	P ⁴							
Day Care Center, Adult						C	C				P ⁴							
Drive-thru window as an accessory use			P	P			C											
Drive-in establishments			P	P														
Drive-in theatres				P														
GB District Services										(See GB District Services Use Table, Section 2.2.2)								
Financial institution			P	P			P			P	P ⁴							
Funeral homes			P	P	P						P ⁴							
Education and Training Facilities							C			P	P ⁴							
Excavation, including Temporary and Permanent Manufacturing Plants as an accessory use.	P		P	P	P			P	P			P						
Group Child Care Center					P	C		S	S		P ⁴		C	C				
Home Occupation	S										S							
Hotels				P			C			P	P ⁴							
Manufacturing, Heavy									P	P		P						
Manufacturing, Light up to 250,000 sq. ft.				P				P	P	P	P ⁴	P						
Manufacturing, Light 250,001 sq ft or larger				P				P	P	C	P ⁴	P						
Membership club			P	P							P ⁴							
Motels				P														
Motor Vehicle Maintenance, Major Repair and Painting									P			P						
Motor vehicle rental												P						
Motor Vehicle Station, Limited Service				P		C ²					P ⁴	P						
Recreation, commercial			P	P			P				P ⁴		P	P				
Retail sales establishment up to 75,000 sq. ft			P	P		P	P				P ⁴		P	P				
Retail sales establishment 75,001 sq. ft. or larger			P	P			C				P ⁴							
Outdoor Storage of goods or materials (not to exceed 5-10% of the gross floor area) as an Accessory Use										C								
Professional office			P	P	P	P	P	P	P	P	P ⁴	P	P	P				

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception

Londonderry Zoning Ordinance Use Table

	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹	CO	AH	AZ	FP
Rental Car Terminal up to 50,000 sq. ft										P	P ⁴							
Rental Car Terminal 50,001 sq. ft. or larger										C	P ⁴							
Repair services			P	P		P		P	P		P ⁴	P	P	P				
Research or Development Laboratories				P			P	P	P	P	P ⁴	P						
Restaurant			P	P		C	P				P ⁴	P	P	P				
Restaurant, fast food			P	P			C				P ⁴							
Sales of Heavy Equipment or Heavy Trucks as an accessory use								C	C	C								
School, Private					P						P ⁴		P	P				
Service establishment			P	P			P	P	P		P ⁴	P	P	P				
Sexually oriented businesses			P	P														
Storage, self serve				P				P	P				C	C				
Terminal, Airplane												P						
Terminal, Trucking up to 100,000 sq. ft.									P	P	P ⁴	P						
Terminal, Trucking 100,001 sq. ft. or larger									P	C	P ⁴	P						
Vehicle Sales Establishment				P														
Warehouses and Storage up to 250,000 sq. ft.				P				P	P	P	P ⁴	P	C	C				
Warehouses and Storage 250,001 sq. ft. or larger				P				P	P	C	P ⁴	P	C	C				
Wholesale Businesses up to 250,000 sq. ft.				P				P	P	P	P ⁴	P						
Wholesale Businesses 250,001 sq. ft. or larger				P				P	P	C	P ⁴	P						

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

2 - See section 2.4.1.2.4 for additional dimensional requirements related to fuel dispensers

3 - See Section 2.3.3 for specific requirements (workforce housing)

4 - As part of an approved PUD Master Plan, See Section 2.8

5 - As part of an approved PUD Master Plan (where the underlying zoning is not GB), See Section 2.8

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception

Londonderry Zoning Ordinance Use Table

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

P = Permitted Use

C = Requires Conditional Use Permit

S = Requires Special Exception

2.3 RESIDENTIAL DISTRICTS

2.3.1 AGRICULTURAL-RESIDENTIAL (AR-I)

2.3.1.1 Objectives and Characteristics

The Agricultural-Residential District is designed to permit uses that are compatible with and protective of certain areas that have been and are being developed for agricultural and forestry uses, water quality preservation, residential use, and public use.

2.3.1.2 Uses

See use Table Section 2.2

2.3.1.2.1 No lot in the agricultural-residential (AR-I) district may be used for the outside storage of more than one unregistered motor vehicle (in accordance with RSA 236:92) or the outside storage of more than one boat other than a rowboat, canoe or other boat less than twenty (20) feet in length.

2.3.1.2.2 In instances where a dwelling located in the agricultural-residential (AR-I) district has been damaged by fire or other catastrophe, and is being rebuilt or repaired, it shall be permissible to occupy one manufactured housing unit on a lot for a period not exceeding 12 months, or until a certificate of occupancy for the replacement structure is issued, per RSA 674:32 II.

2.3.1.3 Residential Lot Size Requirements

2.3.1.3.1 Minimum Lot Area

2.3.1.3.1.1 Single or two-family lots served by municipal water and sewer will not be subject to the high intensity soils survey requirements described below. Minimum lot sizes and frontage requirements for lots with municipal water and sewer shall be according to Table 1 listed in this section

TABLE 1

<i>Dwelling Type</i>	<i>Bedrooms</i>	<i>Frontage Requirements</i>	<i>Minimum Lot Size</i>
Single Family	1 – 2	100 LF	35,000 SF
Single Family	3 or more	150 LF	40,000 SF
Duplex	2 – 4 (total of both dwelling units)	150 LF	52,500 SF
Duplex	5 or more	200 LF	60,000 SF

2.3.1.3.1.2 The minimum lot size for a single or two family residence not served by a municipal wastewater system shall be 43,560 SF

2.3.1.3.1.3 All land to be included as part of the lot shall be contiguous

2.3.1.3.1.4 In the absence of a municipal wastewater system, to protect ground water quality for the purpose of public health and safety, minimum lot sizes shall, in addition to the Zoning Ordinance requirements listed in 2.3.1.3.1.2, also meet such additional lot size requirements as specified by “minimum lot size by soil type” in Table 2 which are based on high intensity soil Maps and specified in this Section of the Town ordinance. This requirement is subject to the following:

- 2.3.1.3.1.4.1 Each lot shall have a soil carrying capacity of one or greater, which is calculated by dividing the given area of any soil type to be used by the required are for the soil type found in Table 2 of this section.
- 2.3.1.3.1.4.2 Where more than one soil type is found on the lot, a soil carrying capacity of those soils occurring on the lot shall be used to determine the minimum lot size.
- 2.3.1.3.1.4.3 Areas designated as poorly drained (type b hydric) soils may be utilized to fulfill the minimum lot site required by the Town ordinance and subdivision regulations provided that a minimum of 30,000 SF of a contiguous non-wetland area with proper configuration to adequately accommodate all housing and required utilities such as sewage disposal and water supply to include setbacks, is provided.
- 2.3.1.3.1.4.4 Areas designated as type a hydric soils (very poorly drained soils, fresh or saltwater marsh or surface water areas) may not be utilized to fulfill minimum lot size requirements.
- 2.3.1.3.1.4.5 No subsurface wastewater disposal system shall be constructed with seventy five (75) feet of any type a hydric soil or fifty (5) feet from any type b hydric soil.
- 2.3.1.3.1.4.6 Slopes greater than twenty five percent (25%) may be used in the computed lot size according to the following: areas designated with slopes of greater than twenty five percent (25%) may be utilized to fulfill the minimum lot size required by the Town ordinance and subdivision regulations provided that a contiguous area of a minimum of 20,000 SF with less than fifteen percent (15%) slopes and proper configuration to adequately accommodate all housing and required utilities such as sewage disposal and water supply to include setbacks, is provided.
- 2.3.1.3.1.4.7 For duplex use, where the total number of bedrooms in the building shall not exceed five (5), the lot size shall be increased by forty percent (40%) of the minimum lot size as determined by the appropriate table. For each bedroom exceeding five (5) the lot size shall be increased by fifteen percent (15%).
- 2.3.1.3.1.4.8 For single family homes with greater than four (4) bedrooms, the required lot size will be increased fifteen percent (15%) for each additional bedroom exceeding four (4).
- 2.3.1.3.1.4.9 Soils information shall be provided by high intensity soil Maps and prepared by a field examination performed by a certified soil scientist and so stamped.
- 2.3.1.3.1.4.10 The area of drainage easement located on the lot shall not be included as part of the minimum lot size calculation.
- 2.3.1.3.1.4.11 Each residential lot shall have at least 22,000 SF of contiguous land above the 100-year flood elevation as determined by the flood insurance rate Maps and flood boundary and floodway Maps of the Town of Londonderry as prepared by the u.s. department of housing and urban development, federal insurance administration.

TABLE 2

Note: the following may not be a complete list of soil types. Contact the Rockingham county conservation district for assistance. (lot sizes in square feet)

<i>Soil Type</i>	<i>Slope B</i>	<i>Slope C</i>	<i>Slope D</i>	<i>Slope E</i>
111-H	31,750	35,250	40,000	46,000
112-H	31,750	35,250	40,000	46,000
114-H	77,000	89,000	106,000	132,000
117-H	54,500	60,500	67,500	77,000
118-H	65,750	74,750	86,750	104,500
121-H	31,750	35,250	40,000	46,000
122-H	31,750	35,250	40,000	46,000
124-H	77,000	89,000	106,000	132,000
127-H	54,500	60,500	67,500	77,000
128-H	65,750	74,750	86,750	104,500
161-H	31,750	35,250	40,000	46,000
164-H	77,000	89,000	106,000	132,000
167-H	54,500	65,000	67,500	77,000
168-H	65,750	74,750	86,750	104,500
211-H	31,750	35,250	40,000	46,000
212-H	31,750	35,250	40,000	46,000
214-H	77,000	89,000	106,000	132,000
217-H	54,500	60,500	67,500	77,000
218-H	65,750	74,750	86,750	104,500
221-H	40,000	46,000	54,500	67,500
222-H	40,000	46,000	54,500	67,500
223-H	54,500	60,500	67,500	77,000
224-H	77,000	89,000	106,000	132,000
227-H	54,500	60,500	67,500	77,000
228-H	65,750	74,750	86,750	104,500
231-H	40,000	46,000	54,500	67,500
234-H	77,000	89,000	106,000	132,000
237-H	54,500	60,500	67,500	77,000
238-H	65,750	74,750	86,750	104,500
243-H	54,500	60,500	67,500	77,000
247-H	54,500	60,500	67,500	77,000
248-H	65,750	74,750	86,750	104,500
253-H	54,500	60,500	67,500	77,000
257-H	54,500	60,500	67,500	77,000

Soil Type	Slope B	Slope C	Slope D	Slope E
258-H	65,750	74,750	86,750	104,500
261-H	40,000	46,000	54,500	67,500
263-H	54,500	60,500	67,500	77,000
264-H	77,000	89,000	106,000	132,000
267-H	54,500	60,500	67,500	77,000
268-H	65,750	74,750	86,750	104,500
275-H	40,000	46,000	54,500	67,500
311-H	54,500	60,500	67,500	77,000
312-H	54,500	60,500	67,500	77,000
313-H	54,500	60,500	67,500	77,000
314-H	77,000	89,000	106,000	132,000
317-H	54,500	60,500	67,500	77,000
318-H	65,750	74,750	86,750	104,500
321-H	54,500	60,500	67,500	77,000
322-H	54,500	60,500	67,500	77,000
323-H	54,500	60,500	67,500	77,000
324-H	77,000	89,000	106,000	132,000
325-H	54,500	60,500	67,500	77,000
327-H	54,500	60,500	67,500	77,000
328-H	65,750	74,750	86,750	104,500
331-H	54,500	60,500	67,500	77,000
332-H	54,500	60,500	67,500	77,000
333-H	54,500	60,500	67,500	77,000
334-H	77,000	89,000	106,000	132,000
337-H	54,500	60,500	67,500	77,000
338-H	65,750	74,750	86,750	104,500
343-H	54,500	60,500	67,500	77,000
344-H	77,000	89,000	106,000	132,000
347-H	54,500	60,500	67,500	77,000
348-H	65,750	74,750	86,750	104,500
353-H	106,000	132,000	N/A	N/A
354-H	106,000	132,000	N/A	N/A
357-H	106,000	132,000	N/A	N/A
358-H	106,000	132,000	N/A	N/A
361-H	54,500	60,500	67,500	77,000
363-H	54,500	60,500	67,500	77,000
364-H	77,000	89,000	106,000	132,000
367-H	54,500	60,500	67,500	77,000

<i>Soil Type</i>	<i>Slope B</i>	<i>Slope C</i>	<i>Slope D</i>	<i>Slope E</i>
368-H	65,750	74,750	86,750	104,500
374-H	77,000	89,000	106,000	132,000
375-H	54,500	60,500	67,500	77,000
411-H	77,000	89,000	106,000	132,000
412-H	77,000	89,000	106,000	132,000
413-H	77,000	89,000	106,000	132,000
414-H	77,000	89,000	106,000	132,000
417-H	77,000	89,000	106,000	132,000
418-H	77,000	89,000	106,000	132,000
421-H	77,000	89,000	106,000	132,000
422-H	77,000	89,000	106,000	132,000
423-H	77,000	89,000	106,000	132,000
424-H	77,000	89,000	106,000	132,000
427-H	77,000	89,000	106,000	132,000
428-H	77,000	89,000	106,000	132,000
431-H	77,000	89,000	106,000	132,000
432-H	77,000	89,000	106,000	132,000
433-H	77,000	89,000	106,000	132,000
434-H	77,000	89,000	106,000	132,000
437-H	77,000	89,000	106,000	132,000
438-H	77,000	89,000	106,000	132,000
443-H	77,000	89,000	106,000	132,000
444-H	77,000	89,000	106,000	132,000
447-H	77,000	89,000	106,000	132,000
448-H	77,000	89,000	106,000	132,000
453-H	106,000	132,000	N/A	N/A
454-H	106,000	132,000	N/A	N/A
457-H	106,000	132,000	N/A	N/A
458-H	106,000	132,000	N/A	N/A
461-H	77,000	89,000	106,000	132,000
463-H	77,000	89,000	106,000	132,000
464-H	77,000	89,000	106,000	132,000
467-H	77,000	89,000	106,000	132,000
468-H	77,000	89,000	106,000	132,000
475-H	77,000	89,000	106,000	132,000
511-H	106,000	132,000	N/A	N/A
512-H	106,000	132,000	N/A	N/A
513-H	106,000	132,000	N/A	N/A

Soil Type	Slope B	Slope C	Slope D	Slope E
514-H	106,000	132,000	N/A	N/A
517-H	106,000	132,000	N/A	N/A
518-H	106,000	132,000	N/A	N/A
521-H	106,000	132,000	N/A	N/A
522-H	106,000	132,000	N/A	N/A
523-H	106,000	132,000	N/A	N/A
524-H	106,000	132,000	N/A	N/A
527-H	106,000	132,000	N/A	N/A
528-H	106,000	132,000	N/A	N/A
531-H	106,000	132,000	N/A	N/A
532-H	106,000	132,000	N/A	N/A
533-H	106,000	132,000	N/A	N/A
534-H	106,000	132,000	N/A	N/A
537-H	106,000	132,000	N/A	N/A
538-H	106,000	132,000	N/A	N/A
543-H	106,000	132,000	N/A	N/A
544-H	106,000	132,000	N/A	N/A
547-H	106,000	132,000	N/A	N/A
548-H	106,000	132,000	N/A	N/A
553-H	N/A	N/A	N/A	N/A
554-H	N/A	N/A	N/A	N/A
557-H	N/A	N/A	N/A	N/A
558-H	N/A	N/A	N/A	N/A
561-H	106,000	132,000	N/A	N/A
563-H	106,000	132,000	N/A	N/A
564-H	106,000	132,000	N/A	N/A
567-H	106,000	132,000	N/A	N/A
568-H	106,000	132,000	N/A	N/A
575-H	106,000	132,000	N/A	N/A

The soil types listed below have one or more limiting characteristics that make the soil type “NA” or require onsite investigation, no matter what other characteristics of the soil may be present:

Soil Type	Minimum Lot Size
6***H	NA, very poorly drained soil
*66*H	NA, fill does not meet the standards for fill material (see key to soil types)
76**H	Onsite evaluation needed (Usually filled, excavated or regarded sites)

The soil type symbols are explained in “*High Intensity Soil Maps for New Hampshire, Standards and Origins*. SSSNNE Special Publications No. 1”, as most recently amended.

“**N/A**” - means not allowed (Doesn’t count at all toward lot size).

“**” - means any slope or any number

- 2.3.1.3.2 Minimum Frontage On A Class V Or Better Road

Single Family Dwelling	150 Feet
Two Family Dwelling	200 Feet

- 2.3.1.3.3 Minimum Setback Distances For Structures From Property Line (All Uses)

Front	40 Feet
Side	15 Feet
Back	15 Feet

If a property abuts more than one existing and/or proposed right of way, the building setback will be forty (40) feet from each right of way.

- 2.3.1.3.4 Maximum height of structure (all uses with the exception of agricultural purposes) is thirty-five (35) feet.
- 2.3.1.4 Livestock
 - 2.3.1.4.1 Agricultural livestock, poultry, and horses will not be permitted except on lots containing two acres or more. All buildings, runs, pens, and kennels (excluding pastures) will be located a minimum of 25 feet from any property line. This lot size and setback requirements also pertain to dog kennels.
 - 2.3.1.4.2 At no time shall a public nuisance be created as to sight, sound, smell, or any other action which would interfere with nearby property owner's rights. Exempted from this provision are domestic pets as defined in this ordinance.
 - 2.3.1.4.3 Commercial piggeries or mink farms established for the raising, care, and keeping of pigs or minks as business in any district shall not be permitted. The raising of pigs for one's own home consumption shall be permitted, providing that in so doing, a public nuisance is not created and the operation does not offend by reason of the emission of smoke, noise, odors, or fumes.
- 2.3.1.5 Location of Religious Facilities
 - 2.3.1.5.1 Religious facilities in residential districts must be on lots of two acres minimum and must have traffic access onto arterial or collector streets.
 - 2.3.1.5.2 All buildings and the parking lot associated with a religious facility will be set back a minimum of 20 feet from all adjacent residential lots, in accordance with Section 5.02 of the Site Plan Regulations. The landscaping of this setback buffer zone will be approved by the Planning Board
 - 2.3.1.5.3 Prior to construction or occupation, a sewage disposal plan will be approved and signed by the New Hampshire water supply and pollution control commission.
 - 2.3.1.5.4 Parking for religious facilities shall be determined by the requirements of 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.
- 2.3.1.7 Accessory apartments

To increase housing alternatives while maintaining neighborhood aesthetics and quality, one accessory apartment within a detached single family dwelling shall be permitted provided the following conditions are met:

 - 2.3.1.7.1 Maximum of one (1) accessory apartment per lot.
 - 2.3.1.7.2 The property owner must occupy one of the two units.
 - 2.3.1.7.3 The exterior appearance and entrances of the dwelling shall be consistent with a single-family residence.
 - 2.3.1.7.4 Only one (1) bedroom is permitted in the accessory apartment and to qualify as an accessory apartment under this section, the apartment may not exceed 750 Sq. Ft. of floor space.

- 2.3.1.7.5 Where municipal sewer is not provided, the total number of bedrooms shall not exceed the capacity of the septic system
- 2.3.1.7.6 Off-street parking shall be provided for at least four (4) vehicles. Garage and “piggy-back” parking is encouraged.
- 2.3.1.7.7 The structure and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the existing single-family dwelling. Accessory apartment use shall be recorded by deed addendum.
- 2.3.1.7.8 The accessory apartment shall be allowed only within an existing building which has been certified for occupancy for at least three (3) calendar years prior to date of application.
- 2.3.1.7.9 No accessory apartment shall be permitted on a lot created as part of a back lot development, per the requirements of Section 3.4.1.3.7 of this ordinance.
- 2.3.1.8 **Bed and Breakfast Homestay**
 - 2.3.1.8.1 Bed and breakfast homestay uses shall be subject to the following regulations.
 - 2.3.1.8.1.1 With the exception of homes or historic barns located within the Town of Londonderry cultural resources survey or listed on the national register of historic places, there shall be no more than four guest rooms
 - 2.3.1.8.1.2 Up to six guest rooms may be allowed for homes or historic barns located within the Town of Londonderry cultural resources survey or listed on the national register of historic places.
 - 2.3.1.8.1.3 The bed and breakfast homestay is subordinate and incidental to the main residential use of the building.
 - 2.3.1.8.1.4 The only meal to be provided guests shall be breakfast, and it shall only be served to guests taking lodging in the facility.
 - 2.3.1.8.1.5 Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes
 - 2.3.1.8.1.6 No exterior alterations, other than those required by law to ensure safety of the structure shall be made to any building for the purpose of providing a bed and breakfast homestay
 - 2.3.1.8.1.7 The homestay operation shall not use more than 50% of the floor area of the principal residence. Common areas such as kitchens are not included in this calculation.
 - 2.3.1.8.1.8 Adequate sewage disposal service shall be provided.
 - 2.3.1.8.1.9 A minimum of two parking spaces for the dwelling unit and one additional for each guest room shall be required.
 - 2.3.1.8.1.10 Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than thirty (30) days in any one year period
- 2.3.1.9 **Portable Storage Structures:** The use of portable storage structures are allowed in the AR-I District under the following conditions:
 - 2.3.1.9.1 There must be no more than one portable storage structure per property.
 - 2.3.1.9.2 The portable storage structure must be no larger than ten feet wide, twenty feet long, and 10 feet high.
 - 2.3.1.9.3 A portable storage structure shall not remain at any property in excess of 6 consecutive months in any calendar year. A building permit is required for placement of a portable storage structure on a property.
 - 2.3.1.9.3.1 The Permit for a portable storage structure may be extended upon approval by the Building Department when an applicant demonstrates a reasonable hardship necessitating the extension. Such extension shall be made in writing to the Building Department, and if granted, shall not result in any additional permit fees.

- 2.3.1.9.4 The portable storage structure shall be set back a minimum of 15 feet from any side or rear lot lines, and 40 feet from any front property line.
- 2.3.1.9.5 The portable storage structure shall be set back a minimum of five feet from the nearest wall of a building.
- 2.3.1.9.6 The portable storage structure shall be required to be placed on a paved, concrete, other appropriate impervious surface, or be placed on blocks.
- 2.3.1.9.7 Portable storage structures associated with construction at a property where a building permit has been issued are permitted for the duration of construction activities on the property and shall be removed from the property within fourteen days of the issuance of a certificate of occupancy. Portable storage structures associated with construction are exempt from Sections 2.3.1.9.1 through 2.3.1.9.6.

2.3.2 **MULTI-FAMILY RESIDENTIAL (R-III)**

2.3.2.1 Objectives and Characteristics

The Multi-Family (R-III) district is designed to permit an increased residential density in areas where municipal services make it appropriate and to promote flexibility in the design of residential projects with various housing types, reduced lot sizes and modified dimensional requirements, while maintaining a fixed maximum density. Flexible design can provide for the appropriate use of the land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land and expand opportunities for the development of affordable housing.

2.3.2.2 Uses

2.3.2.2.1 See use Table Section 2.2

2.3.2.2.2 Single family and two family dwellings are allowed per the use Table provided that at least seventy five percent (75%) of such dwelling units shall be restricted housing for older persons under the fair housing act, as amended, 42 USC 3601, et.seq., and RSA 354-A:15. Such restrictions shall be secured by restrictive covenants or similar instrument, approved by the Board, recorded in the registry of deeds.

2.3.2.2.3 No lot in the Residential-III (R-III) district may be used for the outside storage of more than one unregistered motor vehicle (in accordance with RSA 236:92) or the outside storage of more than one boat other than a rowboat, canoe or other boat less than twenty (20) feet in length.

2.3.2.3 Regulations and Design Criteria

2.3.2.3.1 Development Plan

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

- 2.3.2.3.1.1.1 The development plan shall include general, conceptual site and architectural plans sufficiently detailed to show the intended land uses, structures, improvements, and other features necessary to demonstrate compliance with this Section and other applicable provisions of the Zoning Ordinance.
- 2.3.2.3.1.1.2 The applicant may elect to develop the development lot in phases.
- 2.3.2.3.1.1.3 Final approval of development of any portion of the development lot shall require site plan approval according to the Site Plan Regulations of the Planning Board.
- 2.3.2.3.1.1.4 Once development of any portion of the development lot begins, no portion of the development lot may thereafter be developed or used except in conformity with the approved development plan, or an amended development plan approved by the Board.
- 2.3.2.3.1.2 The development lot may, but need not, be divided into two or more smaller legal separate lots of record ("internal legal lots"), which shall require subdivision approval by the Planning Board.
- 2.3.2.3.1.3 The density, design and dimensional requirements of Section 2.3.2.3.2 shall be applied to the development lot and not the internal legal lots.
- 2.3.2.3.1.4 The internal legal lots, if any, shall be subject to the density, design and dimensional requirements of Section 2.3.2.3.3.
- 2.3.2.3.1.5 The applicant shall be permitted to allocate permitted density among the internal legal lots in any manner so long as the sum total of development for all internal legal lots does not exceed the permitted density for the development lot.
- 2.3.2.3.2 Density, Design and Dimensional Standard for Development Lot
 - 2.3.2.3.2.1 Permitted density - the maximum permitted number of dwelling units ("permitted density") allowed in the development lot shall be as follows:
 - 2.3.2.3.2.1.1 For dwellings serviced by municipal sewer, the maximum number of dwelling units permitted on the development lot shall be determined by the following formula: $\text{number of dwelling units} = 0.80 (\text{development lot area} - \text{unusable land area}) / 7000 \text{ square feet}$. "unusable land" is defined as wetlands, excessive slopes (greater than 25%) and land subject to existing utility and drainage easements.
 - 2.3.2.3.2.1.2 For dwellings serviced by onsite septic systems, there shall be at least 14,000 square feet per dwelling unit. In addition, to protect ground water quality and to promote public health and safety, permitted density shall also be subject to such additional density requirements as are required by "minimum lot size by soil type" in Table 2 of Section 2.3.1, with the following modification: one or two bedroom units - lot size x 0.65. Three bedroom units = lot size x 0.85.
 - 2.3.2.3.2.1.3 The maximum number of dwelling units per dwelling shall be sixteen (16).
 - 2.3.2.3.2.1.3.1 The maximum number of dwelling units in a single building may be increased from sixteen (16) to no more than twenty (20) if the applicant is granted a conditional use permit from the Planning Board, in accordance with Section 2.3.2.4.
 - 2.3.2.3.2.1.4 The average number of bedrooms per dwelling unit in a multifamily dwelling shall not exceed two (2).
 - 2.3.2.3.2.2 Screening, Landscaping and Glare - the development plan and the internal legal lots shall be designed to screen parking lots from streets by building

location, grading or screening and to minimize glare on adjoining properties. Glare from any use of land, including site illumination, shall not exceed 0.2 foot candles, measured at ground level, at or beyond the perimeter of the development lot. Lighting fixtures shall be designed for downward casting of light. Major topographic changes or removal of existing trees shall be avoided wherever possible, and water, wetlands and other scenic views shall be preserved wherever possible.

- 2.3.2.3.2.3 Open space - no less than the area calculated below shall be retained as unoccupied space free of all buildings, parking and pavement, including street access, drives and walks paved with impervious materials, (but such unoccupied open space may include so-called nature walk areas and the like and other recreational uses approved by the Planning Board.) Open space shall be owned by undivided interests appurtenant to lot ownership. Such open space shall either be maintained in its natural state (except for the walking paths or other uses approved by the Planning Board) or shall have appropriate landscaping of grass, shrubbery, trees, flowers, or suitable ground cover indigenous to the area.
 - 2.3.2.3.2.3.1 Total open space shall not be less than forty percent (40%) of the total development lot area
 - 2.3.2.3.2.3.2 Open space shall exclude the area within fifteen feet (15') of each building around its entire perimeter.
 - 2.3.2.3.2.3.3 Usable open space shall not be less than twenty five percent (25%) of the total development lot area. "usable open space" shall not include "unusable land" as defined in 2.3.2.3.2.1.1.
- 2.3.2.3.2.4 Road design - internal roads shall conform to Town standards for roads in new subdivisions as required by the most recent version of the Town's Subdivision Regulations.
- 2.3.2.3.2.5 Building separation - single family or two family dwellings shall be at least twenty feet (20') from other dwellings. Multi family dwellings and other buildings shall be at least thirty feet (30') from other dwellings. Up to three (3) buildings may be interconnected by a covered walkway or breeze way for reasons of convenience and shelter from the elements, if such walkway shall not, in the opinion of the Planning Board (after consultation with the fire department) impair access to the buildings by emergency vehicles and equipment.

- 2.3.2.3.2.6 Dimensional requirements
- 2.3.2.3.2.6.1 Minimum structure setbacks from the perimeter of the development lot shall be as follows: front - 40 feet; side - 35 feet; rear - 30 feet. If the development lot abuts more than one existing and/or proposed external right-of-way, the building setback will be forty (40') feet from each right-of-way.
 - 2.3.2.3.2.6.2 Maximum building height shall not exceed (50') fifty feet (excluding non-occupied features such as towers, cupolas, etc.)
 - 2.3.2.3.2.6.3 Maximum building footprint coverage as a percentage of the development lot shall not exceed fifty five percent (55%).
 - 2.3.2.3.2.6.4 The development lot shall have a minimum frontage of a state highway or Town maintained road of class v designation or better of at least one hundred feet (100') in the aggregate, which may consist of two (2) fifty foot (50') rights-of-way serving as access to the development lot.
- 2.3.2.3.2.7 Parking
- 2.3.2.3.2.7.1 A minimum of two (2) parking spaces per dwelling unit shall be provided for single family and two family dwellings.
 - 2.3.2.3.2.7.2 A minimum of two and one-half (2.5) parking spaces per dwelling unit shall be provided for multi-family dwellings. Parking spaces may be located offsite (ie: 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.
 - 2.3.2.3.2.7.3 Assisted living and nursing home uses shall require one half (0.5) a parking space per resident unit or bed, plus one per employee.
 - 2.3.2.3.2.7.4 Parking for other uses shall comply with standards applicable to such uses in other districts.
 - 2.3.2.3.2.7.5 Parking areas shall be designated in accordance with requirements for parking areas set forth in Section 3.10 of the Zoning Ordinance (parking).
- 2.3.2.3.2.8 Perimeter buffer - a perimeter buffer to separate and screen incompatible land uses shall surround the development lot except where streets enter the development lot. The buffer shall include a combination of physical space and vertical elements such as plants, berms, fences or walls, as approved by the Board. The width of the buffer area shall vary according to the abutting zoning district as follows:
- 2.3.2.3.2.8.1 Agricultural-residential: one hundred feet (100') where directly abutting; fifty feet (50') where highway separates R-III and AR-I district.
 - 2.3.2.3.2.8.2 Commercial or industrial: fifty feet (50') where directly abutting, no buffer where highway separates R-III and a "C" or "I" district.
 - 2.3.2.3.2.8.3 Multi-family residential: no buffer.

2.3.2.3.3 Additional dimensional standards for internal lots:

2.3.2.3.3.1 Single and two-family dwelling lots:

2.3.2.3.3.1.1 Minimum lot area 5,000 SF/Unit

2.3.2.3.3.1.2 Minimum lot width 50 f Ft/Unit

2.3.2.3.3.1.3 Minimum setbacks front - 25 feet

side - see note below

rear - 20 feet

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

2.3.2.3.3.2 Multi family dwelling lots

2.3.2.3.3.2.1 Minimum lot area 7,000 SF/unit

2.3.2.3.3.2.2 Minimum lot width 50 ft/unit

2.3.2.3.3.2.3 Minimum setbacks front - 40 feet

side - 15 feet

rear - 30 feet

2.3.2.3.3.3 Other allowed uses - yard dimensions for all other uses shall be as per the development lot external lot standards referenced in subsection 2.3.2.3.2.6 (dimensional requirements) above.

2.3.2.4 Conditional Use Permits

2.3.2.4.1 The Planning Board may through the granting of a Conditional Use Permit allow the maximum number of dwelling units in a single building to be increased from sixteen (16) to no more than twenty (20) in the R-III District.

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

2.3.2.4.3 Application Procedure - Applications for conditional use permits (CUP) for increased units per building for multi-family housing in the R-III District shall be made in accordance with the following procedures:

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

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

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

2.3.2.4.4 The following criteria must be met in order to increase the maximum number of units in a multi-family building in the R-III District from 16 to not more than 20.

- 2.3.2.4.4.1 The proposed use is consistent with the Objectives and Characteristics of the district, Section 2.3.2.1;
- 2.3.2.4.4.2 Granting of the application is in the public interest;
- 2.3.2.4.4.3 The property in question is reasonably suited for the larger buildings requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
- 2.3.2.4.4.4 The application demonstrates that the 20-unit buildings for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance will all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.
- 2.3.2.4.4.5 There exist on the property limitations (steep slopes, wetlands, CO District areas, flood hazard areas, or other natural constraints on the subject parcel) that reduce the buildable area of the parcel such that the parcel is limited to less than 60% of the permitted density allowed by Section 2.3.2.3.2.1 utilizing 16 units per building. Such calculation must be demonstrated to the Planning Board by a NH licensed professional engineer (and other related professionals as applicable, such as certified wetland scientists or soil scientists).

2.3.3 INCLUSIONARY HOUSING

2.3.3.1 Purpose:

The purpose of this Section is to encourage and provide for the development of workforce housing within Londonderry. It is intended to ensure the continued availability of a diverse supply of home ownership and rental opportunities for persons meeting the definitions established in the State of NH's "Workforce Housing Statutes," RSA 674:58-61. Additionally, in implementing this Section, Londonderry has considered the region's affordable housing need as defined in the Southern NH Planning Commission Housing Needs Assessment.

2.3.3.2 Authority:

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

2.3.3.3 Applicability

- 2.3.3.3.1 Development in accordance with the provisions of this Section is permitted by conditional use permit within the following zoning districts as defined in this Zoning Ordinance: AR-I, R-III, and C-IV, as listed in the Permitted Use Table, Section 2.2.
 - 2.3.3.3.1.1 Conversion of previously approved and unbuilt "Elderly Housing" developments to workforce housing are permitted by conditional use permit in the AR-I, R-III, C-I, C-II, C-III, and C-IV districts, as listed in the Permitted Use Table, Section 2.2. See Section 2.3.3.8 for standards and requirements.
- 2.3.3.3.2 Any person aggrieved by a Planning Board decision that constitutes a denial of a Conditional Use Permit due to noncompliance with one or more of the provisions of this ordinance may appeal that decision to the Superior Court, as provided for in

RSA 677:15. A Planning Board decision on the issuance of a Conditional Use Permit cannot be appealed to the Zoning Board of Adjustment (RSA 676:5 III).

2.3.3.4 **Conditional Use Permit Criteria** – The Criteria of Section 1.5.2 shall be utilized by the Planning Board in the evaluation of Conditional Use Permits for Inclusionary Housing projects. Additional criteria for multi-family workforce housing development is found in Section 2.3.3.7, and additional criteria for the conversion of previously approved unbuilt Elderly Housing is found in Section 2.3.3.8.

2.3.3.5 **Definitions Specific to This Section.**

2.3.3.5.1 **Workforce Rental Housing** – where the rent plus utilities for the dwelling unit does not exceed 30 percent of the allowed individual household income (60% of the Area Median Income adjusted for a family of 3, as defined by the US Department of Housing and Urban Development as required by RSA 674:58).

2.3.3.5.2 **Workforce Owner-Occupied Housing** – where the total cost of mortgage principal and interest, mortgage insurance premiums, property taxes, association fees, and homeowner's insurance does not exceed 30 percent of the maximum allowed income of the purchaser (100% of the Area Median Income adjusted for a family of 4, as defined by the US Department of Housing and Urban Development as required by RSA 674:58). The calculation of housing costs shall be based on current taxes, a 30-year fixed rate mortgage, a 5 percent down payment, and prevailing mortgage rates within the region.

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

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

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

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

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

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

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

2.3.3.6.1 A Site Plan or subdivision plan that will guarantee a designated percentage of units, reserved as workforce housing, may be approved with an increase in the

density of the site or a reduction of the minimum site frontage as is set forth in Table 1. The developer shall specify in the application whether the density bonus or the frontage reduction is the option being sought for the development. These bonuses shall not apply to multi-family workforce housing development, which is governed by the provisions of Section 2.3.3.7.

Table 1		
	Minimum Set Aside	Density Bonus or Frontage Reduction *
Workforce Owner-occupied Housing	25%	25% Density Bonus or 50' Frontage Reduction

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

2.3.3.7 Standards and Requirements for Multi-Family Workforce Housing

2.3.3.7.1 Conditional Use Permit Criteria for Multi-Family Workforce Housing

- 2.3.3.7.1.1 In addition to the criteria from Section 2.3.3.4, the following criteria must be met in order for the Planning Board to grant a Conditional Use Permit for multi-family workforce housing:
- 2.3.3.7.1.1.1 Granting of the application is in the public interest;
 - 2.3.3.7.1.1.2 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
 - 2.3.3.7.1.1.3 The project shall be serviced by municipal sewer and water service from Manchester Water Works, Derry Municipal Water, or Pennichuck Water and be consistent with the Town's Sewer Facilities Master Plan.
 - 2.3.3.7.1.1.4 The project is designed to meet the requirements of RSA 674:59, and provides a minimum of 75% of the units meeting the definition of "workforce housing" under RSA 674:58.
 - 2.3.3.7.1.1.5 All workforce units must be designed in such a way as to be indistinguishable (architecturally) from any "market rate" units included in the development. Architectural design of any multi-family buildings must be reviewed by the Heritage Commission for their recommendations to the Planning Board.
 - 2.3.3.7.1.1.6 The project must be located on a tract of property or properties of at least 20 acres in size. The Planning Board may consider a project smaller than 20 acres if the project proposed would be the conversion of a large single family residential structure into multiple units that is identified as a "historic property" and listed in the Historic Properties Preservation Taskforce Report, on file with the Heritage Commission. Such conversions shall not propose any additional structures on the property and shall be required to place a historic

preservation easement on the historic structure. Any conversion of a historic structure shall also meet all of the other conditional use permit criteria from this section.

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

2.3.3.7.2 Development Plan

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

- 2.3.3.7.2.1.1 The development plan shall include general, conceptual site and architectural plans sufficiently detailed to show the intended land uses, structures, improvements, and other features necessary to demonstrate compliance with this Section and other applicable provisions of the Zoning Ordinance.
 - 2.3.3.7.2.1.2 The applicant may elect to develop the development lot in phases.
 - 2.3.3.7.2.1.3 Final approval of development of any portion of the development lot shall require site plan approval according to the Site Plan Regulations of the Planning Board.
 - 2.3.3.7.2.1.4 Once development of any portion of the development lot begins, no portion of the development lot may thereafter be developed or used except in conformity with the approved development plan, or an amended development plan approved by the Board.

2.3.3.7.3 Density, Design and Dimensional Standards for Development Lot

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

- 2.3.3.7.3.1.1 The maximum number of dwelling units permitted on the development lot shall 10 units per acre.
 - 2.3.3.7.3.1.2 The maximum number of dwelling units per multi-family building in an inclusionary development shall be sixteen (16).
 - 2.3.3.7.3.1.2.1 The maximum number of dwelling units in a single building may be increased from sixteen (16) to no more than twenty (20) if the applicant is granted a conditional use permit from the Planning Board, in accordance with Section 2.3.3.7.4.
 - 2.3.3.7.3.1.3 At least 51% of dwelling units on a development lot in an inclusionary development must contain at least 2 bedrooms.
 - 2.3.3.7.3.2 Screening, Landscaping and Glare - the development plan shall be designed to screen parking lots from streets by building location, grading or screening and to minimize glare on adjoining properties. Glare from any use of land, including site illumination, shall not exceed 0.2 foot candles, measured at ground level, at or beyond the perimeter of the development lot. Lighting fixtures shall be designed for downward casting of light. Major topographic changes or removal of existing trees shall be avoided wherever possible, and water, wetlands and other scenic views shall be preserved wherever possible.
 - 2.3.3.7.3.3 Open space - no less than the area calculated below shall be retained as unoccupied space free of all buildings, parking and pavement, including street access, drives and walks paved with impervious materials, (but such unoccupied open space may include so-called nature walk areas and the like and other recreational uses approved by the Planning Board.) Open space shall be owned by undivided interests appurtenant to lot ownership. Such open space shall either be maintained in its natural state (except for the walking paths or other uses approved by the Planning Board) or shall have appropriate landscaping of grass, shrubbery, trees, flowers, or suitable ground cover indigenous to the area.
 - 2.3.3.7.3.3.1 Total open space shall not be less than forty percent (40%) of the total development lot area
 - 2.3.3.7.3.3.2 Open space shall exclude the area within fifteen feet (15') of each building around its entire perimeter.
 - 2.3.3.7.3.3.3 Usable open space shall not be less than twenty-five percent (25%) of the total development lot area. "Usable open space" shall not include "unusable land" which is defined as wetlands, excessive slopes (greater than 25%) and land subject to existing utility and drainage easements.
 - 2.3.3.7.3.4 Road design - internal roads shall conform to Town standards for roads in new subdivisions as required by the most recent version of the Town's Subdivision Regulations.
 - 2.3.3.7.3.5 Building separation - single family or two family dwellings shall be at least twenty feet (20') from other dwellings. Multi family dwellings and other buildings shall be at least thirty feet (30') from other dwellings. Up to three (3) buildings may be interconnected by a covered walkway or breeze way for reasons of convenience and shelter from the elements, if such walkway

shall not, in the opinion of the Planning Board (after consultation with the fire department) impair access to the buildings by emergency vehicles and equipment.

2.3.3.7.3.6 Dimensional requirements

- 2.3.3.7.3.6.1 Minimum structure setbacks from the perimeter of the development lot shall be as follows: front - 40 feet; side - 35 feet; rear - 30 feet. If the development lot abuts more than one existing and/or proposed external right-of-way, the building setback will be forty (40') feet from each right-of-way.
- 2.3.3.7.3.6.2 The maximum building height shall be flexible, based on recommendations from the Senior Building Official and the Fire Marshall, but no residential structure shall be greater than 4 stories.
- 2.3.3.7.3.6.3 The development lot shall have a minimum frontage of a state highway or Town maintained road of Class V designation or better of at least one hundred feet (100') in the aggregate, which may consist of two (2) fifty foot (50') rights-of-way serving as access to the development lot.

2.3.3.7.3.7 Parking

- 2.3.3.7.3.7.1 A minimum of 1.75 parking spaces per dwelling unit shall be provided for all dwelling units in an inclusionary multi-family development.
- 2.3.3.7.3.7.2 Parking areas shall be designated in accordance with requirements for parking areas set forth in Section 3.10 of the Zoning Ordinance (parking).

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

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

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

- 2.3.3.7.4.1 The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement for multi-family workforce housing (including but not limited to: setback, density, green space, frontage, or parking) for projects that are truly supportive of the purpose and

objectives of the Inclusionary Housing section as noted above, and where such adjustments would allow the developer to more fully meet these goals and objectives.

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

2.3.3.7.4.3 Application Procedure - Applications for conditional use permits (CUP) for dimensional relief for multi-family workforce housing shall be made in accordance with the following procedures:

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

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

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

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

2.3.3.7.4.4 Approval of Applications Requiring a Conditional Use Permit - Prior to issuance of a building permit, the applicant shall acquire a conditional use permit as well as any other necessary Planning Board approval. A conditional use permit shall be issued only if the development complies with all of the requirements of Section 2.3.3.7.5.5. The Planning Board may also condition its approval on additional, reasonable conditions necessary to accomplish the objectives of this section or of the 2004 Master Plan, Zoning Ordinance, or any other federal, state, town resolution, regulation, or law.

2.3.3.7.4.5 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit for dimensional relief in a multi-family workforce housing development. The applicant shall demonstrate that:

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

2.3.3.7.4.5.2 Granting of the application is in the public interest;

2.3.3.7.4.5.3 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural

resources, open space, and does not create a hazard to surface or underground water resources.

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

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

2.3.3.7.4.6 Additional Criteria to increase the maximum number of units allowed in a multi-family building. In addition to all the criteria listed in Section 2.3.3.7.5, the following additional criteria must be met in order to increase the maximum number of units in a multi-family inclusionary building from 16 to not more than 20.

2.3.3.7.4.6.1 There exist on the property limitations (steep slopes, wetlands, CO District areas, flood hazard areas, or other natural constraints on the subject parcel) that reduce the buildable area of the parcel such that the parcel is limited to less than 50% of the permitted density allowed by Section 2.3.3.7.3.1.1 utilizing 16 units per building. Such calculation must be demonstrated to the Planning Board by a NH licensed professional engineer (and other related professionals as applicable, such as certified wetland scientists or soil scientists).

2.3.3.7.4.6.2 The applicant must demonstrate to the Planning Board that the limitation of the number of units per building at 16 per building makes the overall project unfeasible such that the development costs exceed the ability of the applicant recover development costs through rent/sales and any applicable tax credits or subsidies. The applicant must demonstrate this to the Planning Board through an independent Project Cost Estimate which includes the cost of the land, development and construction costs; financing, profit, and sales costs, and any other cost factors.

2.3.3.8 Conversion of Previously Approved Unbuilt Elderly Housing Development to Workforce Housing

2.3.3.8.1 Conditional Use Permit Criteria for Conversion of Previously Approved Unbuilt Elderly Housing to Workforce Housing

2.3.3.8.1.1 In addition to the criteria from Section 2.3.3.4, the following criteria must be met in order for the Planning Board to grant a Conditional Use Permit for a

conversion of an unbuilt, previously approved Elderly Housing project into workforce housing:

- 2.3.3.8.1.1.1 The property must have received a final approval from the Planning Board for development of Elderly Housing, and must not have constructed any dwelling units on the property since receiving approval.
- 2.3.3.8.1.1.2 The approval for the Elderly Housing development must still be valid. Elderly Housing developments that have expired approvals shall not be eligible for conversion to Workforce Housing.
- 2.3.3.8.1.1.3 Granting of the application is in the public interest;
- 2.3.3.8.1.1.4 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
- 2.3.3.8.1.1.5 The project shall be serviced by municipal sewer and water service from Manchester Water Works, Derry Municipal Water, or Pennichuck Water and be consistent with the Town's Sewer Facilities Master Plan.
- 2.3.3.8.1.1.6 The project is designed to meet the requirements of RSA 674:59, and provides a minimum of 100% of the units meeting the definition of "workforce housing" under RSA 674:58.
- 2.3.3.8.1.1.7 The application demonstrates that project for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance with all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

2.3.3.8.2 Density, Design, and Dimensional Standards

- 2.3.3.8.2.1 The Planning Board may allow for design and density changes from the approved Elderly Housing project when a conversion is sought, however under no circumstances shall the density of the project exceed that which is permitted in Section 3.6 (Elderly Housing). The project must meet all other applicable requirements from Section 3.6, except for those relative to occupancy of the units by those considered to be "Elderly."
- 2.3.3.8.2.2 All conversions from Elderly Housing to Workforce Housing must follow the declaration procedure as outlined in RSA 674:60 and Section 2.3.3.12.1, and must receive both a conditional use permit and site plan approval in order to proceed with conversion of the units.

2.3.3.9 General Requirements of Workforce Units

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

- 2.3.3.9.2 To ensure that the application is completed as permitted, the dwellings qualifying as workforce housing shall be made available for occupancy on approximately the same schedule as a project's market units, except that the certificates of occupancy for the last 10 percent of the market rate units shall be withheld until certificates of occupancy have been issued for all the workforce housing units. A schedule setting forth the phasing of the total number of units in a project under this Section, along with a schedule setting forth the phasing of the required workforce housing units shall be established prior to the issuance of a building permit for any development subject to the provisions of this Section.
- 2.3.3.9.3 To ensure that only eligible households purchase/rent the designated workforce housing units, the purchaser/renter of an workforce unit must submit copies of their last three years' federal income tax returns and written certification verifying their annual income level, combined with household assets, does not exceed the maximum level as established by this ordinance in Section 2.3.3.5 of this Section. The tax returns and written certification of income and assets must be submitted to the developer of the housing units, or the developer's agent, prior to the transfer of title. A copy of the tax return and written certification of income and assets must be submitted to all parties charged with administering and monitoring this ordinance, as set forth in this Section and Section 2.3.4 if applicable, within 30 days following the transfer of title.
- 2.3.3.9.4 All applicants under this section must submit the following data to ensure project affordability:
 - 2.3.3.9.4.1 Calculation of the number of units provided under this Section and how it relates to its provisions.
 - 2.3.3.9.4.2 Project Cost Estimate including land, development and construction costs; financing, profit, and sales costs; and other cost factors.
 - 2.3.3.9.4.3 Description of each unit's size, type, estimated cost and other relevant data.
 - 2.3.3.9.4.4 Documentation of household eligibility as required in section 2.3.3.9.3 of this Section.
 - 2.3.3.9.4.5 All agreements established as part of sections 2.3.3.10 and 2.3.4 as applicable
 - 2.3.3.9.4.6 List of required variances, conditional use permits, and special exceptions including justification of their necessity and effectiveness in contributing to affordability of this Section.

2.3.3.10 **Assurance of Continued Affordability**

In order to qualify as workforce housing under this Section, the developer must make a binding commitment that the workforce housing units will remain affordable for a period of 40 years. This shall be enforced through a deed restriction; restrictive covenant; or a contractual arrangement through a local, state or federal housing authority or other housing trust or agency. For the 40-year term, the deed restriction, restrictive covenant, or contractual arrangement established to meet this criterion must make the following continued affordability commitments:

- 2.3.3.10.1 Workforce housing units offered for sale shall comply with **Section 2.3.4, Retention of Housing Affordability.**
- 2.3.3.10.2 Workforce housing rental units shall limit annual rent increases to the percentage increase in the area median income.
- 2.3.3.10.3 Deed restrictions, restrictive covenants, or contractual arrangements related to dwelling units established under this Section must be documented on all plans filed with the Planning Board and the Rockingham County Registry of Deeds.

2.3.3.11 Administration, Compliance and Monitoring

- 2.3.3.11.1 This Section shall be administered by the Planning Board. Applications for the provisions provided under this Section shall be made to the planning board and shall be part of the submission of an application for site plan or subdivision plan approval.
- 2.3.3.11.2 No certificate of occupancy shall be issued for an workforce housing unit without written confirmation of the income eligibility of the tenant or buyer of the workforce housing unit and confirmation of the rent or price of the workforce housing unit as documented by an executed lease or purchase and sale agreement.
- 2.3.3.11.3 On-going responsibility for monitoring the compliance with resale and rental restrictions on workforce units shall be the responsibility of the Planning Board or its designee.
- 2.3.3.11.4 The owner of a project containing workforce units for rent shall prepare an annual report, due on December 31 each year, certifying that the gross rents of workforce units and the household income of tenants of workforce units have been maintained in accordance this Section. Such reports shall be submitted to the Community Development Department or their designee and shall list the contract rent and occupant household incomes of all workforce housing units for the calendar year.

2.3.3.12 Statutory Procedures for Applications and Appeals

- 2.3.3.12.1 Any person who applies for a workforce housing development under this ordinance shall file a written statement of such intent as part of the application. The failure to file such a statement shall constitute a waiver of the applicant's rights under RSA 674:61, but shall not preclude an appeal under other applicable laws. In any appeal where the applicant has failed to file the statement required by this paragraph, the applicant shall not be entitled to a judgment on appeal that allows construction of the proposed development, or otherwise permits the proposed workforce housing development to proceed despite its nonconformance with the municipality's ordinances or regulations.
- 2.3.3.12.2 If the Planning Board approves an application to develop workforce housing subject to conditions or restrictions, it shall notify the applicant in writing of such conditions and restrictions and give the applicant an opportunity to establish the cost of complying with the conditions and restrictions and the effect of compliance on the economic viability of the proposed development. The board's notice to the applicant of the conditions and restrictions shall constitute a conditional approval solely for the purpose of complying with the requirements of RSA 676:4, I(c)(1). It

shall not constitute a final decision for any other purpose, including the commencement of any applicable appeal period.

- 2.3.3.12.3 Upon receiving notice of conditions and restrictions as stated in Section 2.3.3.12.2, the applicant may submit evidence to establish the cost of complying with the conditions and restrictions and the effect on economic viability within the period directed by the Planning Board, which shall not be less than 30 days.
 - 2.3.3.12.3.1 Upon receipt of such evidence from the applicant, the Planning Board shall allow the applicant to review the evidence at the board's next meeting for which 10 days' notice can be given, and shall give written notice of the meeting to the applicant at least 10 days in advance. At such meeting, the board may also receive and consider evidence from other sources.
 - 2.3.3.12.3.2 The board may affirm, alter, or rescind any or all of the conditions or restrictions of approval after such meeting.
 - 2.3.3.12.3.3 Subject to Section 2.3.3.12.3.4, the Planning Board shall not issue its final decision on the application before such meeting, unless the applicant fails to submit the required evidence within the period designated by the Board, in which case it may issue its final decision any time after the expiration of the period.
 - 2.3.3.12.3.4 If an applicant notifies the Planning Board in writing at any time that the applicant accepts the conditions and restrictions of approval, the Board may issue its final decision without further action.

2.3.4 Retention of Housing Affordability

2.3.4.1 Authority and Purpose

- 2.3.4.1.1 Authority: This ordinance is adopted as an “innovative land use control” pursuant to RSA 674:21.
- 2.3.4.1.2 Purpose: The purpose of this ordinance is to provide a means by which Londonderry may promote the long-term affordability of housing units (intended for ownership and not rental or lease) built as part of a development approved by the Planning Board under the terms of the Londonderry's Inclusionary Housing provisions. It is intended to ensure that the units remain affordable to households of low- and moderate-income, while also facilitating homeowners' capacity to benefit from property value appreciation. It creates a lien interest in the property held by the Town, enforceable by the Town as a mortgage.

2.3.4.2 General Provisions

2.3.4.2.1 Definitions. For purposes of this section:

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

conveyed subject to a contingent subsidy lien and covenants in favor of the Municipality, as set forth in 2.3.4.4 below.

- 2.3.4.2.1.2 The “Developer” means the person or entity which applies for and receives Planning Board approval for an “inclusionary” housing project as set forth in Section 2.3.3 of this Ordinance, any person or entity to which rights to construct such a project under such an approval have been conveyed, or any person or party acting as contractor or agent for such a party, or who otherwise performs acts in furtherance of constructing or implementing the approval, or fulfilling any conditions thereof.
- 2.3.4.2.1.3 “Housing Cost” means the estimated monthly cost to an Owner of a Workforce Housing Unit, including mortgage principal and interest, property taxes (municipal, school, county, and state), homeowner’s insurance, mortgage insurance, and any applicable homeowner’s association fees. Interest calculations shall be based upon the prevailing market interest rate at the time of conveyance for a 30-year fixed-rate conventional mortgage. Schedules used to determine Housing Cost may be adopted and revised as needed by the Planning Board.
- 2.3.4.2.1.4 The “Municipality” means the Town of Londonderry; provided that, however, and except where responsibilities are specifically assigned herein or where statute creates a non-delegable responsibility, the tasks and functions required herein to be performed by the Municipality shall be performed by the Town Council or its designee, or may be delegated in whole or in part by vote of the Town Council to a third-party designee such as a nonprofit organization or quasi-governmental agency, subject to the supervision of the Town Council or its designee.
- 2.3.4.2.1.5 The “Owner” shall mean the person(s) who initially separately purchases and occupies the completed Workforce Housing Unit, under the procedures set forth in Section 2.3.4.3 below, as well as any person(s) who subsequently purchases the unit under the procedures required under Section 2.3.4.4 below.
- 2.3.4.2.1.6 The “Fair Market Value” of the Workforce Housing Unit, at the time of the initial or any subsequent conveyance shall be the price which such unit would command at that time in an arm’s-length transaction on the open market if the unit were not subject to any of the restrictions of this Section, and the Owner were to purchase the property in fee simple absolute.
- 2.3.4.2.1.7 “First Mortgage” means a recorded mortgage which is senior to any other mortgages or liens against the Workforce Housing Unit (other than the lien for real estate taxes and homeowner assessments, if any), and which is used to secure a loan to an eligible buyer to purchase the unit.
- 2.3.4.2.1.8 “Qualified Purchaser” means a purchaser who has been certified by the Municipality as meeting income standards to purchase a Workforce Housing Unit. It also includes a non-profit organization, the primary purpose of which is to provide or to facilitate the acquisition of housing that is affordable to low- and moderate-income households.

- 2.3.4.2.1.9 “Area Median Income” means Area Median Income (“AMI”) for a family of four as established and updated periodically by the U.S. Dept. of Housing and Urban Development for the Fair Market Rent Area where the Municipality is located.
- 2.3.4.2.2 The Planning Board shall, as a condition of approval, make an initial determination of the following with respect to all included Workforce Housing Units which, unless modified pursuant to Section 2.3.4.3.3 below, shall serve as the basis for conveyance by the Developer:
- 2.3.4.2.2.1 An estimated projected Fair Market Value for the Workforce Housing Units to be constructed by the Developer, using Developer projections or such other available information as the Planning Board may require. Construction details shall be provided in sufficient detail to enable a reasonable projection of such Value, and compliance with such details shall be deemed a condition of approval.
- 2.3.4.2.2.2 An initial target income level for the initial conveyance of the Workforce Housing Units, which shall not be greater than 100% of the Area Median Income (“AMI”).
- 2.3.4.2.2.3 A corresponding initial selling price for each Workforce Housing Unit, which shall be set at a level that is projected to require a Housing Cost no greater than 30% of the initial target income determined in Section 2.3.4.2.2.2 above.
- 2.3.4.2.2.4 A corresponding projected initial subsidy for each Workforce Housing Unit, which shall be the difference between the estimated projected Fair Market Value and the initial selling price. The projected initial subsidy shall be between 15% and 33% of the estimated projected Fair Market Value of the unit, inclusive.
- 2.3.4.2.3 Except as expressly set forth in this Section, in the conditions of Development approval by the Planning Board, or in a lien and covenant document recorded pursuant to Section 2.3.4.3 below, an Owner shall have the same rights and privileges with respect to the Affordable Housing Unit as would any person who owned the unit in fee simple absolute, including but not limited to the right of quiet enjoyment, the right to make improvements, and the right to convey a First Mortgage interest, as detailed below.
- 2.3.4.3 Procedures at Time of Initial Conveyance - A Workforce Housing Unit shall not be separately conveyed, or initially occupied, except in accordance with the following procedures:
- 2.3.4.3.1 During construction and upon completion of construction, the Municipality shall inspect the unit to confirm that all applicable codes, ordinances, conditions of approval (including construction details presented at the time of approval) and all other legal requirements have been met.
- 2.3.4.3.2 Upon successful inspection, the Municipality at the Developer’s expense shall cause an independent appraisal to be performed to determine the Fair Market Value of the unit.

- 2.3.4.3.3 The initial selling price shall be as set by the Planning Board at the time of plan approval under Section 2.3.4.2.2; provided, however, that under unusual circumstances the Developer may petition the Planning Board, which may for good cause and following a hearing for which reasonable notice is provided to the Developer and such others as the Planning Board may require, amend the initial selling price, the projected initial subsidy, and/or the initial target income level.
- 2.3.4.3.4 The Municipality or its agent shall be responsible for certifying potential purchasers as meeting the relevant target income requirements and eligible to purchase the unit and for ranking Qualified Purchasers. Any potential buyer identified by the Developer or its agent must be referred to the Municipality. If, after the impartial application of objective criteria for priority eligibility have been applied to all persons wishing to purchase the unit, there exists more than one top priority income-eligible purchaser ready, willing, and able to execute a purchase and sales agreement at the initial selling price, then the final choice of purchasers shall lie with the Developer.
- 2.3.4.3.5 The Town Council shall from time to time establish rules and procedures for determining income-eligibility and priority for ranking Qualified Purchasers, such rules and procedures to be consistent with U.S. Dept. of Housing & Urban Development Program Requirements at 24 CFR Part 5, Subpart F. There shall be no requirement for continuing Owner income-eligibility, and no Owner shall, subsequent to purchase, be deemed in violation of this Section or of the Subsidy Lien and Restrictive Covenant for lack of income-eligibility, unless false or fraudulent information is found to have been provided by said Owner at the time of initial eligibility determination.
- 2.3.4.3.6 The Developer shall not convey, or agree to convey, the Workforce Housing Unit for a total consideration any higher than the initial selling price as set by the Planning Board. The Developer shall not convey, or agree to convey, the unit except to the top priority Qualified Purchaser, or second priority Qualified Purchaser if the top priority purchaser is unable to complete the sale of the property; provided, however, that if the Municipality fails to identify a Qualified Purchaser, or if the Developer, after exercising a good faith effort, fails to produce a purchaser who is subsequently certified by the Municipality as a Qualified Purchaser and who is ready, willing and able to execute a purchase and sales agreement at the initial selling price within 120 days after the Municipality grants a Certificate of Occupancy in Section 2.3.4.3.1 above, the Developer may convey the unit to any purchaser of the Developer's choosing; nevertheless such conveyance shall remain subject to the initial selling price, as set by the Board, and the recording of a Subsidy Lien and Restrictive Covenant, as set forth below. The Developer shall not use these provisions to avoid selling the unit to any Qualified Purchaser, including one identified by the Municipality.
- 2.3.4.3.7 The initial Owner shall, at the time of closing, execute and convey to the Municipality a covenant document, to be called a "Subsidy Lien and Restrictive Covenant", which shall be recorded in the Rockingham County Registry of Deeds together with the Owner's deed. This document shall contain the initial value of the Municipality's subsidy lien, and all the elements required under Section 2.3.4.4 below.
- 2.3.4.3.8 The initial value amount of the Municipality's subsidy lien shall be the difference between the appraised value reached under Section 2.3.4.3.2 above, and the

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

- 2.3.4.3.9 In addition, the Developer shall, at the time of the closing, pay to the Municipality an administrative fee for each unit, which shall be used by the Municipality to fund the administration of the unit under this Subsection, including appraisals, drafting of documents, costs incurred for program administration by an independent agent of the Municipality, and other expenses relating to the Municipality's subsidy lien. The amount of the administrative fee shall be two percent (2%), or as otherwise determined by the Town Council, of the unit's initial selling price, provided however that the Town Council may if warranted, pursuant to RSA 41:9-a, prospectively alter the rate of the fee to more accurately reflect actual administrative costs. The fee shall be accounted for in the same manner as an impact fee, as provided in RSA 674:21, V(c).
 - 2.3.4.3.10 Notwithstanding the foregoing, the initial selling price, the projected initial subsidy, and/or the initial target income as conditions of approval may be reviewed and recalculated by the Planning Board as needed between the date of approval and conveyance by the Developer, for the purposes of ensuring that the objectives of this ordinance are met. Amendment of any such condition shall only be made following a hearing for which reasonable notice is provided to the Developer and such others as the Planning Board may require.
- 2.3.4.4 Subsidy Lien and Restrictive Covenant - The "Subsidy Lien and Restrictive Covenant" required under 2.3.4.3.7 above shall set forth the initial value amount of the subsidy lien as determined under 2.3.4.3.8 above, shall incorporate all of the requirements for subsequent conveyances of the Workforce Housing Unit as set forth in Sections 2.3.4.5 through 2.3.4.7 below, shall provide that any and all of such requirements shall be subject to enforcement pursuant to 2.3.4.9 below, and shall, in addition, incorporate the following conditions and restrictions:
- 2.3.4.4.1 The unit shall be the primary residence of the Owner, and shall be occupied by the Owner.
 - 2.3.4.4.2 The unit shall at all times be maintained in conformity with all applicable building or housing codes, land use ordinances or conditions of approval, and any other applicable provisions of federal, state, or local law. The Owner shall immediately notify the Municipality of any existing or anticipated violation of any such requirement, or of any provision of the Subsidy Lien and Restrictive Covenant.
 - 2.3.4.4.3 The Owner shall not, without the prior written consent of the Municipality, convey any mortgage or other lien interest in the unit, other than a First Mortgage interest. The Municipality's Subsidy Lien interest shall generally be deemed the equivalent of a second mortgage interest subordinate to any such First Mortgage, and shall entitle the Municipality to the right to notice as a lienholder for all purposes, including foreclosure notice under RSA 479:25. The Municipality may consider an alternative lien position on a case-by-case basis, based on a reasonable assessment of risk and an appraisal of value.
- 2.3.4.5 Subsequent Conveyances of the Unit - Except in the cases of purchase of a unit by the Municipality in accordance with Sections 2.3.4.6 or 2.3.4.7 below, or release or

termination of the Subsidy Lien and Restrictive Covenant by the Municipality in accordance with Section 2.3.4.8 below, no Owner of a Workforce Housing Unit shall convey the unit except in accordance with the following procedures:

- 2.3.4.5.1 An Owner may at any time notify the Municipality in writing of an intent to convey the unit. The Municipality shall, as soon as practicable, cause an appraisal to be conducted to arrive at a current Fair Market Value of the unit (including the value of any fixtures or improvements made by the Owner). If the Owner disagrees with or has doubts or questions concerning the accuracy of the appraisal, the Owner may choose to fund a second appraisal, and the current Fair Market Value shall be deemed to be the average of the two appraisals unless otherwise agreed. If the Owner does not convey the unit within one year after providing written notice of intent to convey the unit or otherwise rescinds its notice of intent to dispose of the unit either directly in writing to the Municipality or constructively by either failing to market the property or withdrawing it from the market, the Owner shall reimburse the Municipality for the cost of its appraisal of the unit. Subsequent notices of intent to convey the unit shall require a new appraisal.
- 2.3.4.5.2 The Municipality shall set the maximum resale price of the unit by adjusting the recorded initial value amount of its subsidy lien by the change in the US Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) for Boston, Brockton-Nashua, MA-NH-ME-CT for Shelter or a comparable housing cost index should the CPI-U be discontinued, calculating from the time of such recording, then subtracting that adjusted subsidy lien amount from the current Fair Market Value determined under Section 2.3.4.5.1 above. The Municipality shall also, based upon that maximum resale price, determine a revised target income level for which the unit would be affordable at such a resale price, such that the unit's Housing Cost would be no greater than 30% of the revised target income. If the revised target income level is greater than 120% of the Area Median Income or if the adjusted subsidy lien amount is not between fifteen and thirty-three percent of the Fair Market Value, the Municipality may retire or modify the subsidy lien in accordance with Section 2.3.4.8 below. An increase to the subsidy lien will result in a corresponding decrease to the maximum resale price; a decrease to the subsidy lien will result in a corresponding increase to the maximum resale price. In neither case will the Owner's equity be affected, if any.
- 2.3.4.5.3 The Municipality or its agent shall be responsible for certifying potential purchasers as meeting the revised target income requirements, in the same manner set forth in Section 2.3.4.3.4 above, and for ranking Qualified Purchasers. Any potential buyer identified by the Owner or its agent must be referred to the Municipality. If, after the impartial application of objective criteria for priority eligibility have been applied to all persons wishing to purchase the unit, there exists more than one top priority income-eligible purchaser ready, willing, and able to execute a purchase and sales agreement at the maximum resale price, then the final choice of purchasers shall lie with the current Owner.
- 2.3.4.5.4 The Owner shall not convey, or agree to convey, the Workforce Housing Unit for a total consideration any higher than the maximum resale price as determined under Section 2.3.4.5.2. The Owner shall not convey, or agree to convey, the unit except to persons who have been certified as income-eligible under Section 2.3.4.5.3; provided, however, that if the Municipality fails to identify a Qualified Purchaser, or if the Owner, after exercising a good faith effort, fails to produce a purchaser who is subsequently certified by the Municipality as a Qualified Purchaser and who is ready, willing, and able to execute a purchase and sales agreement at the

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

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

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

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

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

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

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

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

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

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

2.3.4.6 Right of First Refusal in Subsequent Conveyances

Upon receipt of a notice of intent to convey a Workforce Housing Unit under Section 2.3.4.5.1 above, the Municipality shall have the right to purchase the property at the maximum resale price, as determined according to Section 2.3.4.5.2 above. If the

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

2.3.4.7 Municipality's and Owner's Rights in Foreclosure

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

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

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

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

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

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

municipality shall reimburse the Owner from whom the Municipality acquired the property in the amount of such excess proceeds.

2.3.4.8 Retirement or Modification of Subsidy Lien

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

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

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

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

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

2.3.4.10 Conveyances to Non-Profit Housing Organizations

Notwithstanding the foregoing, the Municipality may require that initial or subsequent conveyances of Workforce Housing Units be made to a non-profit organization of the Municipality's choice, where the primary purpose of the organization is to provide or facilitate the acquisition of housing that is affordable to low- and moderate-income households. The Municipality shall release its Right of First Refusal under Section 2.3.4.6 above upon such conveyance, provided that upon subsequent conveyance the organization acquires a similar right of first refusal. The Municipality shall also release its Subsidy Lien and Restrictive Covenant upon conveyance to such an organization. Conveyance to such an organization shall be made at the initial selling price in Section 2.3.4.3.3 or at the maximum resale price in Section 2.3.4.5.2, as appropriate.

2.4 COMMERCIAL DISTRICTS

2.4.1 Commercial District

2.4.1.1 Objectives and Characteristics

The five commercial sub-districts (C-I, C-II, C-III, C-IV, and MUC) are designed to provide areas for commercial development to include, but not limited to, retail businesses, financial institutions, service oriented businesses, office buildings, recreational facilities, and repair shops.

2.4.1.2 Sub-district Uses

2.4.1.2.1 Commercial I (C-I)

This sub-district is primarily intended to provide for Town-servicing business activities where the establishment of planned business center development shall be encouraged.

2.4.1.2.1.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance.

2.4.1.2.1.2 Prohibited uses: facilities for the maintenance or repair of machinery, large appliances, and equipment having internal combustion engines are prohibited in this district.

2.4.1.2.2 Commercial II (C-II)

This sub-district is primarily intended to encourage the development of business areas designed to serve the motoring public.

2.4.1.2.2.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance

2.4.1.2.3 Commercial III (C-III) - this sub-district is primarily intended for business-professional offices and residential use.

2.4.1.2.3.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance.

2.4.1.2.4 Commercial IV (C-IV) - this sub-district is primarily intended for neighborhood commercial and office use, limiting the size, scale and expansion of neighborhood commercial uses in order to minimize traffic volumes and congestion, and other adverse impacts on the neighborhoods in which said establishments are located. All uses within the C-IV sub-district shall be subject to the Site Plan Regulations and must have building renderings reviewed by the Heritage Commission for their recommendation on the building design prior to the Planning Board approving any site plan.

2.4.1.2.4.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance.

2.4.1.2.5 Mixed Use Commercial (MUC) - this sub-district is primarily intended for mixed use commercial development appropriate to areas adjacent to exits from Interstate 93.

2.4.1.2.5.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance.

2.4.2 General Standards for all Commercial Sub-districts

- 2.4.2.1 Minimum lot size - minimum lot size and dimensions in all commercial districts are subject to Planning Board and the State of New Hampshire approval based on sewage disposal requirements, soil type, topography, vehicular access, intended use and compatibility with adjacent areas, but shall be not less than one acre with at least one-hundred and fifty (150) feet of frontage on a Class V or better road.
- 2.4.2.2 Outside storage - any outside storage in the commercial district is subject to Planning Board approval. If allowed, all storage areas will be visually screened from the access street, arterials and adjacent property. No storage shall be allowed between a frontage street and the building line.
- 2.4.2.3 Building height - except for structures not intended for human occupancy (chimneys, water towers, etc.) Height of buildings shall not exceed 50 feet (Does not apply to C-IV District, see Section 2.4.4.1).
- 2.4.2.4 Building coverage of the site will not exceed twenty-five (25) percent of the lot area.
- 2.4.2.5 Building design
 - 2.4.2.5.1 To enhance the aesthetic quality of development in Londonderry's commercial districts, the Planning Board, during site plan review, will require a rendering of the proposed building(s). Factors that the Planning Board will consider before approving the conceptual design will include, but will not be limited to:
 - 2.4.2.5.1.1 Roof design
 - 2.4.2.5.1.2 Exterior finish
 - 2.4.2.5.1.3 Signs and lighting
 - 2.4.2.5.1.4 Sidewalks
 - 2.4.2.5.1.5 Building shape
- 2.4.2.6 Vehicle access - see regulations listed in Section 3.10.
- 2.4.2.7 Parking standards - see regulations listed in Section 3.10 and Table 1 of Section 3.10 to determine the quantity of spaces required for specific uses.
- 2.4.2.8 Loading space standards
 - 2.4.2.8.1 No on-street loading or unloading shall be permitted.
 - 2.4.2.8.2 Where off-street loading is required, loading bays shall be provided and maintained in accordance with the following:
 - 2.4.2.8.2.1 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.
 - 2.4.2.8.3 Specific size of loading space shall be determined by building usage or function.

- 2.4.2.8.4 Loading areas shall be designed to permit on-site backing or maneuvering as well as forward driving to the lot exit.
- 2.4.2.8.5 Other than Planning Board approval to use parking aisles as maneuvering space, loading areas requirements shall not encroach on parking areas.
- 2.4.2.8.6 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.
- 2.4.2.8.7 All loading areas shall be surfaced with a durable, asphalt material and graded and drained to dispose of all surface water accumulation.
- 2.4.2.9 Signs - all signs, their quantity and location shall comply with the Town of Londonderry sign ordinance current at the time a site plan is approved (Section 3.11)
- 2.4.2.10 Performance standards - see Town wide Section on performance standards for industrial and commercial development (Section 3.2)
- 2.4.2.11 Portable Storage Structures: The use of portable storage structures are allowed in the Commercial Districts under the following conditions:
 - 2.4.2.11.1 There must be no more than one portable storage structure per property.
 - 2.4.2.11.2 The portable storage structure must be no larger than ten feet wide, twenty feet long and 10 feet high.
 - 2.4.2.11.3 A portable storage structure shall not remain at any property in excess of 45 consecutive days and shall not be placed on any one property in excess of 90 days in any calendar year. A building permit is required for placement of a portable storage structure on a property.
 - 2.4.2.11.3.1 The Permit for a portable storage structure may be extended upon approval by the Building Department when an applicant demonstrates a reasonable hardship necessitating the extension. Such extension shall be made in writing to the Building Department, and if granted, shall not result in any additional permit fees.
 - 2.4.2.11.4 The portable storage structure shall be set back a minimum of 30 feet from any side or rear lot lines, and 60 feet from any front property line.
 - 2.4.2.11.5 The portable storage structure shall be set back a minimum of five feet from the nearest wall of a building.
 - 2.4.2.11.6 The portable storage structure shall be required to be placed on a paved, concrete, other appropriate impervious surface, or be placed on blocks, and shall not obstruct any required parking spaces on the site.
 - 2.4.2.11.7 Portable storage structures associated with construction at a property where a building permit has been issued are permitted for the duration of construction activities on the property and shall be removed from the property within fourteen

days of the issuance of a certificate of occupancy. Portable storage structures associated with construction are exempt from Sections 2.4.2.12.1 through 2.4.2.12.6.

2.4.3 General Standards for C-I, C-II, C-III, and C-IV sub-districts:

Within the commercial district and the C-I, C-II, C-III and C-IV sub-districts, the following regulations and controls are required for the development and continued use of the area.

2.4.3.1 Minimum setback distances for structures from property line:

- 2.4.3.1.1 front 60 feet
- 2.4.3.1.2 side 30 feet
- 2.4.3.1.3 back 30 feet

- 2.4.3.1.3.1 If a property abuts more than one existing and/or proposed right-of-way, the building setback will be sixty (60) feet from each right-of-way. The Planning Board, during site plan review, may allow certain signs, utility systems (including power and communication), or related facilities within the setback areas.

2.4.3.2 Landscaping

- 2.4.3.2.1 Minimum area to be suitably planted and permanently maintained with grass, ground cover, shrubs and/or trees shall be thirty three (33) percent of the total lot area. Excepting curb/driveways, a "green" area shall enclose the entire lot perimeter as follows: minimum width of "green" areas shall be fifteen (15) feet except that where the area abuts a public right-of-way, such area shall be not less than thirty (30) feet.

- 2.4.3.2.2 When a proposed building, parking lot or driveway is less than two hundred (200) feet from a residential zoning district, a buffer zone in accordance with the following is required:

- 2.4.3.2.2.1 The buffer zone shall be a minimum of fifty (50) feet wide.
- 2.4.3.2.2.2 The buffer zone shall be planted and permanently maintained to diminish the deleterious effect of the commercial activity in accordance with specifications outlined the Site Plan Regulations.

2.4.4 Additional Standards for C-IV Sub-district

- 2.4.4.1 Building height: no structure in the C-IV sub-district shall be greater than 30 feet in height.
- 2.4.4.2 Building footprint: no use in the C-IV sub-district shall have a building footprint greater than 3,500 square feet with the exception of except community centers, and religious facilities
- 2.4.4.3 No drive-thru windows are permitted in the C-IV sub-district
- 2.4.4.4 Outside storage: no outside storage or display of any kind is permitted within the C-IV sub-district.

2.4.4.5 Standards for conditional use permits in the C-IV sub-district. In addition to the standards listed in Section 1.5.2.2, the following criteria must be met for the Planning Board to grant a conditional use permit in the C-IV sub-district:

2.4.4.5.1 The applicant shall show that the proposed use is needed to serve primarily the convenience commercial needs of the surrounding neighborhood, considering proximity and accessibility of similar uses.

2.4.4.5.2 The scale of the proposed structure is consistent with and complimentary to the surrounding land uses in the neighborhood.

2.4.5 General Standards for MUC sub-district:

Within the MUC sub-district, the following regulations and controls are required for the development and continued use of the area.

2.4.5.1 Minimum setback distances for structures from property line:

2.4.5.1.1 Front setbacks shall be based on the following performance standards:

2.4.5.1.1.1 Building footprint of 0 – 75,000 square feet: 60 feet

2.4.5.1.1.2 Building footprint of 75,001+ square feet: 90 feet

2.4.5.1.1.2.1 For purposes of this sub-district the front setback shall be measured from the property line at the arterial road. Where a lot has additional “front setbacks” from other local roadways, the front setback from a local roadway shall be 60 feet

2.4.5.1.1.3 Side setbacks shall be one-half ($\frac{1}{2}$) the front setback, but no less than 30 feet

2.4.5.1.1.4 Rear setbacks shall be one-third ($\frac{1}{3}$) the front setback, but not less than 30 feet.

2.4.5.2 Building Height: As an incentive for use of steep roofs or other architectural elements (clock towers, cupolas, etc.) the Planning Board may, with recommendation from the Heritage Commission, allow for a height bonus not to exceed sixty (60) feet from grade.

2.4.5.3 Landscaping

2.4.5.3.1 Minimum area to be suitably planted and permanently maintained with grass, ground cover, shrubs and/or trees shall be thirty three (33) percent of the total lot area. Excepting curb/driveways, a “green” area shall enclose the entire lot perimeter as follows: minimum width of “green” areas shall be fifteen (15) feet except that where the area abuts a public right-of-way, such area shall be not less than thirty (30) feet.

2.4.5.3.2 When a proposed building, parking lot or driveway is less than two hundred (200) feet from a residential zoning district, a buffer zone in accordance with the following is required:

2.4.5.3.2.1 The buffer zone shall be based on the following performance standards:

- 2.4.5.3.2.1.1 Properties with less than 75,000 square feet of commercial structures: 50 feet
- 2.4.5.3.2.1.2 Properties with greater than 75,001 square feet of commercial structures: 75 feet

2.4.5.3.2.2 The buffer zone shall be planted and permanently maintained to minimize the visual impact of the commercial activity from residential districts in accordance with specifications outlined the Site Plan Regulations.

2.4.5.4 Conditional Use Permits for the MUC Sub-district

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

2.4.5.4.2 Dimensional Relief by Conditional Use Permit: The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement of the district (including but not limited to: setback, density, green space, frontage, or parking) for projects that are 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.

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

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

- 2.4.5.4.4.1 It is recommended that all projects requiring a CUP conduct a preliminary meeting with staff prior to review by the Design Review Committee and the Town's Review Consultant. The purpose of the preliminary meetings shall be to provide guidance on the design of the proposed plan.
- 2.4.5.4.4.2 The applicant will then develop the proposed plan to a point at which the plan is eligible for design review.
- 2.4.5.4.4.3 The application will then begin Pre-Application Design review, followed by the Conditional Use Permit Review outlined in this section, and in accordance with the other applicable procedures adopted by the Planning Board.
- 2.4.5.4.4.4 Unless otherwise addressed in this ordinance, all applications shall meet those requirements set forth in the relevant sections of the Subdivision & Site Plan Regulations of the Town of Londonderry.

2.4.5.4.5 Approval of Applications Requiring a Conditional Use Permit - Prior to issuance of a building permit, the applicant shall acquire a conditional use permit as well as any other necessary Planning Board approval. A conditional use permit shall be issued only if the development complies with all of the requirements of Section 2.4.5.4.5.1. The Planning Board may also condition its approval on additional, reasonable conditions necessary to accomplish the objectives of this section or any other federal/state regulation or law.

2.4.5.4.5.1 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit in the MUC sub-district. The applicant shall demonstrate that:

- 2.4.5.4.5.1.1 The proposed use is consistent with the general vision statements and recommendations from the Londonderry Northwest Small Area Master Plan or the most recently adopted Town Master Plan;
- 2.4.5.4.5.1.2 Granting of the application is in the public interest;
- 2.4.5.4.5.1.3 The property in question is reasonably suited for the use requested.
- 2.4.5.4.5.1.4 The design of the site represents to the extent practicable a minimization of impacts to natural resources, and maximizes the provision of green space and accommodation of non-vehicular and pedestrian traffic.

2.4.5.4.5.2 In addition to the criteria listed in Section 2.4.5.4.5.1, projects which seek a dimensional conditional use permit shall meet the following additional criteria:

- 2.4.5.4.5.2.1 The applicant has demonstrated that the alternative design for which the Conditional Use Permit is sought is not feasible without relief from the strict terms of this ordinance, while not diminishing surrounding property values or the ability of nearby parcels to develop in accordance with their zoning district; and
- 2.4.5.4.5.2.2 The application demonstrates that the alternative design for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance with all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

2.5 INDUSTRIAL DISTRICTS

2.5.1 Industrial District

2.5.1.1 Objectives and Characteristics

The two industrial subdistricts (IND-I and IND-II) are designed to provide areas for industrial development to include, but not limited to, manufacturing, transportation services, warehouse facilities, and wholesale businesses. The industrial district will consist of land areas zoned for industrial use as recorded in the office of the Town clerk.

2.5.1.2 Subdistrict Uses

2.5.1.2.1 Industrial I (IND-I): this district is primarily intended to provide for industrial uses suitable for location in areas of close proximity to non-industrial development.

2.5.1.2.1.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance.

2.5.1.2.1.2 Industrial II (IND-II): this district is primarily a district which allows a more intensive industrial use than IND-I

2.5.1.2.1.2.1 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance.

2.5.1.3 General Standards

Within the industrial district and all subdistricts, the following regulations and controls are required for the development and continued use of the area.

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

2.5.1.3.1.1 Minimum setback distances for structures from property line:

front	30 feet
side	20 feet
back	20 feet

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

2.5.1.3.2 Minimum lot size - minimum lot size in all industrial districts are subject to Planning Board approval based on sewage disposal requirements, soil types, topography, vehicular access, intended use and compatibility with adjacent areas but shall be not less than one acre (43,560 sq. Ft.) With at least one hundred fifty (150) feet of frontage on a class v or better road.

2.5.1.3.3 Building height - except for structures not intended for human occupancy (chimney, water tower, etc.) Height of buildings shall not exceed 50 feet.

2.5.1.3.4 Storage areas

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

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

2.5.1.3.4.3 The Planning Board may allow certain signs, electrical power, communication systems or related facilities within the required setback areas which do not abut public rights-of-way.

2.5.1.3.4.4 A public right-of-way as used in this Section applies to vehicular travelways and includes private rights-of-way intended for public access to two or more enterprises, buildings or lots, unless otherwise specifically approved by the Planning Board.

2.5.1.3.5 Vehicle access - see regulations listed in Section 3.10.

2.5.1.3.6 Parking standards - see regulations listed in Section 3.10 and Table 1 of Section 3.10 to determine the quantity of spaces required for specific uses.

2.5.1.3.7 Loading space standards

2.5.1.3.7.1 No on-street loading or unloading shall be permitted

- 2.5.1.3.7.2 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.
- 2.5.1.3.7.3 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.
- 2.5.1.3.7.4 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.
- 2.5.1.3.7.5 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.
- 2.5.1.3.7.6 All loading bay areas shall be surfaced with a durable, asphalt material and graded to dispose of all surface water accumulation.
- 2.5.1.3.8 Landscaping
 - 2.5.1.3.8.1 Excepting curb cuts/driveways, a "green" area shall enclose the entire lot perimeter as follows: minimum width of "green" areas shall be fifteen (15) feet except that where the area abuts a public right-of-way, such area shall be not less than twenty (20) feet.
 - 2.5.1.3.8.2 When a proposed building, parking lot or driveway is less than one hundred (100) feet from a residential zoning district, a buffer zone in accordance with the following is required:
 - 2.5.1.3.8.2.1 The buffer zone shall be a minimum of fifty (50) feet wide.
 - 2.5.1.3.8.2.2 The buffer zone shall be planted and permanently maintained to diminish the deleterious effect of the industrial activity. (see site plan regulation for physical characteristics of buffer zone.)
- 2.5.1.3.9 Signs - all signs, their quantity and location, shall comply with the Town of Londonderry sign ordinance current at the time a site plan is approved (Section 3.11).
- 2.5.1.3.10 Lighting: please see Section 3.13 of the Town of Londonderry Site Plan Regulations for requirements and standards for lighting within the industrial district.
- 2.5.1.3.11 Performance standards - see Section 3.2
- 2.5.1.3.12 Portable Storage Structures: The use of portable storage structures are allowed in the Industrial Districts under the following conditions:
 - 2.5.1.3.12.1 There must be no more than one portable storage structure per property.
 - 2.5.1.3.12.2 The portable storage structure must be no larger than ten feet wide, twenty feet long, and 10 feet high.
 - 2.5.1.3.12.3 A portable storage structure shall not remain at any property in excess of 45 consecutive days and shall not be placed on any one property in excess of 90 days in any calendar year. A building permit is required for placement of a portable storage structure on a property.
 - 2.5.1.3.12.3.1 The Permit for a portable storage structure may be extended upon approval by the Building Department when an applicant demonstrates a reasonable hardship necessitating the extension. Such extension shall be made in writing to the Building Department, and if granted, shall not result in any additional permit fees.
 - 2.5.1.3.12.4 The portable storage structure shall be set back a minimum of 20 feet from any side or rear lot lines, and 30 feet from any front property line.
 - 2.5.1.3.12.5 The portable storage structure shall be set back a minimum of five feet from the nearest wall of a building.

- 2.5.1.3.12.6 The portable storage structure shall be required to be placed on a paved, concrete, other appropriate impervious surface, or be placed on blocks, and shall not obstruct any required parking spaces on the site.
- 2.5.1.3.13 Portable storage structures associated with construction at a property where a building permit has been issued are permitted for the duration of construction activities on the property and shall be removed from the property within fourteen days of the issuance of a certificate of occupancy. Portable storage structures associated with construction are exempt from Sections 2.5.1.3.12.1 through 2.5.1.3.12.6.

2.5.2 AIRPORT DISTRICT

2.5.2.1 Objectives and characteristics

A portion of the Manchester Airport ("Airport") is located in the Town of Londonderry. Development of the airport benefits the Town and region and a harmonious relationship among the Town, the airport and the city of Manchester is beneficial to the Town and the airport. Much of the development at the airport is designed in accordance with federal aviation standards. The purpose of the airport district is to provide standards for certain uses and structures associated with the airport for which generally applicable commercial and industrial standards are not suitable.

2.5.2.2 Definitions

AIRSIDE Shall mean the portion of the airport in which access is restricted to those persons having a security clearance by means of the fence.

FENCE Shall mean the safety and security fence which prevents general access to the airside of the airport, including gates, doors and other secure accessways located within buildings (e.g. the terminal).

LANDSIDE Shall mean the portion of the airport which is not the airside.

2.5.2.3 Permitted uses: see use Table Section 2.2 of this Zoning Ordinance

2.5.2.4 General standards

Within the airport district, the following dimensional, density and design standards shall apply:

2.5.2.4.1 Setbacks- no building shall be located on a lot nearer to the front, side or rear lot line than the minimum setbacks set forth below:

2.5.2.4.1.1 Minimum setback distances for structures from property line

front	zero (0) feet*
side	zero (0) feet
rear	zero (0) feet

* thirty (30) feet shall be required if the lot abuts a public street

2.5.2.4.2 Minimum lot size - no requirements

2.5.2.4.3 Building height - except for terminals, airport parking garages, and aircraft control towers, the height of structures (including buildings) shall not exceed sixty-five (65) feet.

2.5.2.4.4 Storage areas - all outdoor storage shall be visually screened from access streets, arterials and adjacent property. Outdoor storage shall include parking of all company-owned and operated motor vehicles, with the exception of passenger vehicles.

- 2.5.2.4.5 Parking standards: - parking standards for the airport district are described within Section 3.10 access and parking with the exception of longer term airport parking lots.
- 2.5.2.4.6 Parking standards for longer term parking lots (airport district)
 - 2.5.2.4.6.1 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 2 in Section 3.10 access and parking except for longer term airport parking areas which shall follow Table 1 below, 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)

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

- 2.5.2.4.7 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
- 2.5.2.4.8 Sewage and waste disposal - all industrial operations will be subject to the Londonderry industrial pretreatment program which will ensure that all liquid wastes meet federal, state and local regulations prior to disposal into a municipal system.
- 2.5.2.4.9 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
- 2.5.2.4.10 Sidewalks - sidewalks shall be provided onsite as necessary to protect pedestrians and promote the safe and efficient movement of pedestrian and vehicular movement. 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.
- 2.5.2.4.11 Electrical power - if the proposed development has a useful life of at least one (1) year, then the electrical power and communications system lines shall be installed underground within the site.
- 2.5.2.4.12 Performance standards per Section 3.2 shall apply in the airport district except for aeronautical facilities

- 2.5.2.5 Planning Board Site Plan Review - In the Airport District, the Londonderry Planning Board shall review projects following the procedures outlined in RSA 674:54 as stipulated by the most recently adopted Intermunicipal Agreement between the Town of Londonderry and the City of Manchester.

2.6 OVERLAY DISTRICTS

2.6.1 PERFORMANCE OVERLAY DISTRICT - ROUTE 102 CORRIDOR

- 2.6.1.1 Authority
The Section is enacted in pursuant to RSA 674:21, innovative land use controls, which provides the statutory authority for the Town of Londonderry to provide intensity and use incentives, impact zoning, performance standards, and the ability for the Planning

Board to grant conditional use permits. The Planning Board shall be solely responsible for the interpretation and administration of this ordinance, including the granting of all conditional use permits relative thereto. Any decision made by the Planning Board under this performance overlay district ordinance may be appealed directly to superior court in the same manner provided by RSA 677:15.

2.6.1.2 Purpose and Intent - Route 102 Corridor

2.6.1.2.1 Because the Town of Londonderry has experienced an increase in development along the Town's main traffic corridors and anticipates such growth will likely continue, (including the widening of interstate 93 and the development of the Nashua-Hudson circumferential highway), because said development will generate growth related impacts (increased traffic congestion, infrastructure requirements, demand for public services, reduced aesthetics, etc.) Utilizing the corridors, because traditional zoning techniques may not produce the type of development envisioned by the community through the 1997 master plan, and in order to implement the following objectives of the Town's 1997 master plan:

- 2.6.1.2.1.1 Guide the form of business development to occur in keeping with community objectives for compatible, appropriate development;
- 2.6.1.2.1.2 Tune regulatory systems to encourage businesses or other high trip-generating uses to more efficiently use the circulation system;
- 2.6.1.2.1.3 Regulating development to ensure that it can be supported by planned infrastructure, taking into consideration that required infrastructure must be appropriate to the context and must be supportive of environmental and community character concerns; and
- 2.6.1.2.1.4 Include consideration of impact upon natural and cultural resources in review of development proposals

The Town hereby adopts this overlay district to guide the development of land through the use of performance standards, incentives for quality development, and impact assessments to ensure the desired development pattern along the major traffic corridors of Londonderry.

2.6.1.2.2 The purpose of the Route 102 Performance Overlay District is:

- 2.6.1.2.2.1 To minimize adverse traffic impacts on the corridors and surrounding local roadways;
- 2.6.1.2.2.2 To preserve the rural character of the district by providing for development that preserves appropriate open space and builds upon the landscaping design, and visual character standards of the Town's Site Plan Regulations;
- 2.6.1.2.2.3 To minimize negative impacts to the environment such as water quality, air quality, prevention of noise pollution, light pollution, and to other important natural and cultural resources.
- 2.6.1.2.2.4 To promote and attract high quality, diverse, and sustainable economic development to the district by utilizing performance standards and flexibility in the district.
- 2.6.1.2.2.5 To protect the remaining aquifers within the Town of Londonderry.
- 2.6.1.2.2.6 To provide an appropriate mix of uses for the areas abutting the natural complex formed by areas such as the Musquash Conservation Area, Kendall Pond area, Scobie Pond area, the Litchfield State Forest, etc.

2.6.1.3 District Defined - Route 102 Corridor

2.6.1.3.1 The Route 102 Performance Overlay District shall be described as including the lots identified on the "Performance Overlay Zone" Map and specifically as follows:

On Tax Map 2: lots 7, 8, 11, 12, 13, 16, 17, 19, 20, 21, 22, 22b, 23, 25, 26, 27, 28, 28a, 28-10, 28-11, 29b-5, 32, 34, 34-1, 34a, 35.

On Tax Map 3: lots 130, 131, 131-1, 131-2, 132, 132a, 132b, 135, 136, 137, 148, 149, 150-1c, 153, 161

On Tax Map 6: lots 30, 31, 32, 33a, 34, 35-1, 35-2, 35-10, 35-17, 35-19, 36, 41, 42-1, 49, 52, 53, 54, 56, 56-1, 57, 59-1, 64, 65-1, 65a, 84.

On tax Map 7: lots 132-1, 132-2, 132-3, 132-4, 132-5, 132-6, 132-7, 132-8, 132-9, 132-10, 132-11, 132-12, 132-13, 132-14, 132-15, 132-16, 132-17, 132-18, 132-19, 132-20

2.6.1.3.2 The term “overlay district” means a zoning district superimposed on one or more established zoning districts to impose supplemental requirements, restrictions, and performance standards on uses in the district.

2.6.1.4 Conflicts with Underlying Zoning Standards

Because of the unique nature of the performance based incentives and regulations in this overlay district, the standards and requirements of this Section shall, unless otherwise stated in this section, apply to all lots in the overlay district, regardless of the underlying zoning district, except:

2.6.1.4.1 Those zoned C-III at the time of passage of the POD by Town Council; and

2.6.1.4.2 Those lots with an underlying zone of AR-I and that have received a conditional use permit for uses permitted in the AR-1 Zone

2.6.1.4.2.1 Such lots shall be subject to the standards of the AR-I District, (Section 2.3.1)

2.6.1.4.2.2 A buffer of fifty (50) feet shall be provided for any lot in a residential subdivision that abuts land zoned for non-residential uses.

2.6.1.5 Uses Permitted

2.6.1.5.1 The Performance Overlay District allows for uses that are consistent with the purposes and intent of the overlay district. Because not all uses permitted in the underlying zones are consistent with the Performance Overlay, the uses permitted in the overlay district are limited to those listed in subsection 2.6.1.5.3 below. The uses permitted in the underlying zoning districts are not permitted, unless listed in subsection 2.6.1.5.3 below or considered a use permitted by conditional use permit, see Section 2.6.1.6.

2.6.1.5.2 All uses permitted in the performance overlay district are subject to site plan review by the Planning Board. Prior to Planning Board approval of a proposal, the applicant must demonstrate, through the impact assessment requirements of Section 2.6.1.8, that the proposal will meet all of the appropriate performance standards of Section 2.6.1.7, the Site Plan Regulations, the subdivision regulations, as applicable, and shall be consistent with the purpose and intent of the overlay district in Section 2.6.1.2.

2.6.1.5.3 The following uses are permitted within the performance overlay district:

2.6.1.5.3.1 Business center development: a tract of land, buildings or structures planned as a whole and intended to include those uses allowed in this overlay district whether built at one time as a unit or in two or more construction stages;

2.6.1.5.3.2 Professional offices including, but not limited to, dentists, doctors, lawyers, architects, real estate, and such uses normally considered as general offices;

2.6.1.5.3.3 Restaurants, cafes, and similar establishments, with no drive-thru windows;

2.6.1.5.3.4 Retail stores or shops including clothing, appliance, hardware and department stores, automotive accessory, drug and variety stores, grocery stores and supermarkets;

2.6.1.5.3.5 Computer services

2.6.1.5.3.6 Religious institutions/places of worship and related facilities;

2.6.1.5.3.7 Educational institutions;

- 2.6.1.5.3.8 Recreation areas (commercial and non-commercial);
- 2.6.1.5.3.9 Elderly housing & assisted living facilities, as outlined in Sections 3.6 and 3.7
- 2.6.1.6 Conditional Use Permits
 - 2.6.1.6.1 All uses permitted by conditional use permit in the performance overlay district are subject to site plan review by the Planning Board. Prior to Planning Board approval of a conditional use permit, the applicant must demonstrate, through the impact assessment requirements of Section 2.6.1.8, that the proposal will meet all of the appropriate performance standards of Section 2.6.1.7, the Site Plan Regulations, the subdivision regulations, and shall be consistent with the purpose and intent of the route 102 performance overlay district in Section 2.6.1.2.
 - 2.6.1.6.2 Prior to Planning Board action on any site plan or subdivision for a use requiring a conditional use permit, the Board must have already granted the conditional use permit. The conditional use permit may be sought either separately or concurrently with site plan/subdivision approval.
 - 2.6.1.6.3 Uses permitted by conditional use permit
 - 2.6.1.6.3.1 Any use permitted in the underlying zoning district, which is not a permitted use in the performance overlay district;
 - 2.6.1.6.3.2 Warehouses and storage of non-explosive materials;
 - 2.6.1.6.3.3 Daycare facilities;
 - 2.6.1.6.4 Administration of conditional use permits - as provided for in RSA 674:21, innovative land use control, this Section of the Zoning Ordinance shall provide for the granting of conditional use permits, by the Planning Board, as follows:
 - 2.6.1.6.5 The Planning Board shall then vote either to approve a conditional use permit as presented, approve it with conditions, or deny it.
 - 2.6.1.6.5.1 Prior to construction commencing on any use that is granted a conditional use permit, the applicant shall be required to submit a financial surety in accordance with Section 5.01 of the Subdivision Regulations or Section 6.01 of the Site Plan Regulations, whichever is applicable.
 - 2.6.1.6.5.2 The applicant may also be assessed reasonable fees to cover the cost of other special investigative studies and for the review of documents required by particular applications, reviews by the Town's legal counsel, and any third party consultant as may be required by the Planning Board per Section 2.01d of the Site Plan Regulations.
 - 2.6.1.6.6 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit in the performance overlay district. The applicant shall demonstrate that:
 - 2.6.1.6.6.1 All performance criteria outlined in Section 2.6.1.7, as applicable to the application have been met;
 - 2.6.1.6.6.2 The proposed use is consistent with the purpose and intent of the performance overlay district, Section 2.6.1.2;
 - 2.6.1.6.6.3 Granting of the application would meet some public need or convenience;
 - 2.6.1.6.6.4 Granting of the application is in the public interest;
 - 2.6.1.6.6.5 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
- 2.6.1.7 Performance Standards
 - 2.6.1.7.1 Dimensional performance standards
 - 2.6.1.7.1.1 Table of dimensional performance standards: in order to accomplish the goals of this ordinance, as well as fulfill the goals of the master plan,

development within the performance overlay district is subject to the dimensional standards listed in Table 1, below.

Table 1

Property Located on:	Min. Lot Size	Min. Lot Frontage	Max. Structure Height	Min. Front Setback (7)	Min. Side Setback	Min. Rear Setback	Max. Impervious Cover
Arterial Road (as defined by appendix A), with public water and sewer	3 Acres	300 feet (1)(2)	45 feet	4.5 times the building height (4)(5)	equal to the building height or 20 feet (whichever is greater)	equal to the building height or 20 feet (whichever is greater)	55% (6)
Arterial Road without public water and without sewer	3 Acres (3)	300 feet (1)(2)	45 feet	4.5 times the building height (4)(5)	equal to the building height or 20 feet (whichever is greater)	equal to the building height or 20 feet (whichever is greater)	55% (6)
Non-Arterial Roads OR Arterial Road when "Shared access" is used, and with public water and sewer	1 Acre	100 feet (1)(2)	45 feet	4 times the building height (4)(5)	equal to the building height or 20 feet (whichever is greater)	equal to the building height or 20 feet (whichever is greater)	66% (6)
Non-Arterial Roads OR Arterial Road when "Shared access" is used, and without public water and without sewer	1.5 Acres (3)	150 feet (1)(2)	45 feet	4 times the building height (4)(5)	equal to the building height or 20 feet (whichever is greater)	equal to the building height or 20 feet (whichever is greater)	66% (6)

Table 1 Footnotes:

- (1) Lots with Frontage along both an arterial road and a local road shall be accessed from the local road whenever possible. The Planning Board shall have the authority to allow access on an arterial road in such situations where access from the local road is deemed inappropriate or not feasible, and the NHDOT has issued appropriate permits.
- (2) Minimum frontage requirement must be satisfied from the road providing access to the lot.
- (3) Subject to NHDES lot sizing criteria if DES minimum lot size is greater than 3 acres/1.5 acres.
- (4) May be reduced to 2 times the building height if all parking is located to the side or rear of the principal structure.
- (5) At no time shall the minimum front setback be less than 50 feet along an arterial road and 30 feet along a local Road.
- (6) May be increased by an amount equal to the area of easement dedicated for future widening of the arterial road (See section 2.6.1.7.3 on Incentive Bonuses)
- (7) On lots with frontage on both an arterial and local road (double frontage), the front setback shall be measured from the property line adjacent to the arterial road.
- (8) No structure shall exceed three (3) stories of usable floor space
- (9) As an incentive for use of steep roofs or other architectural elements (clock towers, cupolas, etc.) the Planning Board may, with recommendation from the heritage Commission, allow for a height bonus not to exceed sixty (60) feet from grade. This additional height beyond the maximum of forty five (45) feet is not used in the setback calculations.

2.6.1.7.2 Commercial Building Size Standards

2.6.1.7.2.1 Intent: because the intent of the performance overlay district is to preserve rural character by providing for development that preserves appropriate open space and builds upon the landscaping design, and visual character standards of the Town's Site Plan Regulations, large scale commercial development is not consistent with the goal of the district. In order to accomplish the goals of the district, the following performance standards are applied to commercial buildings.

2.6.1.7.2.2 Multiple buildings are permitted on a single lot within the pod.

2.6.1.7.2.3 The size of any individual commercial building shall not exceed a building footprint of 12,500 square feet, but may be granted an incentive bonus to a building footprint not to exceed 25,000 square feet if the all of the following criteria are met:

2.6.1.7.2.3.1 The proposed parking for the commercial use will be limited to the rear and side of the structure.

2.6.1.7.2.3.2 The parking area for the building is interconnected with an adjoining lot, or provisions are made to allow for connection of parking lots in the future.

2.6.1.7.2.3.3 The access for the building is shared with 1 or more other lots for access management purposes.

2.6.1.7.3 Dimensional Incentive Bonus Standards

2.6.1.7.3.1 These incentive bonus standards are designed to reward projects that choose to voluntarily develop their properties in a way that is most compatible with the stated goals and objectives of this district and the master plan.

2.6.1.7.3.2 Reduction in minimum lot area and frontage: as an incentive to encourage the concept of access management for traffic corridors through access on local roads and shared access drives, the minimum lot area and frontage requirements shall be decreased as noted in Table 1 where shared access or local road access is provided for a lot.

2.6.1.7.3.3 Widening easement deeds: those lots that voluntarily agree to provide easement deeds over the portion of their land within 25 feet of the state right-of-way, thereby reserving this easement area for future widening of the corridor or similar improvements within the corridor, may be compensated for this action by being allowed an impervious surface bonus, to develop their property to an extent greater than otherwise permitted in the performance overlay district. The amount of extra impervious coverage shall be equal to the actual computed area of the easement area provided for future improvements. The provision of a widening easement may also qualify for credits to impact fees as outlined in Section 1.2.

2.6.1.7.3.4 Reduction in minimum front setback: as an incentive to encourage the protection of aesthetics in the performance overlay district, the minimum lot area and frontage requirements shall be decreased as noted in footnote 4 of Table 1 of this Section where parking is limited to the rear and/or side of the building.

2.6.1.7.4 Landscape Performance Standards

2.6.1.7.4.1 The landscape performance standards of the performance overlay district are intended to supplement the requirements of the Site Plan Regulations, outlining areas where landscaping are required in the district to promote the aesthetically pleasing type of development desired by the community.

2.6.1.7.4.2 Specifics about landscaping materials, caliper sizes, and specifics of the design details shall be as defined by Section 3.09 and 3.11.g 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.

- 2.6.1.7.4.3 None of the landscape requirements contained in this ordinance or the Site Plan Regulations shall be construed so as to require plantings where safe sight distance at driveways or along public streets would be inhibited. The Planning Board may adjust landscape requirements of this district when deemed necessary for reasons of public safety.

2.6.1.7.4.4 Required Landscaping Areas

- 2.6.1.7.4.4.1 Open space: all areas disturbed by construction shall be covered with a minimum thickness of 4 inches of suitable topsoil and be subsequently planted with grass seed, sod, or other vegetative cover.

2.6.1.7.4.4.2 Street tree area

- 2.6.1.7.4.4.2.1 The street tree area shall be a 15 foot wide strip running parallel with the lot frontage along any public right of way and shall be continuous along the entire length of said right of way, except for those areas reserved for approved curb cuts. (on lots where there is a widening easement provided, the street tree area shall begin at the rear of the easement)

- 2.6.1.7.4.4.2.2 The street tree area shall be planted with a minimum of 1 native shade tree (see Site Plan Regulations for recommended native trees) for every 50 feet of right of way frontage. The size of trees to be planted in this area shall be a minimum of 2 ½ inch caliper at time of planting. Branching height of street trees shall not be less than 7 feet above grade when planted. Street trees must not be closer than 25 feet apart at time of planting.

- 2.6.1.7.4.4.2.3 Incentive bonus: every healthy native tree with a caliper of 3 inches or greater, which is preserved in the street tree area may be substituted for 1 required new street tree planting.

2.6.1.7.4.4.3 Front Buffer Area

- 2.6.1.7.4.4.3.1 The front buffer area shall be a strip of variable width (minimum 20 feet wide) between the street tree area and the closest point of a building or impervious surface facing a public right of way. (on lots where there is a widening easement provided, the street tree area may encroach and overlap the front buffer area)

- 2.6.1.7.4.4.3.2 The front buffer area shall be planted with a minimum of 1 deciduous or evergreen tree for every 30 feet of horizontal building facing a public right of way. Trees planted in this area shall have a height equal to ½ the maximum proposed height of a building (but not less than 12 feet from grade or greater than 30 feet from grade) at time of planting.

- 2.6.1.7.4.4.3.3 Incentive bonus: every healthy native tree with a caliper of 3 inches or greater, which is preserved in the front buffer area may be substituted for 1 required new front buffer tree planting. Every healthy native tree with a caliper of 4 inches or greater, which is preserved in the front buffer area may be substituted for 2 required new front buffer tree plantings.

2.6.1.7.4.4.4 Side and Rear Buffer Areas

2.6.1.7.4.4.4.1 Required side and rear buffer areas shall begin at the inner limits of the front buffer area and run parallel to the side and rear property lines. The minimum width of these side and rear buffers shall equal to ½ the proposed maximum building height, but not less than 10 feet wide. In the event the property abuts a parcel zoned AR-I, the buffer shall be no less than 75 feet wide.

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

2.6.1.7.4.4.4.3 Perimeter parking lot landscaping and interior parking lot landscaping shall be in accordance with Section 3.11.g of the Site Plan Regulations.

2.6.1.7.4.4.4.4 Signage landscaping

2.6.1.7.4.4.4.5 The signage landscaping area shall be a minimum 4 foot wide area surrounding each monument or pedestal sign base.

2.6.1.7.4.4.4.6 All sign bases shall be planted with shrubs and groundcover with a minimum height of 18 inches at time of planting.

2.6.1.7.4.4.4.7 Incentive bonus: healthy vegetation which is preserved in the location of signage landscape area may be substituted for the required plantings.

2.6.1.7.4.4.5 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.e of the Site Plan Regulations.

2.6.1.7.5 Off-Street Parking

2.6.1.7.5.1 Intent: in order to provide safe and adequate parking facilities, yet maintain a high quality aesthetic quality of development within the performance overlay district, performance standards for parking have been developed.

2.6.1.7.5.2 The goals related to these performance standards are:

2.6.1.7.5.2.1 To ensure that appropriate parking areas are provided for future development within the overlay district;

2.6.1.7.5.2.2 To promote the use of interconnected parking between adjacent businesses as a means of access management along the corridor;

2.6.1.7.5.2.3 To encourage the provision of interior landscaping within parking lots as a means of mitigating summer heat, snow storage areas, and improve the aesthetics of parking areas.

2.6.1.7.5.3 General Performance Standards for Off-Street Parking.

2.6.1.7.5.3.1 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 3.10) except for parking lot setbacks (also called green area setbacks as defined in Sections 2.5.1.3.8 and 2.4.3.2) which are governed by the performance standards for landscaping, as outlined in Section 2.6.1.7.2.

2.6.1.7.5.3.2 Sales of automobiles or other items which may be for sale is not permitted within any required parking spaces or their interconnecting drives and/or aisles.

- 2.6.1.7.5.3.3 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.
- 2.6.1.7.5.3.3.1 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.
- 2.6.1.7.5.3.3.2 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.
- 2.6.1.7.5.4 In parking lots where shared access and/or interconnected parking lots occur, the side and rear landscape area requirements of 2.6.1.7.2 can be omitted.
- 2.6.1.7.6 Signage
 - 2.6.1.7.6.1 General
 - 2.6.1.7.6.1.1 The general standards of Section 3.11 shall apply to signs within the performance overlay district.
 - 2.6.1.7.6.2 Sign illumination
 - 2.6.1.7.6.2.1 Direct and indirect lighting of signs is permitted, provided it meets the criteria from Section 3.13 of the Site Plan Regulations.
 - 2.6.1.7.6.2.2 Internally illuminated signs shall be opaque and only the sign copy shall appear to be illuminated.
 - 2.6.1.7.6.2.3 Externally illuminated signs, and signs that are consistent with Section 3.12.g of the Site Plan Regulations are strongly encouraged.
 - 2.6.1.7.6.3 The copy (lettering) area, as it relates to the overall sign, shall be in proportion. Copy (lettering) shall not appear to occupy more than 75% of the total sign area.
 - 2.6.1.7.6.4 Building mounted signs
 - 2.6.1.7.6.4.1 Wall signs shall cover no more than 20% of the total square footage of the facades to which they are affixed.
 - 2.6.1.7.6.4.2 Wall signs may be as large as 1 sq. Ft. per 3 linear ft. Of building frontage or a maximum of 30 square feet, whichever is less.
 - 2.6.1.7.6.4.3 Wall signs shall not project above the roofline or eaveline of any building. In multi-story buildings, wall signs shall not project above the first floor line, or 12 feet from grade, whichever is less.
 - 2.6.1.7.6.4.4 One wall sign is permitted per tenant in a multi-tenant structure; however the total sign square footage on any wall or facade shall not exceed 60 square feet.
 - 2.6.1.7.6.4.5 Signs on adjacent storefronts within the same building shall be coordinated in height and proportion, and are encouraged to use the same signing format.
 - 2.6.1.7.6.4.6 Signs shall not obscure important architectural details or features such as windows, transoms, panels, sills, mouldings, and cornices.

2.6.1.7.6.5 Freestanding Signs

- 2.6.1.7.6.5.1 There shall be no more than 1 freestanding sign (double sided) permitted for any lot within the performance overlay district.
- 2.6.1.7.6.5.2 Freestanding signs within the performance overlay district shall not exceed 10 feet in height from grade to the top of the sign.
- 2.6.1.7.6.5.3 The maximum sign area for freestanding signs shall be determined by the following:
 - 2.6.1.7.6.5.3.1 For 1 or 2 tenant structures: 30 square feet.
 - 2.6.1.7.6.5.3.2 For 3 or more tenant structures: 50 square feet.
- 2.6.1.7.6.5.4 Freestanding signs shall be set back a minimum of 10 feet from the front property line. On properties where a widening easement has been provided, the sign shall be set back 10 feet from the inner edge of the easement,
- 2.6.1.7.6.5.5 Freestanding signs within the performance overlay district shall be one of the following types:
 - 2.6.1.7.6.5.5.1 Monument sign: a sign that is a separate structure supported from grade to the bottom of the sign with a base that is larger than the sign.
 - 2.6.1.7.6.5.5.2 Directory sign: a sign that is a separate structure supported from the sides, used to identify the name of the development as a whole and listing the major tenants.
- 2.6.1.7.6.5.6 Freestanding signs shall be landscaped in accordance with the standards provided in Section 2.6.1.7.2.
- 2.6.1.7.6.5.7 Freestanding signs shall be placed perpendicular to approaching vehicular traffic.

2.6.1.7.7 Lighting

- 2.6.1.7.7.1 Lighting levels for properties in the performance overlay district shall be subject to the requirements of Section 3.13 of the Site Plan Regulations.
- 2.6.1.7.7.2 The height of any freestanding outdoor lighting fixture shall not exceed 20 feet above grade.

2.6.1.7.8 Environmental performance standards

2.6.1.7.8.1 General

- 2.6.1.7.8.1.1 Environmental performance standards specific to the performance overlay district have been developed to protect the long-term environmental quality and vitality of gateways to the Town of Londonderry and of sensitive natural resources in the vicinity of the corridors.
- 2.6.1.7.8.1.2 In addition to the performance standards of this section, development within the performance overlay district shall be subject to all applicable local, state, and federal ordinances, regulations and laws. The standards listed in this Section shall not be construed to imply relief from requirements of state or federal law.
- 2.6.1.7.8.2 General performance standards: all property within the performance overlay district shall be subject to the standards outlined in Section 3.2.1 for vibration, noise, air pollution, odors, glare & heat, harmful interference, and sewage/waste disposal performance standards.
- 2.6.1.7.8.3 Wetland/groundwater protection performance standards

- 2.6.1.7.8.3.1 All provisions of the conservation overlay zone shall apply to wetlands and perennial streams within the performance overlay district.
- 2.6.1.7.8.3.2 Sufficient open space shall be provided for the recharge of groundwater. Where infiltration is required in drainage design, all runoff shall be pre-treated using treatment swales and detention basins meeting the NHDES best management practices and the Londonderry Site Plan Regulations. Infiltration facilities shall be designed to perform under all season conditions. Applicants are encouraged to meet with the department of public works and engineering prior to developing a drainage design to determine if infiltration is appropriate for a proposed site plan.
- 2.6.1.7.8.4 Performance Standards for Development of Steep Slopes
 - 2.6.1.7.8.4.1 For purposes of this section, steep slope areas shall be defined as naturally existing, contiguous areas of land of greater than ½ acre or more that have an average cross slope gradient greater than 33% or 3h:1v.
 - 2.6.1.7.8.4.2 In order to guard against hazards associated with development of steep slopes, construction within these areas shall be limited to those activities necessary for construction in the use/development of land outside of a steep slope area and shall be subject to the following standards:
 - 2.6.1.7.8.4.2.1 No portion of a steep slope area shall be used for the construction of leach fields or trenches which are part of subsurface sewage disposal systems.
 - 2.6.1.7.8.4.2.2 Not more than 25% of a steep slope area shall be cleared of healthy existing vegetation and shall be re-vegetated upon completion of the construction allowed in paragraph b, above.
 - 2.6.1.7.8.4.2.3 Portions of steep slope areas affected by construction activity shall be given special attention with regard to erosion control.
 - 2.6.1.7.8.4.2.4 No portion of a steep slope area shall be subject to the discharge of any stormwater management system.
- 2.6.1.8 Impact Assessment Requirements
 - 2.6.1.8.1 The purpose of impact assessments within the performance overlay district is to provide the Planning Board with sufficient information to conduct a detailed review of uses that have the potential for significant impact within the overlay, and the Town as a whole. The impact review process is intended to promote and protect the natural resources and aesthetic qualities of the Town and to prevent or mitigate any adverse impact to the Town services, traffic patterns, abutting properties, the economy of the Town, the character of the Town, or the public health, safety, and welfare of Town residents.
 - 2.6.1.8.2 Applicability and procedure
 - 2.6.1.8.2.1 This Section is applicable to all residential and non-residential site development within the performance overlay district. All development proposals within the overlay district shall submit impact assessment reports in accordance with this section, and all other applicable local, state, and federal regulations. Single family residential or duplex construction (on a single lot not involving subdivision) is exempt from the requirements of an impact assessment report.
 - 2.6.1.8.2.2 Three (3) copies of the impact assessment report shall be submitted along with all other forms, plans and information required for applications under the site plan and subdivision regulations.

- 2.6.1.8.2.3 The impact statement shall be prepared by an interdisciplinary team of professionals qualified to evaluate all facets of the proposed project which may include but is not limited to engineers, architects, landscape architects, economic analysts, environmental scientists, and planners.
- 2.6.1.8.2.4 All impact statements shall be reviewed by the Town, and any third party review costs shall be included in the review escrow as outlined in the site plan and subdivision regulations.
- 2.6.1.8.2.5 The Planning Board shall have the authority to waive or modify all or part of the requirements of the impact assessment report (with the exception of Section 2.6.1.8.3.2.6 environmental impact) for site development after reviewing the nature, scope, and size of a proposed development.
- 2.6.1.8.3 Impact Assessment Report
 - 2.6.1.8.3.1 The impact statement shall include the following elements:
 - 2.6.1.8.3.1.1 A detailed description of the proposed project and its design features, including existing conditions on the site and in the vicinity of the project.
 - 2.6.1.8.3.1.2 Identification and assessment of the impacts of proposed project, including positive, negative, and indirect impacts. Proposed measures to prevent or mitigate adverse impacts and/or maximize positive impact including design modifications and provision of infrastructure improvements sufficient to support the project. Any adverse impacts that cannot be mitigated shall be identified. Mitigation measures to be implemented by the applicant shall be identified.
 - 2.6.1.8.3.1.3 An evaluation of how the project will meet the standards required in this ordinance.
 - 2.6.1.8.3.2 The impact statement shall assess the following areas of potential impact:
 - 2.6.1.8.3.2.1 Traffic impact: traffic impacts shall be addressed according to the procedure outlined in Section 3.14 of the Site Plan Regulations.
 - 2.6.1.8.3.2.2 Solid waste disposal: describe the quantity and composition of projected solid wastes to be generated by the project including average weekly volume in cubic yards of refuse generated; recycling potential; method of on-site storage and collection. Evaluate the impact to the Town's recycling facility and waste disposal capability (for single family or multi-family residential projects).
 - 2.6.1.8.3.2.3 Emergency services: describe the anticipated fire and police protection needs including time and demand on municipal personnel; provision for alarms or warning devices; on-site fire fighting and security capabilities; need for increased municipal personnel or equipment. Estimate the cost and discuss the responsibility for providing emergency protection to the project. Consultation with the police and fire department is required.
 - 2.6.1.8.3.2.4 Schools (only applicable for single-family or multi-family residential projects that are granted a conditional use permit to be located in the POD): describe the projected impact to the public school system including kindergarten, primary, and secondary levels. Identify the schools and school districts to be affected; projected number of students by housing type (i.e. single- family, apartments, Townhouses) and number of bedrooms (i.e. one-bedroom two-bedroom etc.); the ability of the specific school(s) to absorb the additional enrollment including impact on classroom size, school bus routing changes, and the annual cost per student to the school system based on publicly available information such as the capital

improvement plan. Projected number of students shall be based on relevant data included in the Town's impact fee methodology.

2.6.1.8.3.2.5 Environmental impact

2.6.1.8.3.2.5.1 Identify and evaluate the potential impacts of the project on wildlife and wildlife habitat, or endangered plant or animal species or species of concern (see NH RSA 212-A:6), public or private water supply wells, water supply lands and aquifers, groundwater recharge areas and public water supply reservoirs.

2.6.1.8.3.2.5.2 Describe the types, quantities, shelf life, use and storage methods for hazardous materials and wastes to be used or generated by the project. Include copies of material safety data sheets (MSDS) for all identified materials. Specify measures that will be taken to prevent a release into the environment.

2.6.1.8.3.2.5.3 Identify and describe any vibration, noise, odor, glare and heat, or harmful interference that the proposed use will generate, proposed measures to mitigate these effects, and how these measures will ensure compliance with the requirements of Section 3.2.

2.6.1.8.3.2.6 Cultural impacts

2.6.1.8.3.2.6.1 Describe the surrounding neighborhood and any scenic, unique geological, historical, or archeological features and recreational areas on the site or in the vicinity of the site which could be affected by the project.

2.6.1.8.3.2.6.2 Identify the impacts to historic properties, districts, or areas on the property or in the vicinity of the project.

2.6.1.8.3.2.7 Fiscal impact - evaluate the projected costs and benefits to Londonderry resulting from the project including:

2.6.1.8.3.2.7.1 Value of improvements to public infrastructure to be provided by the project

2.6.1.8.3.2.7.2 Projected tax revenues to be generated by the project.

2.6.1.8.3.2.7.3 Projected impact of the project on surrounding land values and any potential loss or increase in tax revenues to the Town

2.6.1.8.3.2.7.4 Estimate of the number and types of jobs to be created by the project.

2.6.1.8.4 Review Standards for Impact Assessments

2.6.1.8.4.1 The Planning Board shall consider the standards included in Section 2.6.1.7 as well as the other standards set forth in this ordinance and in the site plan and subdivision regulations when reviewing development impacts assessments

2.6.1.9 Pre-Existing (Non-Conforming) Uses, Lots, and Structures

2.6.1.9.1 Notwithstanding other provisions of Section 2.6.1, the construction of additions and expansions to pre-existing structures and uses shall be permitted within the pod, governed by the standards of the underlying zoning district, provided that:

2.6.1.9.1.1 The use or structure lawfully existed prior to the adoption of the POD by the Town Council;

2.6.1.9.1.2 The proposed construction conforms to all other applicable ordinances and regulations of the Town of Londonderry; and

2.6.1.9.1.3 The structure or use continues in its present use, and does not constitute a change of use.

2.6.1.9.2 Notwithstanding other provisions of Section 2.6.1, lots of less than 3 acres in size within the POD shall be governed by the standards of the underlying zoning district, provided that:

2.6.1.9.2.1 The lot lawfully existed prior to the adoption of the POD by the Town Council; and

2.6.1.9.2.2 Any proposed construction conforms to all other applicable ordinances and regulations of the Town of Londonderry.

2.6.2 PERFORMANCE OVERLAY DISTRICT - ROUTE 28 CORRIDOR

2.6.2.1 Authority

The Section is enacted in pursuant to RSA 674:21, innovative land use controls, which provides the statutory authority for the Town of Londonderry to provide intensity and use incentives, impact zoning, performance standards, and the ability for the Planning Board to grant conditional use permits. The Planning Board shall be solely responsible for the interpretation and administration of this ordinance, including the granting of all conditional use permits relative thereto. Any decision made by the Planning Board under this performance overlay district ordinance may be appealed directly to superior court in the same manner provided by RSA 677:15.

2.6.2.2 Purpose and Intent - Route 28 Corridor

2.6.2.2.1 Because the Town of Londonderry has experienced an increase in development along the Town's main traffic corridors and anticipates such growth will likely continue, (including the widening of Interstate 93, and industrial development south of the Manchester Airport), because said development will generate growth related impacts (increased traffic congestion, infrastructure requirements, demand for public services, reduced aesthetics, etc.) Utilizing the corridors, because traditional zoning techniques may not produce the type of development envisioned by the community through recent surveys and public outreach:

2.6.2.2.1.1 Guide the form of business development to occur in keeping with community objectives for compatible, appropriate development;

2.6.2.2.1.2 Tune regulatory systems to encourage businesses to more efficiently use the circulation system;

2.6.2.2.1.3 Regulating development to ensure that it can be supported by planned infrastructure, taking into consideration that required infrastructure must be appropriate to the context and must be supportive of environmental and community character concerns; and

2.6.2.2.1.4 Include consideration of impact upon natural and cultural resources in review of development proposals

The Town hereby adopts this overlay district to guide the development of land through the use of performance standards, incentives for quality development, and impact assessments to ensure the desired development pattern along the major traffic corridors of Londonderry.

2.6.2.2.2 The purpose of the Route 28 Performance Overlay District is:

2.6.2.2.2.1 To minimize adverse traffic impacts on the corridors and surrounding local roadways;

2.6.2.2.2.2 To promote and attract high quality, diverse, and sustainable economic development within the district by utilizing performance standards and flexibility and providing for development that preserves appropriate open space and builds upon the landscaping design, and visual character standards of the Town's Site Plan Regulations;

- 2.6.2.2.2.3 To minimize negative impacts to the environment such as water quality, air quality, prevention of noise pollution, light pollution, and to other important natural and cultural resources.
- 2.6.2.2.2.4 To protect the remaining aquifers within the Town of Londonderry.
- 2.6.2.2.2.5 To provide an appropriate mix of uses for the areas abutting the natural complex formed by areas such as the Musquash Conservation Area, Kendall Pond area, Scobie Pond area, the Litchfield State Forest, etc.
- 2.6.2.3 District Defined – Route 28 Corridor
 - 2.6.2.3.1 The performance overlay district shall be described as including the lots identified on the “Performance Overlay Zone” Map and specifically as follows:

On Tax Map 15: 21, 21-1, 22, 22-1, 23, 23-1, 23-2, 25, 25-1, 26, 27, 28, 60-2, 60-2, 61, 61-2, 61-4, 61-5, 61-7, 61-8, 63, 65-2, 66, 66-1, 67, 68, 69, 70-1, 70, 71, 124, 125, 126, 127, 128, 133, 134, 136, 137, 146, 147, 148, 149, 150, 153, 154, 155, 156, 157
 - 2.6.2.3.2 The term “overlay district” means a zoning district superimposed on one or more established zoning districts to impose supplemental requirements, restrictions, and performance standards on uses in the district.
- 2.6.2.4 Conflicts with underlying zoning standards

See Section 2.6.1.4.
- 2.6.2.5 Uses Permitted

See Section 2.6.1.5.
- 2.6.2.6 Conditional Use Permits
 - 2.6.2.6.1 All uses permitted by conditional use permit in the performance overlay district are subject to site plan review by the Planning Board. Prior to Planning Board approval of a conditional use permit, the applicant must demonstrate, through the impact assessment requirements of Section 2.6.2.8, that the proposal will meet all of the appropriate performance standards of Section 2.6.2.7, the Site Plan Regulations, the subdivision regulations, as applicable, and shall be consistent with the purpose and intent of the route 28 performance overlay district in Section 2.6.2.2.
 - 2.6.2.6.2 Prior to Planning Board action on any site plan or subdivision for a use requiring a conditional use permit, the Board must have already granted the conditional use permit. The conditional use permit may be sought either separately or concurrently with site plan/subdivision approval.
 - 2.6.2.6.3 Uses permitted by conditional use permit
 - 2.6.2.6.3.1 Any use permitted in the underlying zoning district, which is not a permitted use in the performance overlay district;
 - 2.6.2.6.3.2 Warehouses and storage of non-explosive materials;
 - 2.6.2.6.3.3 Daycare facilities
 - 2.6.2.6.4 Administration of conditional use permits - as provided for in RSA 674:21, innovative land use control, this Section of the Zoning Ordinance shall provide for the granting of conditional use permits, by the Planning Board, as follows:
 - 2.6.2.6.4.1 The Planning Board shall then vote either to approve a conditional use permit as presented, approve it with conditions, or deny it.

- 2.6.2.6.4.2 Prior to construction commencing on any use that is granted a conditional use permit, the applicant shall be required to submit a financial surety in accordance with Section 5.01 of the subdivision regulations or Section 6.01 of the Site Plan Regulations, whichever is applicable.
- 2.6.2.6.4.3 The applicant may also be assessed reasonable fees to cover the cost of other special investigative studies and for the review of documents required by particular applications, reviews by the Town's legal counsel, and any third party consultant as may be required by the Planning Board per Section 2.01d of the Site Plan Regulations.
- 2.6.2.6.5 The following criteria must be satisfied in order for the Planning Board to grant a conditional use permit in the performance overlay district. The applicant shall demonstrate that:
 - 2.6.2.6.5.1 All performance criteria outlined in Section 2.6.2.7, as applicable to the application have been met;
 - 2.6.2.6.5.2 The proposed use is consistent with the purpose and intent of the performance overlay district, Section 2.6.2.2.
 - 2.6.2.6.5.3 Granting of the application would meet some public need or convenience;
 - 2.6.2.6.5.4 Granting of the application is in the public interest;
 - 2.6.2.6.5.5 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
- 2.6.2.7 Performance standards
 - 2.6.2.7.1 Dimensional performance standards
 - 2.6.2.7.1.1 Table of dimensional performance standards: in order to accomplish the goals of this ordinance, development within the Table 2, below.

Table 2

Property located on:	Min. Lot Size	Min. Lot Frontage	Max. Structure Height	Max. Building Footprint (3)	Building Setbacks (4)	Max. Impervious Cover
Arterial Road (as defined by appendix A), with public water and sewer	3 Acres	300 feet (1)(2)	45 feet	75,000 Sq. Ft.	See Section 2.2.2.7.3	55% (5)
Non-Arterial Roads OR Arterial Road when "Shared access" is used, and with public water and sewer	1 Acre	100 feet (1)(2)	45 feet	75,000 Sq. Ft.	See Section 2.2.2.7.3	66% (5)

Table 2 Footnotes:

- (1) Lots with Frontage along both an arterial road and a local road shall be accessed from the local road whenever possible. The Planning Board shall have the authority to allow access on an arterial road in such situations where access from the local road is deemed inappropriate or not feasible, and the NHDOT has issued appropriate permits.
- (2) Minimum frontage requirement must be satisfied from the road providing access to the lot.
- (3) At no point shall the total usable floor area exceed 75,000 square feet.
- (4) At no time shall the minimum front setback be less than 60 feet along an arterial road and 30 feet along a local Road.
- (5) May be increased by an amount equal to the area of easement dedicated for future widening of the arterial road (See section 2.6.7.2 on Incentive Bonuses)
- (6) On lots with frontage on both an arterial and local road (double frontage), the front setback shall be measured from the property line adjacent to the arterial road.
- (7) As an incentive for use of steep roofs or other architectural elements (clock towers, cupolas, etc.) the Planning Board may, with recommendation from the Heritage Commission, allow for a height bonus not to exceed sixty (60) feet from grade.

2.6.2.7.2 Dimensional incentive bonus standards

2.6.2.7.2.1 These incentive bonus standards are designed to reward projects that choose to voluntarily develop their properties in a way that is most compatible with the stated goals and objectives of this district and the master plan

2.6.2.7.2.2 Widening easement deeds: those lots that voluntarily agree to provide easement deeds over the portion of their land within 25 feet of the state right-of-way, thereby reserving this easement area for future widening of the corridor or similar improvements within the corridor, may be compensated for this action by being allowed an impervious surface bonus, to develop their property to an extent greater than otherwise permitted in the performance overlay district. The amount of extra impervious coverage shall be equal to the actual computed area of the easement area provided for future improvements. The provision of a widening easement may also qualify for credits to impact fees as outlined in Section 1.2.

2.6.2.7.3 Building setbacks for POD lots located on NH Route 28

2.6.2.7.3.1 Front setbacks for lots located along NH Route 28 shall be based on the following performance standards:

2.6.2.7.3.1.1 Building footprint of 0 - 10,000 square feet: 60 feet

2.6.2.7.3.1.2 Building footprint of 10,001 - 25,000 square feet: 100 feet

2.6.2.7.3.1.3 Building footprint of 25,001 - 40,000 square feet: 125 feet

2.6.2.7.3.1.4 Building footprint of 40,001 - 60,000 square feet: 150 feet

2.6.2.7.3.1.5 Building footprint of 60,001 - 75,000 square feet: 200 feet

2.6.2.7.3.2 Side setbacks for lots located along Rt. 28 shall be one-half (½) the front setback.

2.6.2.7.3.3 Rear setbacks for lots located along Rt. 28 shall be one-third (1/3) the front setback, but not less than 30 feet.

2.6.2.7.4 Landscape Performance Standards - landscape performance standards shall be the same as Section 2.6.1.7.2, with the following exceptions:

2.6.2.7.4.1 Front Buffer Area

2.6.2.7.4.1.1 The front buffer area shall be a strip of variable width (minimum 40 feet wide) between the street tree area and the closest point of a building or impervious surface facing a public right of way. (on lots where there is a widening easement provided, the street tree area may encroach and overlap the front buffer area)

2.6.2.7.4.1.2 The front buffer area shall be planted with a minimum of 2 trees for every 30 feet of horizontal building facing a public right of way. Trees planted in this area shall have a height equal to $\frac{1}{2}$ the maximum proposed height of a building (but not less than 12 feet from grade or greater than 30 feet from grade) at time of planting.

2.6.2.7.4.1.3 Incentive bonus: every healthy native tree with a caliper of 4 inches or greater, which is preserved in the front buffer area may be substituted for 1 required new front buffer tree planting. Every healthy native tree with a caliper of 6 inches or greater, which is preserved in the front buffer area may be substituted for 2 required new front buffer tree plantings.

2.6.2.7.4.2 Side and Rear Buffer Areas

2.6.2.7.4.2.1 Required side and rear buffer areas shall begin at the inner limits of the front buffer area and run parallel to the side and rear property lines. The minimum width of these side and rear buffers shall equal to $\frac{1}{2}$ the proposed maximum building height, but not less than 20 feet wide. In the event the property abuts a parcel zoned AR-I, the buffer shall be no less than 75 feet wide.

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

2.6.2.7.5 Off-street parking - see Section 2.6.1.7.3

2.6.2.7.6 Signage - signage performance standards shall be the same as Section 2.6.1.7.4, with the following exceptions:

2.6.2.7.6.1 Building mounted signs

2.6.2.7.6.1.1 Wall signs may be as large as 1 sq. Ft. Per 3 linear ft. Of building frontage or a maximum of 50 square feet, whichever is less.

2.6.2.7.6.1.2 One wall sign is permitted per tenant in a multi-tenant structure, however the total sign square footage on any wall or facade shall not exceed 100 square feet.

2.6.2.7.7 Lighting - see Section 2.6.1.7.5

2.6.2.7.8 Environmental performance standards - see Section 2.6.1.7.6.

2.6.2.8 Impact Assessment Requirements

See Section 2.6.1.8.

2.6.2.9 Pre-existing (non-conforming) uses, lots, and structures

See Section 2.6.1.9.

2.6.3 CONSERVATION OVERLAY DISTRICT (CO)

2.6.3.1 Objectives and Characteristics

Wetlands, ponds, and streams are significant natural resources of the Town because of their size or functional values, such as flood storage, wildlife habitat, and the enhancement of water quality and/or quantity. The preservation of these water resources promotes the general public health, safety, welfare and convenience in our community. In particular the regulations of the Conservation Overlay District (CO) are intended to:

- 2.6.3.1.1 Maintain and enhance the quality and quantity of surface waters and groundwater by preserving the ability of wetlands to filter pollution, trap sediment, retain and absorb chemicals and nutrients, and produce oxygen;
- 2.6.3.1.2 Minimize expense to the Town and the public in providing and maintaining essential services and utilities, such as wastewater collection and treatment, drainage facilities, and public water supply, which may arise because of the inappropriate use of land within the CO District;
- 2.6.3.1.3 Minimize impacts to existing land uses and lots (see Section 2.6.3.6 and 2.6.3.7);
- 2.6.3.1.4 Prevent the destruction of, or significant changes to, those wetland areas, related water bodies and adjoining land which provide flood protection; protect persons and property against the hazards of flood inundation by assuring the continuation of the natural flow patterns of streams and other watercourses; and provide for nutrient attenuation and augmentation of stream flow during dry periods;
- 2.6.3.1.5 Encourage those uses that can be appropriately and safely located within the CO District.
- 2.6.3.1.6 Protect native wildlife habitat and natural vegetation upon which a variety of upland and aquatic species are dependent for purposes of breeding or sustenance.

2.6.3.2 District Defined

2.6.3.2.1 The Conservation Overlay District comprises:

- 2.6.3.2.1.1 The wetlands listed in the Table in Section 2.6.3.9 and the land within 100 feet of the edge of wet of said wetlands as generally shown on national wetlands inventory Maps, supplemented by Londonderry wetlands study committee field verification which is on file in the offices of the Planning Board and Town clerk. For the purpose of this ordinance, the wetlands listed here were evaluated by procedures described in method for the comparative evaluation of non-tidal wetlands in New Hampshire, published by the New Hampshire department of environmental services (1991)
- 2.6.3.2.1.2 Horsetrail Brook and adjoining land within 150 feet of the centerline of the brook as shown on the Map entitled "recommended preservation areas and corridors," prepared by State of New Hampshire Department of Transportation (portions of Tax Map 14, lots 34, 35, 37, 38, 39 and 44).
- 2.6.3.2.1.3 The perennial streams and adjoining land within 100 feet of the centerline of these streams identified in the water resource management and protection plan, prepared by southern New Hampshire planning commission, dated February 1991 and on file in the office of the Planning Board, as listed in Section 2.6.3.10.
- 2.6.3.2.1.4 All other wetlands and land within 50 feet of the edge of wet of said wetlands except that there shall be exemption of all wetlands less than one-half acre in size, as established by a NH certified wetlands scientist.
- 2.6.3.2.1.5 The precise location of a wetland boundary in any particular case must be determined by on-site inspection by a NH certified wetland scientist.
- 2.6.3.2.2 The edge of wet of these wetlands shall be determined by the delineation process set forth in the *Corps of Engineers Wetlands Delineation Manual*, 1987 and *Field*

Indicators of Hydric Soils in New England, Version 2; on file with this ordinance with the Town clerk.

- 2.6.3.2.3 Any question as to whether a wetland area constitutes a continuation or extension of another wetland area shall be determined by the methods described in method for the *Comparative Evaluation of Non-Tidal Wetlands in New Hampshire*, 1991; on file with this ordinance with the Town clerk.
- 2.6.3.2.4 If a landowner chooses to question the boundaries of a given wetland, the landowner shall submit documentation prepared by a certified wetlands scientist in accordance with Section 2.6.3.2.3. The Planning Board shall consider the documentation at a public hearing, and may require review of said documentation by an independent NH certified wetland scientist, the expense for which is to be paid by the applicant.
- 2.6.3.2.5 Buffers are applied irrespective of lot lines and municipal boundaries except that when a wetland is bounded by Town class v or better roadway, or a state or federal highway, existing at the time of passage of Section 2.6.3, buffers are not applied to properties directly across the right of way.

2.6.3.3 Uses Permitted

- 2.6.3.3.1 The CO District is an overlay district. Where the provisions of this Section conflict with those of the underlying zoning district, the more restrictive standards shall apply.
- 2.6.3.3.2 The following uses are permitted in this district:
 - 2.6.3.3.2.1 Wildlife habitat development and management.
 - 2.6.3.3.2.2 Conservation areas and nature trails, provided that the Planning Board, in consultation with the conservation commission, reviews and approves plans for such areas and trails prior to their development.
 - 2.6.3.3.2.3 Recreation including open-air recreational uses consistent with the purpose and intent of 2.6.3.1, such as cross-country skiing, ice skating, hiking, and photography.
 - 2.6.3.3.2.4 Education including natural and environmental sciences walks, wildlife and botanical studies and similar activities.
 - 2.6.3.3.2.5 Seasonally permitted hunting and fishing, as regulated by New Hampshire fish and game department.
 - 2.6.3.3.2.6 Forestry, including both logging operations and tree farming subject to RSA § 227-j:9. Logging and any associated road building and/or skid trail construction shall be conducted in accordance with the then-current best management practices for erosion control on timber harvesting operations in New Hampshire published by the UNH Cooperative Extension and NH Department of Resources and Economic Development and the NH Division of Forests and Lands; on file with this ordinance with the Town clerk;
 - 2.6.3.3.2.7 Production, cultivation, growing, and harvesting of any fruit, vegetable, floricultural or horticultural crops, except turf grasses, conducted in accordance with best management wetlands practices for agriculture (July 1993, amended September 1998; (on file with this ordinance with the Town clerk) but not within 25 feet of the edge of wet of the adjacent wetland. Fertilization shall be limited to lime and woodash.
 - 2.6.3.3.2.8 Removal of hazardous trees
 - 2.6.3.3.2.9 Removal of "invasive" vegetation (see notes on native trees and shrubs and their use in landscaping, by the Londonderry conservation commission, on file with this ordinance with the Town clerk).
 - 2.6.3.3.2.10 Minor accessory structures of 200 square feet or less (in which there is no storage of petroleum products, hazardous chemicals or materials). Such accessory structures cannot be constructed with any of the following

materials: asphalt shingles, pressure treated or chemically treated/preserved wood.

2.6.3.3.2.11 CO District mitigation (as outlined in 2.6.3.5.2)

2.6.3.3.2.12 Any uses not listed in this Section are prohibited in the CO District.

2.6.3.4 Conditional Use Permits

2.6.3.4.1 Uses permitted by conditional use permit:

2.6.3.4.1.1 The following uses may be permitted by conditional use permit: roads and other access ways; drainage ways; pipelines, power lines and other transmission lines; docks, boat launches, and piers; domestic water wells (and associated ancillary pipes and equipment); replacement septic tanks and leach fields where evidence is submitted that no alternative location is available on the property; provided that all of the following conditions are found to exist:

- 2.6.3.4.1.1.1 The proposed construction is essential to the productive use of land not within the CO District.
- 2.6.3.4.1.1.2 Design and construction methods will be such as to minimize impact upon the wetlands and will include restoration of the site consistent with the permitted use.
- 2.6.3.4.1.1.3 There is no feasible alternative route on land controlled by the applicant that does not cross the CO District nor has less detrimental impact on the wetlands. Nothing in this Section shall limit the applicant from exploring alternatives with abutting property owners.
- 2.6.3.4.1.1.4 Economic advantage is not the sole reason for the proposed location of the construction.

2.6.3.4.2 Buffer reductions by conditional use permit.

2.6.3.4.2.1 On lots in the CO District lawfully existing at the time of adoption of Section 2.6.3, buffer reductions may be permitted by conditional use permit, subject to all applicable provisions of the Zoning Ordinance in the CO District and the following:

2.6.3.4.2.2 The following buffer reductions may be permitted by conditional use permit: expansion of existing structures permitted in Section 2.2 to within no less than 50 feet of any wetland; construction of a new structure permitted in Section 2.2 to within 50 feet of any wetland; provided all of the following conditions are met:

- 2.6.3.4.2.2.1 The structure for which the exception is sought cannot feasibly, after consideration of all reasonable alternatives, be constructed on a portion or portions of the lot which lies outside the CO District or the application of the CO District eliminates greater than 50% of the buildable area located on the parcel.
- 2.6.3.4.2.2.2 The proposed structure and use must be consistent with the intent of the CO District, and provisions must be made to ensure the structure's drainage will not adversely impact any wetlands and be consistent with the purpose and intent of this section.
- 2.6.3.4.2.2.3 There shall be no construction of parking areas within the area for which the conditional use permit is sought.
- 2.6.3.4.2.2.4 The maximum building coverage in the outer-50 feet of the buffer area shall be no greater than 50%

- 2.6.3.4.2.2.5 Best management practices must be demonstrated to the satisfaction of the Planning Board.
- 2.6.3.4.2.3 Buffer reduction may also be obtained explicitly by issuance of a NH DES Dredge and Fill permit, per Section 2.6.3.5.1.
- 2.6.3.4.3 Administration of Conditional Use Permits.
 - 2.6.3.4.3.1 The Planning Board shall refer the application to the Conservation Commission for review and comment prior to the public hearing on the application. In acting on the application, the Board shall consider any report received from the Commission. The Board shall then vote either to approve the application as presented, approve it with conditions, or deny it.
 - 2.6.3.4.3.2 Prior to the granting of any conditional use permit under 2.6.3.4.1 and 2.6.3.4.2, the applicant may be required to submit a performance security in a form acceptable to the Planning Board, depending on the scale of the proposed use and potential threat to the wetlands. The security shall be submitted in a form and amount with surety and conditions satisfactory to the Planning Board to ensure that the construction will be carried out in accordance with the approved design. The security shall be submitted and approved prior to the issuance of any permit authorizing construction.
 - 2.6.3.4.3.3 The Planning Board may require the applicant to submit a wetlands impact assessment when necessary to evaluate an application made under this part. The cost of this assessment shall be borne by the applicant.
 - 2.6.3.4.3.4 As outlined in NH RSA § 676:4, part i(g), the applicant may also be assessed reasonable fees to cover the cost of other special investigative studies and for the review of documents required by particular applications, reviews by the Town's legal counsel, and any third party wetlands consultant as may be required by the Planning Board.
- 2.6.3.5 Dredge & Fill Permits and CO District mitigation
 - 2.6.3.5.1 Dredge and Fill permits
 - 2.6.3.5.1.1 Prior to filing an application for a New Hampshire Department of Environmental Services (NH DES) dredge and fill permit, the applicant is strongly encouraged to meet with the conservation commission to ensure that the proposed dredge and fill is consistent with the intent of the ordinance
 - 2.6.3.5.1.2 An approved NH DES dredge and fill permit, once acted upon, will change the CO District boundary, which will be applied from the new edge of wetland.
 - 2.6.3.5.2 CO District mitigation: CO District mitigation shall be provided, if required by the Planning Board, at their discretion, with consideration of recommendations by the Conservation Commission.
 - 2.6.3.5.3 Nothing in this Section is intended to prohibit inclusion of land in the CO District when determining minimum lot size requirements under other sections of this ordinance, provided however, that the land area outside of the CO District shall be sufficient to support all intended development in accordance with the then existing terms of the ordinance.
- 2.6.3.6 Pre-Existing Residential Structures, Uses, and Lots
 - 2.6.3.6.1 Notwithstanding other provisions of this section, the construction of additions and extensions to one and two family dwellings and accessory residential uses shall be permitted within the CO District provided that:

- 2.6.3.6.1.1 The dwelling or residential use lawfully existed prior to the adoption of this Section by the Town Council;
- 2.6.3.6.1.2 The proposed construction conforms to all other applicable ordinances and regulations of the Town of Londonderry;
- 2.6.3.6.1.3 The dwelling or use continues in its present use.
- 2.6.3.6.2 Buildable residential lots, existing at the time of passage of Section 2.6.3 by the Town council, shall be exempt from Section 2.6.3.

2.6.3.7 Pre-Existing Subdivisions and Site Plans:

Subdivisions and Site Plans approved by the Planning Board and existing at the time of passage of the Section 2.6.3 shall be exempt from Section 2.6.3, as governed by the provisions of NH RSA § 674:39. This ordinance becomes applicable in the following situations:

- 2.6.3.7.1 Non-residential site plans for additions, expansions, or changes in use.
- 2.6.3.7.2 Site plans for new commercial, industrial, or multi-family development.
- 2.6.3.7.3 New subdivisions. (Condominium Conversions where there are no improvements proposed to a site are exempt from Section 2.6.3)

2.6.3.8 Board of Adjustment Note:

Any variance or appeal to the Zoning Board of Adjustment, shall be in accordance with NH RSA § 676:5 and Section 4.1 of this Ordinance. Prior to holding a public hearing on an appeal or variance, the Zoning Board shall forward a copy of the plan and application form to the Conservation Commission for review and comment. The Conservation Commission shall, after reviewing the plan and application, forward any appropriate recommendations to the Zoning Board of Adjustment for their consideration.

2.6.3.9 Named Wetlands Table

Watershed Ref. #	Wetlands	Located on Tax Map(s):
5	Adams Road	6
1	Auburn Swamp	18
10	Bass Pond	4, 7
7	Bear Meadow	6, 9
10	Beaver Brook North	4, 7
10	Beaver Brook South	1
1	Big Cohas Swamp	18
6	Boyd Road	2
1	Brickett Meadow	17
5	Colonial	5
8	Duck Pond	10
3	Hickory Hill North	8
4	Hickory Hill South	8
8	Indian Brook (incl. Cemetery)	7, 9, 10
2	Little Cohas Marsh	11, 12, 14, 15
7	Long Swamp	1, 3
5	Lower Nesenkeag	5
5	Lythia Springs	2
7	Mack's Swamp	6
2	Mammoth 1	12
8	Mammoth 2	9
4	Musquash North	8, 11
4	Musquash South	8, 11
6	Nashua Swamp aka Pine Swamp	3
9	Peat Bog	13, 16
9	Scobie Pond	13, 16
5	Shadow Ridge	5
9	Stonehenge	13
9	Wheeler Pond	10
5	Wiley Hill	5

2.6.3.10 Named Perennial Streams Table

Watershed Stream Identification # (Name)		Run Thru Tax Map(s)
1	(Big Cohas Brook)	18
1-2		18
2-1	(Little Cohas Brook)	12,14,15, 28
2-2		15,17
2-3		15
3-1	(Watts Brook)	11
3-2		11
4-1	(Colby Brook)	8
5-1	(Nesenkeag Brook)	2,3,5,6
5-2		5
5-3		5
5-4		5
6-1	(Chase Brook)	2, 3
6-2		3
7-1	(Black Brook)	3, 4, 6, 9
7-2		3, 6
7-3		6
7-4		6
7-5		1, 3
8-1	(Indian Brook)	7, 9, 10
8-2	(not numbered in study)	10
9-1	(Shields Brook)	13
9-2		13
9-3		13, 16
9-4		10
9-5		10
10-1	(Beaver Brook)	1, 4, 7
10-2		4, 7
4	(Horsetrail Brook) (subject to 2.6.3.2.1.2)	14

2.6.4 HISTORIC DISTRICT

2.6.4.1 Authority

- 2.6.4.1.1 After the adoption of this Ordinance, the Town Council shall be and are hereby authorized to appoint the Historic District/Heritage Commission contemplated by such Zoning Ordinance, such Board to conform in membership and duties to the provisions of Chapter 674:3, 674:5, and 674:46-a, NH Revised Statutes Annotated. Thereafter, the Town Council shall be responsible for filling vacancies and maintaining full membership on the Historic District/Heritage Commission within sixty days and members and alternate members may be removed for cause in a manner as provided by RSA 673:13.
- 2.6.4.1.2 All meetings shall be held and conducted pursuant to the provisions of the Londonderry Town Charter, Section 8.13 "Procedures", the Londonderry Administrative Code, Chapter III "Boards, Committees and Commissions", and New Hampshire RSA 91:A.

2.6.4.2 Purpose and Intent

- 2.6.4.2.1 To safeguard the heritage of the Town of Londonderry as it is represented in structures of historical and architectural value
- 2.6.4.2.2 To preserve a district or districts in the Town of Londonderry which reflect elements of its cultural, social, economic, and political history
- 2.6.4.2.3 To foster civic beauty
- 2.6.4.2.4 To promote the use of Historic District(s) for the education, pleasure and welfare of the citizens of Londonderry
- 2.6.4.2.5 To guide the character of development so as to be consistent with the desired character of a particular portion of Town
- 2.6.4.2.6 To strengthen the local economy
- 2.6.4.2.7 To conserve property taxes

2.6.4.3 Qualifications

- 2.6.4.3.1 The Historic District established herewith and from time to time amended in the manner prescribed by New Hampshire law has one or more or any combination of the following characteristics and qualifications, without limitations as to cultural or chronological period:
 - 2.6.4.3.1.1 Structures or sites at which events occur or have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, social or sociological history of Londonderry, New Hampshire and the nation; including sites and buildings at which visitors may gain insight or see examples of particular items of larger patterns in the North American heritage.
 - 2.6.4.3.1.2 Structures or sites importantly associated with historic personages
 - 2.6.4.3.1.3 Structures or sites importantly associated with historic examples of a great idea or ideals
 - 2.6.4.3.1.4 Structures or structural remains and site embodying examples of architectural types or specimens valuable for study of a period, style or method of building construction, of community organization and living, or of landscaping or a single notable structure or a single site representing the work of a master builder, master designer, architect or landscape architect.
 - 2.6.4.3.1.5 Structures contributing to the visual continuity of the district.

2.6.4.4 District Areas

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

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

2.6.4.5 Uses:

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

2.6.4.6 Permit Application - Certificate of Approval

- 2.6.4.6.1 The activities set forth in subparagraph "C" below shall not be authorized until and unless a Certificate of Approval is issued by the Historic District Commission
- 2.6.4.6.2 It is unlawful for any person to construct, alter, move or demolish any building or structure which lies within an Historic District, without first obtaining a Certificate of Approval from the Historic District Commission in the manner prescribed below.
- 2.6.4.6.3 For the purposes of this article, the following activities shall be subject to a Certificate of Approval by the Historic District Commission:
- 2.6.4.6.3.1 Erection, alteration, relocation or demolition of a building or structure in the Historic District;
- 2.6.4.6.3.2 Erection, alteration, or removal of any exterior visible feature of a building or structure within the Historic District
- 2.6.4.6.3.3 Alteration, construction or removal of stone walls, fencing, lighting, significant trees or signage within the Historic District

2.6.4.7 Procedure:

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

- 2.6.4.7.1 Applications must be submitted to the Historic District Commission for Certificate of Approval for any work to be performed
- 2.6.4.7.2 There shall be no application fee required
- 2.6.4.7.3 Applications shall be submitted through the Londonderry Building Department
- 2.6.4.7.4 Applications shall include a narrative description of the project, detailing materials and intentions regarding the work. The Historic District Commission may request site plans, sketches, building plans and samples when applicable.
- 2.6.4.7.5 Applicant shall explain how the project complies with the Town of Londonderry's Historic District criteria listed below (Section 2.6.4.8)

2.6.4.8 Criteria

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

Londonderry Historic District so as to preserve the distinctive character and integrity of the district. The criteria are intended to ensure that properties in the district are not altered inappropriately.

2.6.4.8.1 Changes to Existing Structures:

- 2.6.4.8.1.1 If proposed construction will not have any visible impact on the exterior of the buildings or structures within the district, it shall be deemed of no interest to the Commission
- 2.6.4.8.1.2 Painting and other routine repair to existing structures within the District not involving any other exterior changes shall be deemed of no interest to the Commission
- 2.6.4.8.1.3 When determining the appropriateness of all other alternatives, restorations, or remodeling of existing structures within the district and new construction, the following criteria shall be used:
 - 2.6.4.8.1.3.1 When an exterior change is proposed, significant existing materials and elements shall be retained
 - 2.6.4.8.1.3.2 Where glass, plastic, wood, masonry elements are an integral part of a building's historical architectural character, consideration shall be given to preservation of these elements so as to retain their original appearance.
 - 2.6.4.8.1.3.3 Any new design elements introduced shall respect the character and history of the building. The design of such elements shall not seek to create an appearance earlier than appropriate for the building or structure.
 - 2.6.4.8.1.3.4 The choice of color is not regulated, but it is recommended that colors be compatible with those used on other historical buildings in the neighborhood or characteristic of the time period in which the building was constructed.
 - 2.6.4.8.1.3.5 Existing historical doors and windows shall be retained and rehabilitated wherever possible. When replacement is essential, new doors and windows shall be in character with the building.
 - 2.6.4.8.1.3.6 Features which give a roof historical character shall be preserved or restored to the extent that such features are visible from the ground
 - 2.6.4.8.1.3.7 Essential outdoor mechanical equipment shall be installed in locations which create the least disturbance to the historical appearance of the building and which involve minimum alternation and impact to its structure.

2.6.4.8.2 Construction of New Buildings

- 2.6.4.8.2.1 New construction shall be complimentary to the configuration of existing buildings.
- 2.6.4.8.2.2 New buildings shall utilize exterior materials in keeping with the exteriors of buildings in the district. The choice of color is not regulated, but it is recommended that colors used be compatible with those used on other historical buildings in the neighborhood.
- 2.6.4.8.2.3 New buildings shall respect and reflect the traditional scale, proportions and rhythms of other existing historical structures, taking into consideration the height, width, setback, roof shapes or pitches and facade patterns of existing structures within the district.

2.6.4.8.3 Demolition

- 2.6.4.8.3.1 Where public safety needs require the removal of a building within the district and as determined by the Building Inspector, the Historic District Commission shall allow removal.
- 2.6.4.8.3.2 A request for demolition will be based on structural instability or deterioration as prepared by a registered architect or professional engineer.
- 2.6.4.8.3.3 No demolition permit may be issued by the Building Department until the Commission has either filed with the Building Department a signed letter of approval or has failed to file a Notice of Disapproval within the specified time period of forty five (45) days.
- 2.6.4.8.4 Relocations
 - 2.6.4.8.4.1 Buildings within the Historic District shall be retained on their present sites whenever possible.
 - 2.6.4.8.4.2 Relocation shall be considered only as an alternative to demolition
- 2.6.4.8.5 Signage
 - 2.6.4.8.5.1 All new signs and all changes to existing signs within the Historic District shall require review and approval by the Historic District Commission.
 - 2.6.4.8.5.2 New signs shall be constructed of wood, metal or stone, exhibiting historical sign design and color, and have no internal illumination.
 - 2.6.4.8.5.3 Size shall be determined given the context of the site and building(s).
 - 2.6.4.8.5.4 If there is a conflict between the requirements of the Historic District Ordinance and the Town of Londonderry Sign Ordinance, the Historic District Ordinance, of this Section, shall supersede the Sign Ordinance.
- 2.6.4.8.6 Streetscape
 - 2.6.4.8.6.1 Off street parking shall be placed to the rear of buildings where possible, fenced and screened with appropriate plantings.
 - 2.6.4.8.6.2 Any alterations requiring changes to topography of any property in the district shall require approval of the Commission
 - 2.6.4.8.6.3 Mature trees identified as significant (6 feet in circumference as described by the County Extension Service) may not be removed within the Historic District except in cases where:
 - 2.6.4.8.6.3.1 The tree is dying, dead, decayed, diseased, or a safety hazard to the public
 - 2.6.4.8.6.3.2 Such removal will improve other tree growth
 - 2.6.4.8.6.3.3 Approved for new construction or site work
 - 2.6.4.8.6.4 At least one replacement tree, a minimum of six to eight feet in height and of native species, shall be planted when a significant tree has been removed.
 - 2.6.4.8.6.5 Historical and traditional markings for property boundaries and grounds, such as stone walls, fences and tree borders shall be preserved. Replications or extensions may be introduced where appropriate
- 2.6.4.8.7 Lighting
 - 2.6.4.8.7.1 Street lights shall be designed to harmonize with their surroundings. Daylight colored mercury vapor lamps are recommended.
 - 2.6.4.8.7.2 Traffic signal poles and mounts shall be as unobtrusive as possible.

2.6.4.9 Public Hearings

- 2.6.4.9.1 The Historic District Commission shall conduct a public hearing on the application within thirty (30) days of the filing
- 2.6.4.9.2 Such public hearing shall be advertised pursuant to RSA 676:7.

2.6.4.10 Issuance of Certificate of Approval or Notice of Disapproval

- 2.6.4.10.1 At the conclusion of its review, the Commission shall issue in writing a Certificate of Approval or Notice of Disapproval within forty five (45) days of the filing of the application
- 2.6.4.10.2 Failure to render a decision within the specified time period shall be deemed to constitute approval by the Commission
- 2.6.4.10.3 A Certificate of Approval will be issued if, in the opinion of a majority of the Commission members present and voting, that the applicant's proposal meets the criteria of Section 2.6.4.8.
- 2.6.4.10.4 The Certificate of Approval, together with any changes, conditions or stipulations deemed necessary by the Commission for the applicant to comply with the provisions of this Ordinance, shall be signed by the Chairperson of the Commission.
- 2.6.4.10.5 A Notice of Disapproval will be issued if, in the opinion of a majority of the Commission members present and voting, that the applicant's proposal does not meet the criteria of Section 2.6.4.8.
- 2.6.4.10.6 The Notice of Disapproval, together with the reasons for such disapproval, shall be signed by the Chairperson and shall contain written reasons for disapproval.
- 2.6.4.10.7 If a Notice of Disapproval is received, the applicant may and will be encouraged to make modifications to the proposed plan and resubmit for review by the Commission
- 2.6.4.10.8 All decisions of the Commission shall be made available for public inspection within seventy two (72) hours and placed on file with the Town Clerk.

2.6.4.11 Appeals

Any person or persons jointly or severely aggrieved by a decision of the Commission shall have the right to appeal that decision to the Zoning Board of Adjustment under RSA 677:17 in accordance with the provisions of RSA 676:5 and RSA 677:1-14.

2.6.4.12 Enforcement/Penalties

Violation of this Ordinance shall be subject to the remedies provided in RSA 676:15 and 676:17.

2.6.4.13 Validity/Severability

If any section, clause, provision or phrase of this Ordinance shall be 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.

2.6.5 **FLOODPLAIN DEVELOPMENT**

2.6.5.1 Authority:

This Ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Londonderry Floodplain Development Ordinance. The regulations in this Ordinance shall overlay and supplement the regulations in the Town of Londonderry Zoning Ordinance, and shall be considered part of the Zoning Ordinance for the purposes of administration and appeals under state law. If any provision of this Ordinance differs or appears to conflict with any provision of Zoning Ordinance or other

Ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be more controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for Rockingham County, New Hampshire" dated May 17, 2005 or as amended, together with the associated Flood Insurance Map panels numbered: 33015C0309, 33015C0315, 33015C0316, 33015C0317, 33015C0318, 33015C0319, 33015C0328, 33015C0336, 33015C0337, 33015C0338, 33015C0339, 33015C0506, 33015C0507, 33015C0508, 33015C0509, 33015C0526, 33015C0527, 33015C0528, 33015C0529 and 33015C0536 dated May 17, 2005 or as amended, which are declared to be a part of this Ordinance and are hereby incorporated by reference.

2.6.5.2 Definition of Terms:

The following definitions shall apply only to this Flood Plain Development Ordinance, and shall not be affected by, the provisions of any other ordinance of the Town of Londonderry.

"Area of Shallow Flooding" means a designated AO or AH zone on the Flood Insurance Rate Map (FIRM) with a one percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood Hazard" is the land in the flood plain within the Town of Londonderry subject to a one percent or greater possibility of flooding in any given year. The area is designated as zone A on the FHBM and is designated FIRM as zones: A, AO, AH, A1-30, AE and A99.

"Base Flood" means the flood having a one-percent possibility of being equaled or exceeded in any given year.

"Basement" means any area of a building having its floor subgrade on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.

"Development" means any man made change to the improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operation.

"FEMA" means the Federal Emergency Management Agency.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Boundary and Floodway Map" (Floodway Map) is an official Map of the Town of Londonderry, on which FEMA has delineated the "Regulatory Floodway". This Map should not be used to determine the correct flood hazard zone or base flood elevation, the Flood Insurance Rate Map (FIRM) will be used to make determinations of flood

hazard zones and base flood elevations.

“Flood Elevation Study” means an examination, elevation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mudslide or flood related erosion hazard.

“Flood Insurance Rate Map” (FIRM) means an official Map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk of premium zones applicable to the Town of Londonderry.

“Flood Insurance Study” - see “Flood elevation study”

“Flood Plain” or “Flood-prone area” means any land area susceptible to being inundated by water from any source (see definition of Flooding”).

“Flood proofing” means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

“Floodway” - see “Regulatory Floodway”.

“Functionally dependent use” means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building/repair facilities, but does not include long term storage or related manufacturing facilities.

“Highest adjacent grade” means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

“Historic Structure” means any structure that is:

- A. Listed individually in the National Registrar of Historic Places (a listing maintained by Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered Historic District or a district preliminarily determined by the Secretary to qualify as a registered Historic District;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not

considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days.

“Mean sea level” means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

“100-year flood” - see “base flood”

“Recreational vehicle” means a vehicle which is (i) built on a single chassis, (ii) 400 square feet or less when measured at the largest horizontal projection (iii) designed to be self-propelled or permanently towable by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

“Regulatory Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Map.

“Special Flood Hazard Area” means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone A, AO, A1-30, AE, A99, or AH. (See - “Area of Special Flood Hazard”)

“Start of Construction” includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.

“Structure” means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial Improvement” means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should equal: (1) the appraised value prior to the start of the initial repair or

improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other real part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure"

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains

2.6.5.3 Permits

All proposed development in any special flood hazard areas shall require a permit.

2.6.5.4 Review by Building Inspector

The Building Inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

- 2.6.5.4.1 Be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
- 2.6.5.4.2 Be constructed with materials resistant to flood damage,
- 2.6.5.4.3 Be constructed by methods and practices that minimize flood damages,
- 2.6.5.4.4 Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

2.6.5.5 Water and Sewer Systems

Where new or replacement water and sewer systems (including on site systems) are proposed in a special flood hazard area the applicant shall provide the Building Inspector with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

2.6.5.6 New or Substantially Improved Structures

For all new or substantially improved structures located in Zones A, A1-30, AE, AO or AH, the applicant shall furnish the following information to the Building Inspector:

- 2.6.5.6.1 The as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement
- 2.6.5.6.2 If the structure has been flood proofed, the as-built elevation (in relation to NGVD) to which the structure was floodproofed.
- 2.6.5.6.3 Any certification of floodproofing.
The Building Inspector shall maintain a record of all structures for public inspection, and shall furnish such information upon request.

2.6.5.7 Certification of All Permits

The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal

Water Pollution Control Act Amendments of 1972, 33 U.S.C.1334.

2.6.5.8 Watercourses

- 2.6.5.8.1 In riverain situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and submit copies of such notification to the Building Inspector, in addition to the copies required by the RSA 482-A:3 Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Board.
- 2.6.5.8.2 The applicant shall submit to the Building Inspector, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.
- 2.6.5.8.3 Along watercourses with a designated Regulatory Floodway no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge. In zone A the Building Inspector shall obtain, review, and reasonably utilize any floodway data available from federal, state, or other sources as criteria for requiring that development meet the floodway requirements of this section.
- 2.6.5.8.4 Along watercourses that have not had a Regulatory Floodway designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

2.6.5.9 Special Flood Hazard Areas

- 2.6.5.9.1 In special flood hazard areas the Building Inspector shall determine the 100 year flood elevation in the following order of precedence according to the data available:
 - 2.6.5.9.1.1 In zones A1-30, AH and AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM or FHBM.
 - 2.6.5.9.1.2 In unnumbered A zones, the Building Inspector shall obtain, review, and reasonably utilize any 100 year floor elevation data available from federal, state, or other source including data submitted to the community (ie: subdivision, site approvals).
 - 2.6.5.9.1.3 In zone AO the flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or if no depth number is specified on the FIRM at least 2 feet.
- 2.6.5.9.2 The Building Inspector's 100 year flood elevation determination will be used as criteria for requiring in zones A, A1-30, AE, AH, AO, that:
 - 2.6.5.9.2.1 All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation;
 - 2.6.5.9.2.2 That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:

- 2.6.5.9.2.2.1 Be flood proofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
- 2.6.5.9.2.2.2 Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
- 2.6.5.9.2.2.3 Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;
- 2.6.5.9.3 All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces;
- 2.6.5.9.4 Recreational vehicles placed on site within zones A1-30, AH, and AE shall either (i) be on the site for fewer than one hundred and eighty (180) consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for "manufactured homes" in paragraph C (6) of Section 60.3.
- 2.6.5.9.5 For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:
 - 2.6.5.9.5.1 the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;
 - 2.6.5.9.5.2 the area is not basement;
 - 2.6.5.9.5.3 shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater.

Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
- 2.6.5.9.6 Proposed structures to be located on slopes in special flood hazard areas, zones AH and AO shall include adequate drainage paths to guide flood waters around and away from the proposed structures.
- 2.6.5.10 Variances and Appeals
 - 2.6.5.10.1 Any order, requirement, decision or determination of the Building Inspector made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.
 - 2.6.5.10.2 If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I(b), in determining whether or not any variance will be contrary to the spirit of this Ordinance, the Board of Adjustment shall consider the following:
 - 2.6.5.10.2.1 That the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense

- 2.6.5.10.2.2 That if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
- 2.6.5.10.2.3 That the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 2.6.5.10.3 The community shall maintain a record of all variance actions, including their justification for their issuance, and report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

2.6.6 **AIRPORT APPROACH HEIGHT OVERLAY**

2.6.6.1 Purpose:

The purpose of this regulation is to:

- 2.6.6.1.1 Establish zones adjacent to Grenier Field (Manchester Airport) which require development restrictions so as to ensure safe and efficient airport operations.
- 2.6.6.1.2 Establish the maximum height of structures and objects of natural growth in the restrictive zones to ensure proper airport approach zones.

2.6.6.2 Definitions

As used in these regulations, unless the context otherwise requires:

- 2.6.6.2.1 "Airport" means any area of land or water, whether constructed or not, which has been approved by the director as a site for the landing and taking off of aircraft or utilized or to be utilized by the public as a point of arrival or departure by air.
- 2.6.6.2.2 "Approach Zone" means the approach area to a runway and landing strip having dimensions as hereinafter described and the centerline of which coincides with the centerline of the runway and landing strip extended. (The dimensions of the landing strips at Grenier Field (Manchester Airport) are: N/S 7000' by 150'; NE/SW 5850' by 150'; NW/SE 5430 by 150'; each of the landing strips is 500' wide and the same length of the runway.
- 2.6.6.2.3 "Airport Hazard" means any structure, tree, smoke, steam, dust or other substance which obstructs the aerial approaches of a publicly owned airport or impairs the reasonable visibility in the vicinity thereof, electrical impulses and disturbances which interfere with radio aids or communications and lights which might result in glare in the vision of the pilots of aircraft or be confused with airport lights.
- 2.6.6.2.4 "Non-conforming Use" means any structure, tree, or use of land which does not conform to a regulation prescribed in these regulations or an amendment thereto, as of the effective date of such regulations.
- 2.6.6.2.5 "Person" means any individual, firm, co-partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.
- 2.6.6.2.6 "Structure" means any object constructed or installed by man, including such objects although regulated or licensed by other provisions of law.
- 2.6.6.2.7 "Tree" means any object of natural growth.
- 2.6.6.2.8 The Airport Reference Point is at the control tower and its elevation is 233' above sea level.

2.6.6.3 General Requirements

2.6.6.3.1 Zones

In order to carry out the purposes of these regulations all of the land in the Town of Londonderry that lies within the boundaries of the approach zones as defined in paragraph 2.6.6.2.2 hereof and all of the land within a distance of 100,000 feet from the Airport Reference Point is hereby declared subject to the restrictions of these regulations, in accordance with the Grenier Air Force Base Airport Approach Plan adopted by the New Hampshire Aeronautics Commission on February 25, 1957, which Airport Approach Plan is incorporated herein by reference.

2.6.6.3.2 Height Limits

No structure or tree shall be erected, altered or allowed to grow within the areas referred to in Section B hereof, to wit:

- 2.6.6.3.2.1 In the approach areas to the N/S runway which are 1500' wide at 1000' from the end of the pavement and 4000' wide at 10,000', an inclined plane of 50:1 slope, 200' above the runway end from 10,000' to 25,000'; 500' above the runway end from 25,000' to 50,000'; in the approach areas to the NW/SE and NE/SW runways, which are 500' wide at a point 200' from the ends of the runways and 2400' wide at 10,000' out from this point an inclined plane of 40:1 slope.
- 2.6.6.3.2.2 On the sides of the landing strips and approach areas, an inclined plane of 7:1 slope.
- 2.6.6.3.2.3 383' above sea level (150' above the airport) within 10,000' of the Airport Reference Point.
- 2.6.6.3.2.4 433' above sea level (200' above the airport) from 10,000' from the Airport Reference Point.
- 2.6.6.3.2.5 733' above sea level 1500' above the airport; from 25,000' to 50,000' from the Airport Reference Point.
- 2.6.6.3.2.6 An inclined plane of 100:1 slope from the periphery of the horizontal surface of 500' above the airport for a distance of 100,000' measured horizontally from the Airport Reference Point

2.6.6.3.3 Height Permitted

No provision of paragraph 2.6.6.3.2 shall limit the height of a structure or tree to less than 30' above the ground upon which it is located.

2.6.6.3.4 **Use Restrictions MDNM:** Notwithstanding any other provisions of these regulations, no use may be made of the land described in paragraph 2.6.6.3.1 hereof in such manner as to create electrical interference with radio aid or communications between the airport and aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of the flyer using the airport, impair visibility in the vicinity of the airport by the creation and discharge of smoke, steam, dust, or other obstructions to visibility or otherwise endanger the landing, taking-off, or maneuvering of aircraft.

2.6.6.3.5 Non-conforming Uses: The regulations prescribed in 2.6.6.3.2 and 2.6.6.3.4 of these regulations shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date hereof, or otherwise interfere with the continuance of any non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure and the construction or alteration of which was begun prior to the effective date of these regulations, and is diligently prosecuted and completed within two years thereof.

2.6.6.3.6 Variances: Any person desiring to erect any structure or increase the height of any structure, or permit the growth of any tree, or use his property, not in accordance with these regulations may apply for a variance therefrom. Such variance shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of these regulations.

2.6.6.3.7 Permits

- 2.6.6.3.7.1 Future Uses - No material change shall be made in the use of land in violation of paragraphs 2.6.6.3.2 and 2.6.6.3.4 hereof and no structure or tree shall be erected, altered, planted, or otherwise established in violation of paragraphs 2.6.6.3.2 and 2.6.6.3.4 hereof in any of the areas of land described in paragraph 2.6.6.3.1 hereof, unless a permit therefore shall

have been applied for and granted. Each such application shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit applied for shall be granted.

- 2.6.6.3.7.2 Existing Uses - Before any existing use, structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher or replanted, within any of the areas of land described in paragraph 2.6.6.3.1 hereof, a permit must be secured authorizing such replacement, change or repair if it is in violation of paragraphs 2.6.6.3.2 and 2.6.6.3.4 hereof. No such permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure or tree to be made or become higher or become a greater hazard to air navigation, than it was on the effective date of these regulations or than it is when the application for a permit is made. Except as indicated, all applications for a permit for replacement, change or repair of existing use, structure, or tree shall be granted.
- 2.6.6.3.8 Hazard Marking and Lighting: Any permit or variance granted under paragraphs 2.6.6.3.6 and 2.6.6.3.7 may, if such action is deemed advisable to effectuate the purposes of these regulations and reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the present owner or lessor at his own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.
- 2.6.6.3.9 Administration: The Office of the Airport Manager of Grenier Field is hereby designated as the administrative agency charged with the duty of administering and enforcing the regulations herein prescribed including the hearing and deciding of applications for permits under paragraph 2.6.6.3.7 of these regulations.
- 2.6.6.3.10 Board of Appeals: There shall be a Board of Appeals consisting of five members, each of whom shall be appointed by the New Hampshire Aeronautics Commission for a term of three years and one of whom shall be designated a chairman by the Commission. One member of the Board shall be a Town Councilor of Londonderry and another one shall be a citizen of Londonderry. The members of said Board of Appeals shall be removable for cause by the New Hampshire Aeronautics Commission upon written charges and after public hearing. The Board of Appeals shall have the following powers.
- 2.6.6.3.10.1 To hear and decide appeals from any order, requirement, decision or determination made by the administrative agency in the enforcement of these regulations.
- 2.6.6.3.10.2 To hear and decide all applications for variances under paragraph 2.6.6.3.6 of these regulations.
- 2.6.6.3.10.3 To exercise the powers and perform the duties of the Board of Adjustment as set forth in RSA 31:68-86 as presently in force or as amended in the future.
- 2.6.6.3.11 Penalties and Remedies: Each violation of these regulations shall constitute a misdemeanor and shall be punishable by a fine of not more than twenty-five dollars or imprisonment for not more than sixty (60) days or by both. Such fine and imprisonment and each day a violation continues to exist shall constitute a separate offense. In addition, the New Hampshire Director of Aeronautics may institute in any court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation of these regulations, or of any order or filing made in connection with their administration or enforcement in accordance with the provision of RSA 424:9.

- 2.6.6.3.12 **Severability:** If any of the provisions of these regulations or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without the invalid provision or application and to this and the provisions of these regulations are declared to be severable.
- 2.6.6.3.13 **Effective Date:** These regulations shall take effect upon their adoption by the Commission and said regulations together with any amendment thereto shall remain in full force and effect until such time as adequate airport zoning regulations provided for in RSA 424 are adopted by the Town of Londonderry.

2.6.7 AIRPORT APPROACH NOISE OVERLAY

2.6.7.1 Objectives:

The increasing aircraft activity that is occurring at the Manchester Airport has reached the point in which it has become necessary to create noise overlay zoning for the entire area of Town within the 65 Ldn contour in accordance with the 1991 Part 150 Noise Compatibility Plan conducted by the Manchester Airport Authority.

2.6.7.2 Definition of Terms:

The following definitions shall apply only to this Noise Overlay Zoning Ordinance, and shall not be affected by the provisions of any other Ordinance of the Town of Londonderry.

“Day-Night Sound Level” (Ldn): A cumulative aircraft noise index which estimates the exposure to aircraft noise and relates the estimated exposure to an unexpected community response. The Day-Night Sound Level noise metric assesses a 10 db penalty to all noise events occurring between 10:00 p.m. and 7:00 a.m.

“Ldn Contour”: A line linking together a series of points of equal cumulative noise exposure based on the Ldn metric. Such contours are developed based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft, and typical runway usage patterns.

“Navigable Airspace”: The airspace above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, Section 101(24) 49 United States Codes 1301, including the airspace needed to ensure safety in the takeoff and landing of aircraft.

2.6.7.3 Noise Compatibility Zones Established:

Noise compatibility zones for the area around Manchester-Grenier Airport are hereby established based on the Ldn contours for aircraft noise developed for conditions forecast to exist in 1991 with noise abated operating conditions

2.6.7.3.1 The N-1 zone generally corresponds to the area between the 65 Ldn and 70 Ldn contours.

2.6.7.3.2 The N-2 zone generally corresponds to the area between the 70 Ldn and 75 Ldn contours.

2.6.7.3.3 The N-3 zone generally corresponds to the area within the 75 Ldn contour.

2.6.7.4 Noise Overlay Zone Boundaries:

The boundaries of the Noise Overlay Zones are shown in the Manchester-Grenier Airport Noise Compatibility Plan. Because of the averaging inherent in making Ldn calculations and the assumptions necessary in the forecasting procedure, the Ldn contour lines are not capable of being precisely defined in the field. Therefore, the boundaries between the noise overlay zones, while bearing a very close relationship to the Ldn contour lines, have been adjusted to facilitate understanding and agreement as to the location of the boundaries.

2.6.7.5 Uses Prohibited:

Land uses prohibited in the noise overlay zones shall be as specified in the Table of Land Use Compatibility Standards.

2.6.7.6 Soundproofing Required:

Soundproofing shall be required for certain land uses in each of the noise overlay zones as shown in the Table of Land Use Compatibility Standards. Where soundproofing is required, no building permits shall be issued until the builder has demonstrated that the building design is capable of achieving the Noise Level Reduction required in the Table

of Land Use Compatibility Standards. This requirement can be met in one of two ways as described in the following subsections.

- 2.6.7.6.1 Design Standards: If the building design incorporates the design standards described in Section 2.6.7.7, the design shall be considered to have met the required soundproofing standards.
- 2.6.7.6.2 Performance Standards: The builder may choose to use design features other than those described in Section 2.6.7.7 as long as the final design is capable of achieving the Noise Level Reduction required in the Table of Land Use Compatibility Standards. Such noise attenuation capability shall be certified on the building plans by a registered architect, structural engineer, or acoustician.
- 2.6.7.7 Soundproofing Design Standards
 - 2.6.7.7.1 Noise Level reduction of 25 Decibels (dB)
 - 2.6.7.7.1.1 If wood frame construction is used, all exterior stud walls shall have interior and exterior surfaces of an approved material at least as massive as half-inch thick gypsum wallboard, and the intervening space shall contain fibrous thermal insulation at least three inches thick.
 - 2.6.7.7.1.2 The design for a habitable room shall be such that any exterior door or window can be kept closed when the room is in use. Means of ventilation shall be available to afford a minimum of two complete air changes per hour.
 - 2.6.7.7.1.3 Any air duct or connection to out-of-doors shall contain an interior sound absorbing lining acoustically equivalent at least to fiberglass duct liner one inch thick and length greater than five times the diameter of the duct.
 - 2.6.7.7.1.4 The ceiling below an attic space shall include gypsum Board or plaster at least one-half inch thick; fibrous thermal insulation at least three inches thick shall be laid between the ceiling joists.
 - 2.6.7.7.1.5 A forced air circulation system shall be provided that will give a minimum of two complete air changes per hour, of which at least one-fifth is fresh air.
 - 2.6.7.7.1.6 A ceiling or exhaust duct shall be provided with a bend in the duct such that there is no direct line of sight through the duct from outside to inside. The bend shall be lined with the equivalent of fiberglass duct liner one inch thick.
 - 2.6.7.7.1.7 There shall be no direct openings, such as mail slots, from the interior to the exterior of the building. All chimneys shall be provided with well-fitting dampers.
 - 2.6.7.7.1.8 Exterior hinged doors shall be solid-core construction. Jalous windows shall not be permitted. The total area of glass windows and of any exterior door to a sleeping space shall not exceed 20 percent of the floor area of a room.
 - 2.6.7.7.1.9 Workmanship on doors and openable windows shall be such that the doors and windows are as close fitting as possible or weather stripping seals shall be incorporated on all edges to eliminate gaps. Air gaps and rattling shall be prevented.
 - 2.6.7.7.1.10 Masonry walls, if used, shall be at least equivalent in weight to six-inch light-weight concrete blocks, at least one surface of which is painted or plastered.
 - 2.6.7.7.1.11 The roof deck shall weigh at least seven pounds per square foot, containing a solid core at least one and one-half inches thick.
 - 2.6.7.7.2 Noise Level Reduction 30 Decibels (db)
 - 2.6.7.7.2.1 Window glass shall be set in an elastomer gasket. Double glazing shall be installed, with an air space of at least three inches between the two panes of glass. Windows of dome skylights shall be permitted as long as they have a sound transmission class (STC) of at least 30.
 - 2.6.7.7.2.2 The top-floor ceiling construction shall consist of plaster or gypsum Board at least 5/8-inch thick supported on resilient clips or channels. A non-hardening caulking compound shall be provided around the entire perimeter of the suspended ceiling.

- 2.6.7.7.2.3 The floor of the lowest room or area containing the uses of which those insulation requirements apply shall be a concrete slab, or shall be similarly sealed otherwise against exterior noise.
- 2.6.7.7.2.4 Masonry walls, if used, shall be at least equivalent in weight to eight-inch light-weight concrete blocks, at least one surface of which shall be painted or plastered.
- 2.6.7.7.2.5 The roof deck shall weigh at least twelve pounds per square foot. Wood roof sheathing shall be continuous and at least 3/4-inch thick.
- 2.6.7.8 Land Use Compatibility Standards

Table of Land Use Compatibility Standards

Noise Overlay Zones/Levels in Ldn

SLUCM No	<u>Land Use Name</u>	<u>N-1 65-70</u>	<u>N-2 70-75</u>	<u>N-3 75+</u>
10	Residential			
11	Household Units			
11.11	Single Units – detached	251	301	N
11.12	Single Units - semi-detached	251	301	N
11.13	Single Units - attached row	251	301	N
11.21	Two Units - side-by-side	251	301	N
11.22	Two Units - over-under	251	301	N
11.31	Apartments - walk up	251	301	N
11.32	Apartments – elevator	251	301	N
12	Group Quarters	251	301	N
13	Residential Hotels	251	301	N
14	Mobile Home Parks	N	N	N
15	Transient Lodgings, Hotels, Motels	Y2	Y3	N
16	Other Residential	251	301	N
20	Manufacturing			
21	Food and kindred products	Y	Y2	Y3
22	Textile mill products	Y	Y2	Y3
23	Apparel and other finished products made from leather and similar materials	Y	Y2	Y3
24	Lumber and wood products (except furniture)	Y	Y2	Y3
25	Furniture and fixtures	Y	Y2	Y3
26	Paper and allied products	Y	Y2	Y3
27	Printing, publishing, and allied industries	Y	Y2	Y3
28	Chemicals and allied prod	Y	Y2	Y3
29	Petroleum refining and related industries	Y	Y2	Y3
30	Manufacturing			
31	Rubber and misc. plastic products	Y	Y2	Y3
32	Stone, Clay and Glass products-manufacturing	Y	Y2	Y3
33	Primary metal industries	Y	Y2	Y3
34	Fabricated and Metal products-manufacturing	Y	Y2	Y3

SLUCM No	Land Use Name	N-1 65-70	N-2 70-75	N-3 75+
35	Professional, Scientific, and controlling instruments; photographic and optical goods; watches and clocks - manufacturing	Y	25	30
39	Miscellaneous manufacturing	Y	Y2	Y3
40	Transportation, communication, utilities			
41	Rail transportation	Y	Y2	Y3
42	Motor vehicle transportation	Y	Y2	Y3
43	Aircraft transportation	Y	Y2	Y3
44	Marine craft transportation	Y	Y2	Y3
45	Highway and street right-of-way	Y	Y2	Y3
46	Automobile parking	Y	Y2	Y3
47	Communication	Y	Y2	Y3
48	Utilities	Y	Y2	Y3
49	Other transportation, communication and utilities	Y	Y2	Y3
50	Trade			
51	Wholesale trade	Y	Y2	Y3
52	Retail trade - building materials, hardware and farm equipment	Y	Y2	Y3
53	Retail trade - general merchandise	Y	25	30
54	Retail trade – food	Y	25	30
55	Retail trade – auto	Y	25	30
56	Retail trade - apparel and accessories	Y	25	30
57	Retail trade - furniture, home furnishings	Y	25	30
58	Retail trade - eating and drinking establishments	Y	25	30
59	Other retail trade	Y	25	30
60	Services			
61	Finance, insurance & real estate services	Y	25	N
62	Personal services	Y	25	N
62.4	Cemeteries	Y	Y2	N
63	Business services	Y	25	30
64	Repair services	Y	Y2	Y3
65	Professional services	Y	25	30
65.1	Hospitals, nursing homes	N	N	N
65.2	Other medical facilities	N	N	N
66	Contract construction services	Y	25	30
67	Governmental services	Y	25	30
68	Educational services	N	N	N
69	Miscellaneous services	Y	25	30
70	Cultural, entertainment and recreational			
71	Cultural activities(incl churches)	25	N	N
71.2	Nature exhibits	Y	Y	N
72	Public assembly	Y	N	N
72.1	Auditoriums, concert halls	25	30	N
72.11	Outdoor music shells, amphitheaters	N	N	N
72.2	Outdoor sports arenas, spectator sports	Y4	Y4	N
73	Amusements	Y	Y	Y

SLUCM No	<u>Land Use Name</u>	<u>N-1 65-70</u>	<u>N-2 70-75</u>	<u>N-3 75+</u>
74	Recreational activities (including golf courses, riding stables, water recreation)	Y	25	30
75	Resorts and group camps	Y	Y	Y
76	Parks	Y	Y	Y
79	Other cultural entertainment and recreation	Y	Y	N

NOTES

1. All residences in the N-1 Zone are marginally noise compatible and shall be soundproofed to achieve a 25 dB reduction from outdoor noise levels (NLR). All residences in the N-2 Zone are marginally noise compatible and shall be soundproofed to achieve a 30 dB NLR.
Soundproofing will not eliminate outdoor noise problems. However, building location and site planning, design and use of BERMS and barriers can help mitigate outdoor noise exposure particularly from ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures which only protect interior spaces.
2. Measures to achieve NLR of 25 shall be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.
3. Measures to achieve NLR of 30 shall be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.
4. Land use is compatible provided special sound amplification system is installed.

KEY TO TABLE

SLUC	Standard Land Use Coding Manual, U.S. Urban Renewal Administration and Bureau of Public Roads, 1965.
Y(Yes)	Land Use and related structures compatible without restrictions.
*N(NO)	Land Use and related structures are not compatible and should be prohibited.
NLR	Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.
25 or 30	Land Use and related structures are generally compatible; measures to achieve NLR of 25 or 30 dB must be incorporated into design and construction of structure.
*Note:	Use of this feature in the noise overlay Zoning Ordinance is optional. Communities may prefer only to require soundproofing restrictions.

2.7 GATEWAY BUSINESS DISTRICT

2.7.1 Objectives and Characteristics

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

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

2.7.2 General Standards

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

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

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

Minimum Setback Distances for Structures from Property Line:

Front - 30 feet

Side - 20 feet

Back - 20 feet

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

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

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

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

- 2.7.2.4 **Minimum Green Space** - The parcel must contain a minimum of 25% of the total land in the parcel dedicated as green space (landscaping or undeveloped areas).
- 2.7.2.5 Transportation Demand Management/Sustainable Site & Building Design
- 2.7.2.5.1 Development within the GB District shall be required to meet one of the 2 following requirements, unless waived by the Planning Board as outlined in Section 2.7.2.5.2:
- 2.7.2.5.1.1 **Transportation Demand Management**. The proposed development shall incorporate Transportation Demand Management (TDM) techniques in the proposed operation of the facility (Such as car/vanpooling or rideshare programs, establishment of a Transportation Management Authority, establishment of bus or transit service or contribution towards the establishment of a bus or transit service, flex-time work schedules, etc. For more examples of TDM strategies see <http://www.vtpi.org/tdm/>). The applicant shall provide documentation to the Town outlining the types of TDM methods proposed, and documentation to ensure the continued use of the TDM methods meeting the approval of the Planning Board; or
- 2.7.2.5.1.2 **Sustainable Site & Building Design**. The proposed development of the property shall be determined to meet the "Certified" level of LEED (Leadership in Energy and Environmental Design) Certification or higher (Silver, Gold, or Platinum). The project need not actually receive LEED certification, but must be able to demonstrate that the project would meet the "certified" level of certification criteria.
- 2.7.2.5.2 Waiver of TDM/Sustainable Site & Building Design Requirement
- 2.7.2.5.2.1 The Planning Board, may, with sufficient justification presented, waive the requirements of Section 2.7.2.5.1 where it is shown that the Transportation Demand Management or Sustainable Site & Building Design standards impose an unreasonable burden on development of property within the GB District.
- 2.7.2.6 Storage Areas
- 2.7.2.6.1 No outdoor storage is allowed in the GB District unless specifically approved as part of a site plan approved by the Planning Board.
- 2.7.2.6.2 All outdoor storage shall be visually screened from access streets, arterials and adjacent property. Outdoor storage shall be meant to include parking of all company owned and operated motor vehicles, with the exception of passenger vehicles. No storage shall be permitted between a frontage street and the building line.
- 2.7.2.6.3 Bulk storage of gasoline, chemicals, petroleum products, and flammable materials shall not be permitted except as accessory to a principal use, accessory to a service station, laboratory, production operation, airport service or the servicing of company owned or leased vehicles.
- 2.7.2.7 Parking, Loading, & Vehicle Access Standards - See Section 3.10 of this Ordinance.

- 2.7.2.8 Landscaping Standards - All landscape designs shall comply with the Town of Londonderry Site Plan Regulations.
- 2.7.2.9 Sign Standards - All signs, their quantity and location, shall comply with the permitted Industrial District signs as outlined in Section 3.11 of this Ordinance, except as provided below:
- 2.7.2.9.1 Off Premise Directory Signs - An off-premise directory sign which identifies the name and location of business located in the GB District may be allowed by Conditional Use Permit from the Planning Board provided the following conditions are met:
- 2.7.2.9.1.1 Such off premise directory signs in the GB district shall only be permitted at intersections of roadways where at least one of the streets is an arterial or connector roadway, as defined in the appendix of this ordinance.
 - 2.7.2.9.1.2 No more than one (1) off-premise sign shall exist on an individual parcel.
 - 2.7.2.9.1.3 No business shall be advertised on more than two (2) off premise signs within the GB District.
 - 2.7.2.9.1.4 Off-premise signs located in the GB District shall have a maximum surface area of twenty-five (25) square feet and a maximum height of ten (10) feet from grade.
 - 2.7.2.9.1.5 Appropriate setbacks from property lines shall be determined by the Planning Board, and shall in no way obstruct proper sight distance from any intersecting roads or driveways.
 - 2.7.2.9.1.6 The off premise sign must be reviewed and approved by the Planning Board for aesthetic design, landscaping, and method of illumination.
 - 2.7.2.9.1.7 The sign must otherwise conform to other applicable regulations of this ordinance.
 - 2.7.2.9.1.8 Any other conditions or restrictions as the Planning Board may deem to be in the public interest.
- 2.7.2.10 Lighting Standards - All lighting shall comply with the Town of Londonderry Site Plan Regulations.

2.7.3 Conditional Use Permits

- 2.7.3.1 Uses Permitted by Conditional Use Permit: Some developments (see Use Table, Section 2.2) in the GB District will require a conditional use permit from the Planning Board, in addition to any other necessary subdivision or site plan approvals. The conditional use permit is meant to provide flexibility, minimize adverse impacts, and allow the Board to participate jointly with the applicant in preparing development proposal that is consistent with this ordinance, local regulations, and the Master Plan.
- 2.7.3.2 Dimensional Relief by Conditional Use Permit: The Planning Board may through the granting of a Conditional Use Permit adjust standards of any dimensional requirement of the district (including but not limited to: setback, density, green space, frontage, or parking) for projects that are truly supportive of the goals of the GB District as noted above, and where such adjustments would allow the developer to more fully meet these goals and objectives.
- 2.7.3.3 The conditional use permit shall clearly set forth all conditions of approval and shall clearly list all plans, drawings and other submittals that are part of the approval.

Everything shown or otherwise indicated on a plan or submittal that is listed on the conditional use permit shall be considered to be a condition of approval. Construction shall not deviate from the stated conditions without approval of the modification by the Planning Board.

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

- 2.7.3.4.1 It is recommended that all projects requiring a CUP conduct a preliminary meeting with staff prior to review by the Design Review Committee and the Town's Review Consultant. The purpose of the preliminary meetings shall be to provide guidance on the design of the proposed plan.
- 2.7.3.4.2 The applicant will then develop the proposed plan to a point at which the plan is eligible for design review.
- 2.7.3.4.3 The application will then begin Pre-Application Design review, followed by the Conditional Use Permit Review outlined in this section, and in accordance with the other applicable procedures adopted by the Planning Board.
- 2.7.3.4.4 Unless otherwise addressed in this ordinance, all applications shall meet those requirements set forth in the relevant sections of the Subdivision & Site Plan Regulations of the Town of Londonderry.

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

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

- 2.7.3.5.1.1 The proposed use is consistent with the Objectives and Characteristics of the Gateway Business District, Section 2.7.1;
- 2.7.3.5.1.2 Granting of the application is in the public interest;
- 2.7.3.5.1.3 The property in question is reasonably suited for the use requested, and the design of the site represents to the extent practicable preservation of natural resources, open space, and does not create a hazard to surface or underground water resources.
- 2.7.3.5.1.4 The applicant has demonstrated that the alternative design for which the Conditional Use Permit is sought better achieves the Objectives and Characteristics of the district, while not diminishing surrounding property values or the ability of nearby parcels to develop in accordance with the Objectives and Characteristics of the district; and
- 2.7.3.5.1.5 The application demonstrates that the alternative design for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and is otherwise in compliance will all requirements of the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations, as applicable to the proposed project.

2.7.4 **District Defined** – The GB District shall be comprised of the following parcels:

On Map 14: Lots 35 (I-II portion only), 36 (I-II portion only), 38, 39, 45, 45-1, 45-2, 45-4, 46, 47, 49, and 49-1

On Map 28: Lots 15, 16, 17, 17-2, 17-4, 17-5, 17-6, 18, 18-3, 18-4, 18-5, 18-6, 18-7, 20-5, and 34

2.8 PLANNED UNIT DEVELOPMENT

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

2.8.2 **Purpose.**

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

2.8.2.2 The purpose of this ordinance is to promote flexibility in large scale development by considering project proposals based upon a comprehensive, integrated and detailed plan rather than the specific constraints applicable to piecemeal lot-by-lot development under conventional zoning. A PUD should improve the quality of new development by encouraging aesthetically attractive features and promoting quality site and architectural design. The Planning Board will use the 2004 Londonderry Master Plan and/or successor plans, 2009 Londonderry Small Area Master Plan and/or successor plans, 2003 Londonderry Design Charrette and/or successor plans (if applicable) and any other long range planning document as guidance in the land use development aspect of the PUD master planning process.

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

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

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

2.8.3.1.2 Hold a conceptual discussion with the Planning Board.

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

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

2.8.3.4 The Planning Board approves, denies, or approves with conditions the PUD application. An applicant may appeal any such decision of the Planning Board in the same manner

specified for appeals for site plan determinations and subdivision determinations (RSA 677:15).

- 2.8.3.5 The Community Development Department maintains a record of all approved PUD master plans. The PUD is demarcated on the Zoning Map of the Town (over the underlying zoning district) and labeled based on the order in which the master plan was approved (as PUD-1, PUD-2, etc.).
- 2.8.3.6 Subsequent to the PUD approval, the applicant submits a separate site plan application and/or subdivision application for development of the tract in accordance with the master plan. In the event of a conflict between the terms of the approved master plan and the terms of the site plan regulations or subdivision regulations, the terms of the approved master plan shall control.
- 2.8.3.7 Any development on the subject property must be consistent with the approved master plan as determined by the Planning Board. While it is the master plan, rather than the underlying zoning district, that regulates development of the subject tract, there shall remain an underlying zoning designation for the tract at all times.
- 2.8.3.8 In the event active and substantial development or building has not begun on the site by the owner or the owner's successor-in-interest in accordance with the approved master plan within four years after the date of approval, or in accordance with other specific terms of the approval, then the master plan shall be deemed to have expired and the underlying zoning shall then control development of the land. Landowners may apply to the Planning Board for extensions of this time period for good cause shown.
- 2.8.3.9 Landowners may apply to amend all or a portion of an approved PUD following the same process applicable to the establishment of a PUD. A landowner may extinguish a PUD by notifying the Planning Board in writing that he/she does not intend to utilize the PUD.

2.8.4 PUD Master Plan

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

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

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

- 2.8.5.1 Location. PUD's are permitted in any zoning district on one or more lots, or portions of lots, of land provided they meet all other criteria outlined in this Section.

- 2.8.5.2 Tract size. The minimum area required for a PUD shall be one hundred (100) contiguous acres of land. Where portions of the tract are separated by a road, road right-of-way, utility, waterway, or another like element, the land shall be deemed contiguous unless the intervening feature is of such a nature that the Planning Board determines that the land could not function effectively as a PUD.

- 2.8.5.2.1 A PUD may include land which has been previously developed under the requirements of the underlying zoning only when, as part of the PUD Master Plan, the previously developed portion of land is substantially redeveloped in a manner which is consistent with the spirit of the PUD ordinance and which proposes improvements to such items as the aesthetics, architectural design, connectivity with the undeveloped part of the PUD and which creates a unified concept and design for the entire parcel.

- 2.8.5.3 Ownership. The PUD shall either be under unified ownership or be a collection of lots under separate ownership with a development agreement stipulating all owners are subject to the requirements of any PUD Master Plan approval by the Planning Board at the time of application. However, the tract may be subsequently subdivided consistent with the terms and conditions of the approved master plan. Multiple parties may own, manage, and/or develop various components of the PUD provided that the overall PUD remains integrated.

- 2.8.5.4 Water and Sewer. Only those tracts which contain buildings that will be serviced by water (Manchester Water Works, Derry Municipal Water, or Pennichuck Water) and municipal sewer systems (and determined to be reasonably consistent with the Town's Sewer Facilities Master Plan as determined by the Planning Board) are permitted to be included in a PUD.

2.8.6 **Permitted Uses.**

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

- 2.8.6.1.1 Due to the unique characteristics of the Gateway Business District, Residential uses otherwise permitted in a PUD shall not be permitted in a PUD Master Plan for any lot with Gateway Business District as the underlying zoning district.

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

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

- 2.8.7.1 Off street parking and loading shall comply with the Section 3.10 for each proposed use. However, the Planning Board may grant waivers for parking if the Board finds that waivers will be compatible with the design and purposes of the PUD.
- 2.8.7.2 Except for structures not intended for human occupancy (chimney, water tower, etc.) height of buildings shall not exceed 50 feet, or as specified by the Federal Aviation Administration as part of their permitting process or by the limitations outlined in the Airport Approach Height Overlay (Section 2.6.6 of this Ordinance).
- 2.8.7.3 In PUD's where residential uses are proposed, the overall residential density of a PUD may not exceed six (6) residential dwelling units (including single family homes) per gross acre of the PUD tract. In determining appropriate density, in addition to other criteria here, the Planning Board shall pay special attention to the amount of buildable land contained on the tract as determined or reasonably estimated in the submission materials. Permitted non-residential uses may be located in a flexible spatial environment, assuring compatibility with residential uses and with the overall development design.
- 2.8.7.4 The PUD shall be in compliance with:
 - 2.8.7.4.1 All standards contained within the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations unless waived or modified as part of the master plan; and
 - 2.8.7.4.2 All applicable local, state, and federal law relating to public health and safety, building construction, and drainage (these standards may not be waived or modified).

- 2.8.7.5 All roads and structures shall be set back a minimum of fifty (50) feet from all exterior PUD tract boundaries which abut residential uses except where transportation or use linkages are desired. Landscaping and other screening devices shall be designed to provide a reasonable buffer between the PUD and adjoining property except where compatible uses adjoin one another.
- 2.8.7.6 Any proposed covenants, restrictions, and easements must be approved by the Planning Board. A provision must be built into the documents providing for municipal enforcement of the covenants, restrictions, and easements at the Town's option and at the developer's expense under appropriate circumstances.
- 2.8.7.7 In a PUD where ownership is subject to restrictions, covenants and other agreements, those documents shall be recorded in the Rockingham County Registry of Deeds.
- 2.8.8 **Criteria for Review of PUD Proposals.** The following criteria shall guide the Planning Board in determining appropriate land uses, densities, and other development standards for the PUD. It is emphasized that the determination of whether or not a proposal meets the intent and objectives of this ordinance is made by the Planning Board in its reasonable discretion.
 - 2.8.8.1 General Considerations. The Planning Board shall consider the following:
 - 2.8.8.1.1 Provisions of Town of Londonderry Zoning Ordinance, Site Plan Regulations, Subdivision Regulations, and other applicable town, state, and federal law, where appropriate.
 - 2.8.8.1.2 Consistency with the Town of Londonderry Master Plan, and any related plans or studies (such as the Londonderry Business Park Design Charrette, Northwest Small Area Master Plan, etc.)
 - 2.8.8.1.3 Conformance with the intent and objectives of this Section.
 - 2.8.8.1.4 Infrastructure capacity and the effect of the PUD upon public services and public safety.
 - 2.8.8.1.5 Prospective fiscal impact upon the Town of Londonderry.
 - 2.8.8.2 Specific objectives. Every PUD should incorporate a number of the following elements. Their usage defines a planned unit development and justifies departures from standards otherwise applicable under conventional zoning (introduction of new uses, more intensive land uses, higher density, novel design approaches, etc.).
 - 2.8.8.2.1 Inclusion of a harmonious mix of uses.
 - 2.8.8.2.2 Provisions for quality architectural design.
 - 2.8.8.2.3 Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.
 - 2.8.8.2.4 Preservation of open space.
 - 2.8.8.2.5 Preservation of natural vegetation and other important natural features.
 - 2.8.8.2.6 Preservation of important cultural resources such as stone walls and other archaeological sites.
 - 2.8.8.2.7 Development of active or passive recreational areas.
 - 2.8.8.2.8 Quality landscaping.
 - 2.8.8.2.9 Use of sidewalks, bikeways, and other multi-use paths.
 - 2.8.8.2.10 Use of traffic mitigation, traffic calming, or Transportation Demand Management measures.
 - 2.8.8.2.11 Significant screening of, or rear placement of, parking areas.

- 2.8.8.2.12 Sustainable design and construction practices promoting energy conservation.
- 2.8.8.2.13 Other public benefits such as provision of a community center or day care center.
- 2.8.8.2.14 Public access to community facilities in PUD.

2.8.9 **Submission Requirements**

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

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

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

- 2.8.9.2.1 Present underlying zoning classification and zoning classification of all adjoining lots.
- 2.8.9.2.2 Topographic information on the tract including soil types, wetlands, surface water, land contours, natural and cultural resources, ridges and knolls, rock outcrops, steep slopes, etc. This information may be presented in an overview format, in less detail than would be required of a site plan or subdivision application provided that a clear sense of the tract is conveyed sufficient to evaluate the PUD proposal (for example, wetlands need not be professionally delineated if potentially wet low lying areas are roughly indicated).
- 2.8.9.2.3 Total acreage of the tract; rough delineation of each land use area with approximate acreage,
- 2.8.9.2.4 Proposed uses for each land use area, preferably given with some specificity.
- 2.8.9.2.5 Proposed total number of dwelling units and overall residential density for the tract (if applicable).
- 2.8.9.2.6 Proposed general estimates of location, size, use(s) for each structure.
- 2.8.9.2.7 Proposed general estimates of location, width, and materials of all streets, drives, sidewalks, and paths.
- 2.8.9.2.8 Proposed general estimates of location and number of spaces for each parking area.
- 2.8.9.2.9 Summary of proposed traffic impact, including preliminary estimates of trip generation, trip distribution, and potential areas of off-site transportation improvements.
- 2.8.9.2.10 Proposed open space areas.
- 2.8.9.2.11 Natural and cultural resources proposed to be preserved.
- 2.8.9.2.12 Proposed buffers, if appropriate, to adjoining property.
- 2.8.9.2.13 Sketch/plan of proposed landscaping.
- 2.8.9.2.14 Brief explanation or sketch of proposed water and sewer/septic systems.

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

- 2.8.10 **Interpretation/application of PUD master plan.** The Planning Board shall review any site plan or subdivision application for its conformity with the approved PUD master plan; however the PUD will have control over site review and subdivision regulations. The Board may use its discretion in determining if particular items are consistent with the intent of the plan.
- 2.8.10.1 Many items in the PUD Master Plan will be presented and construed to be in preliminary sketch form subject to preparation of detailed, engineering analysis and some modification at the site plan/subdivision application stage consistent with the master plan. These items include exact lot locations and layouts, exact locations of roads and paths, size and configuration of parking lots, utility information, water and sewer/septic, drainage, landscaping, and architectural renderings. (For example, the land plan may show numerous trees to be planted. The applicant would be able to significantly modify the locations and types of planting at the site plan stage provided the intent of the landscaping element as presented in the land plan is met.)
- 2.8.10.2 All development standards must ultimately be determinable for each land use area. Where specific development standards are neither stated nor implied in the PUD master plan, the most appropriate standards otherwise applicable (from the Zoning Ordinance, Site Plan Regulations, and/or Subdivision Regulations) shall apply as determined by the Planning Board. (For example, an area designated for a particular use in the PUD master plan does not specify front setbacks. The front setbacks contained in the appropriate underlying zoning district would then apply.)
- 2.8.11 **Fees.** The application fees for a PUD are as follows:
- 2.8.11.1 \$20.00 per gross acre of the tract not to exceed \$5,000
- 2.8.11.2 Legal notice and abutter notification fees shall be as determined in the latest version of the Town's Subdivision and Site Plan Regulations.

3 TOWN-WIDE REGULATIONS

3.1 GENERAL REGULATIONS

3.1.1 District Regulations - General

Any and all uses allowed herein shall also be subject to all other applicable ordinances and regulations of the Town of Londonderry including but not limited to the Floodplain Development Ordinance and to the statutes or regulations of the State of New Hampshire.

- 3.1.1.1 All commercial and industrial uses, all clustered residential developments and all multi-unit dwellings consisting of more than two dwelling units, regardless of the district in which they are built, shall be subject to Site Plan review by the Londonderry Planning Board prior to the issuance of a building permit. In the event that a special exception is also required, the Board of Adjustment may request input from the Planning Board concerning items typically evaluated during site plan review.
- 3.1.1.2 The minimum lot sizes, yard and frontage dimensions and maximum heights specified in the district regulations for any particular use are subject to any more restrictive provisions required elsewhere in this Ordinance.
- 3.1.1.3 Commercial piggeries or mink farms established for the raising, care, and keeping of pigs and minks, as a business, shall not be permitted in any district.
- 3.1.1.4 Public and private dumps for the disposal of solid waste or any other wastes shall not be permitted in any district.
- 3.1.1.5 No owner or occupant of land in any district shall permit a collapsed or burned building to remain in such a condition, but within six (6) months shall repair or rebuild such structure or remove the remains and clear the site to ground level. The Londonderry Building Inspector may grant an extension not to exceed six (6) months when conditions warrant.

3.1.2 Local Excavation Standards

3.1.2.1 Objectives and Characteristics:

- 3.1.2.1.1 The purpose of this section is to establish regulations for the removal of sand, gravel, rock, loam, construction aggregate and other materials from a site for commercial purposes. These standards will minimize any adverse effects on the land caused by the excavation activities..

3.1.2.2 General Requirements:

- 3.1.2.2.1 Excavation is an allowed use in all zones, except the Conservation Overlay District, in accordance with the Section 3.1.2 of the Zoning Ordinance, as most recently amended...
- 3.1.2.2.2 Permanent Manufacturing Plants for the purpose of rock crushing are allowed in the C-I, C-II, I-I, and I-II zones.
- 3.1.2.2.3 Temporary Manufacturing Plants for the purpose of rock crushing are allowed in all zones except the Conservation Overlay District.

3.1.2.3 Definitions pertaining to excavation. The following words or phrases are selected to clarify their common usage in the interpretation of this section..

- 3.1.2.3.1 **Earth:** "soil" (see below) and bedrock .
- 3.1.2.3.2 **Excavation:** means a land area which is used or has been used for the commercial taking of earth including all slopes.

- 3.1.2.3.3 **Loam:** defined in paragraph 2.1 of Section 641 of the *Standard Specifications for Road and Bridge Constructions* of the State of New Hampshire, Department of Public Works and Highway, 1974, or as most recently published.
- 3.1.2.3.4 **Pit Agreement:** the documentation identified in Section 106 of the *Standard Specifications for Road and Bridge Constructions* of the State of New Hampshire, Department of Public Works and Highway, 1974, or as most recently published.
- 3.1.2.3.5 **Permanent Manufacturing Plant:** a rock crushing plant that operates for more than sixty (60) days. It is usually set on a concrete foundation.
- 3.1.2.3.6 **Soil:** "overburden" as described in *Basic Soils Engineering*, by B.K. Hough, Second Edition, 1969, a copy of which is on file with the Department of Public Works.
- 3.1.2.3.7 **Temporary Manufacturing Plant:** a temporary rock crushing plant used to produce crushed gravel or crushed stone product to be permitted in operation for not more than sixty (60) days.

3.1.2.4 **Permit Required & Exemptions.**

- 3.1.2.4.1 No owner shall excavate or allow any excavation of earth on his premises without first obtaining a permit.
- 3.1.2.4.2 Exemptions to this permit requirement are:
 - 3.1.2.4.2.1 Excavation for eventual residential occupancy or use that is exclusively incidental to the lawful construction or alteration of a building or structure or the lawful construction of a parking lot or way, including a driveway, on a portion of the premises where removal occurs.
 - 3.1.2.4.2.2 Excavation for the eventual nonresidential occupancy or use that is in conformance with a site plan approved and pursuant to the Londonderry Site Plan Regulations
 - 3.1.2.4.2.3 Excavation for subdivision roadway construction that is in accordance with an approved subdivision plan on record in the Rockingham County Registry of Deeds.
 - 3.1.2.4.2.4 Excavation that is incidental to agricultural or silvicultural activities, normal landscaping, or minor topographical adjustment.
 - 3.1.2.4.2.5 Excavation from an area contiguous to or from contiguous land in common ownership with stationary manufacturing and processing plants which were operating on January 1, 1979, provided that such excavation was then permitted, or exempted from permit, by the Board of Selectmen pursuant to the Londonderry Zoning Ordinance.
 - 3.1.2.4.2.6 Excavation performed exclusively for the lawful construction, reconstruction, or maintenance of a Class I, II, III, IV, or V Highway, as defined in RSA 230, by the Town of Londonderry or the State of New Hampshire, to a contracted agent of either governmental unit, which has jurisdiction for said highway, provided that any pit agreement entered in conjunction with said excavation shall be filed with and accepted by the Planning Board prior to the start of excavation; such excavation, however, shall not be exempt from the provisions of the express operational standards of RSA 155-E:4-a and the express reclamation standards of RSA 155-E:5 and 155-E:5a.
 - 3.1.2.4.2.7 Excavation less than 500 cubic yards of earth provided that:

- 3.1.2.4.2.7.1 Following excavation, restoration of the area shall be in accordance with Section 3.1.2.8.
 - 3.1.2.4.2.7.2 All excavating, handling, processing, and storing facilities are removed from the site.
 - 3.1.2.4.2.7.3 The site is cleared of all stumps, logs, and boulders.
 - 3.1.2.4.2.7.4 The site is regraded to the approximate level of the adjoining land.
 - 3.1.2.4.2.7.5 The site is in accordance with Section 3.1.2.8.1.7
 - 3.1.2.4.2.7.6 The duration of the excavation process, including land restoration, is less than ninety (90) days.
- 3.1.2.5 **Application for Permit.** Any owner will apply to the Planning Board prior to excavation of his land and send a copy of the application to the Conservation Commission. The application form shall be supplied by the Planning Board.
- 3.1.2.6 **Excavation for which Permits will not be granted**
The Planning Board shall not grant a permit:
- 3.1.2.6.1 Where an excavation is proposed below road level within fifty (50) feet of any highway, unless such excavation is for purpose of said highway.
 - 3.1.2.6.2 When excavation is within the required boundary of a disapproving abutter or within ten (10) feet of the boundary of an approving abutter, unless approval is requested by said abutter.
 - 3.1.2.6.3 When the issuance of the permit would be unduly hazardous or injurious to the public welfare.
 - 3.1.2.6.4 Where existing visual barriers in the areas specified in RSA 155-E:3(III) would be removed, except to provide access to the excavation.
 - 3.1.2.6.5 Where the excavation would substantially damage a known aquifer, so designated by the United States Geological Survey and the Town of Londonderry Water Resource Management and Protection Plan dated Feb. 1991, or as most recently amended
 - 3.1.2.6.6 When the excavation requires land use permits from state or federal agencies; but the Planning Board may approve the application when all necessary land use permits have been obtained.
 - 3.1.2.6.7 Where the project cannot comply with the restoration provisions of Section 3.1.2.8.
- 3.1.2.7 **Minimum and Express Operational Standards**
The following are the general conditions with which all excavation work must comply, following issuance of a permit:
- 3.1.2.7.1 No excavation shall be permitted below road level within fifty (50) feet of the right of way of any public highway as defined in RSA 229:1 unless the excavation is for the purpose of said highway.
 - 3.1.2.7.2 If the project site abuts a zoned Residential, Commercial III, or Commercial IV: No excavation shall be permitted within seventy-five (75) feet of the boundary of a disapproving abutter, within one thousand (1000) feet of any building which either existed or for which a building permit has been issued at the time the excavation is commenced.
 - 3.1.2.7.3 If the site abuts a lot zoned Commercial I, II or Industrial: No excavation shall be permitted within fifty (50) feet of the boundary of any disapproving abutter, within one thousand (1000) feet of any dwelling unit which either existed or for which a building permit has been issued at the time the excavation is commenced, within one hundred (100) feet of any other building which either existed or for which a building permit has been issued at the time the excavation is commenced.

- 3.1.2.7.4 No excavation will be permitted within seventy-five (75) feet of any great pond, navigable river, or other standing body of water ten (10) acres or more in area or within twenty-five (25) feet of any other stream, river, or brook which normally flows throughout the year, or any naturally occurring standing body of water less than ten (10) acres, Named Wetland from Section 2.6.3.9, prime wetland as designated by RSA 482-A15, or any other wetland greater than five (5) acres in area as defined by the Wetlands Board.
- 3.1.2.7.5 Vegetation shall be maintained or provided within the peripheral areas as required by paragraphs 3.1.2.7.1 through 3.1.2.7.4.
- 3.1.2.7.6 Drainage shall be maintained so as to prevent the accumulation of free-standing water for prolonged periods. Excavation practices which result in continued siltation of surface water supplies are prohibited.
- 3.1.2.7.7 No fuels, lubricants, or other toxic or polluting materials shall be stored on site unless in compliance with state laws or rules pertaining to such materials .
- 3.1.2.7.8 Where temporary slopes will exceed a grade of 1:1, a fence or other suitable barricade shall be erected to warn of danger or limit access to the site.
- 3.1.2.7.9 All original topsoil shall be stockpiled on the site and spread on the final slopes. No original topsoil, including loam, may be removed from the site unless written permission therefore is given by the Planning Board.
- 3.1.2.7.10 Interim, i.e., daily, and final slopes shall not be left steeper than three to one (3:1), unless written permission is obtained from the Planning Board, who may require specific soils data to be obtained at the expense of the owner.
- 3.1.2.7.11 If the slope intervals are higher than twenty (20) feet they shall be terraced at intervals of twenty (20) feet, terraces to be at least five (5) feet wide.
- 3.1.2.7.12 Hours of excavation shall be limited, such that no work shall take place prior to 7:00 a.m., after 7:00 p.m.; prior to 9:00 a.m., after 5:00 p.m. on Saturdays; or on Sundays or holidays.
- 3.1.2.7.13 Blasting shall be in accordance with the Town of Londonderry Regulations.
- 3.1.2.7.14 All structures and processing equipment shall be setback a minimum of one thousand (1000) feet from a building which either existed or for which a building permit has been issued at the time the excavation is commenced, two hundred fifty (250) feet from all property lines.
- 3.1.2.7.15 Maximum height of structures and processing equipment shall be fifty (50) feet from the ground surface where the equipment is located.
- 3.1.2.7.16 The operation shall comply with all applicable federal, state, and local air pollution control laws and regulations. Dust shall be controlled so that there are no visible emissions present at the property boundary.
- 3.1.2.7.17 Devices to muffle equipment noise, landscape earth berms, screen planting, decorative screen walls or other barriers or devices shall be installed as necessary to achieve compliance with the Town of Londonderry noise control standards. At the property line, noise shall not exceed a maximum level of seventy-five (75) decibels.
- 3.1.2.7.18 Operation and other activities, other than blasting, shall cause no inherent or recurring generated vibrations perceptible without instruments at any point along the property line.

3.1.2.8 **Minimum and Express Reclamation Standards**

Within twelve (12) months after the expiration date in the permit or the completion of the excavation, whichever comes first, the owner of the excavated land shall restore the area affected by the excavation to meet each of the following standards:

- 3.1.2.8.1 Except for exposed rock ledge, said area shall be covered with vegetation suitable to prevent erosion and with soils suitable to sustain such vegetation, thus:

- 3.1.2.8.1.1 No area shall be left in such a condition that erosion of the area after completion of the work may result in water pollution by silt or other deleterious substances.
- 3.1.2.8.1.2 The area will be left in such shape and condition that material will not wash, block, or obstruct drainage ways.
- 3.1.2.8.1.3 Unless the area is intended to serve as an approved pond for recreation purposes, the area shall be left as free draining as practicable.
- 3.1.2.8.1.4 The topography of the land shall be left so that water draining from the site leaves the property at the original, natural drainage points and in the natural proportions of flow.
- 3.1.2.8.1.5 Unless otherwise allowed in writing by the Planning Board, all disturbed areas shall be spread with original topsoil or strippings, if any, to a minimum four (4) inch depth.
- 3.1.2.8.1.6 Unless waived in writing or otherwise stipulated by the Planning Board, areas from which trees have been removed shall be planted with two-year old plants or plants furnished under a standard nursery order. Seedlings without center buds and seedlings with pruned roots will not be accepted. Seedlings will be set out under horticultural practice at eight-foot spacing in both directions, all as approved by the Planning Board.
- 3.1.2.8.1.7 Areas from which low brush or grass has been removed shall be covered with material capable of supporting vegetation and seeded in accordance with *Vegetating New Hampshire Sand and Gravel Pits*, revised April 1991, or as most recently amended.
- 3.1.2.8.1.8 Unless written permission has been obtained by the Planning Board to preserve fire or other access roads (paved or unpaved) to excavated areas, such roads shall be obliterated.
- 3.1.2.8.2 Earth and vegetative debris resulting from excavation shall be buried or removed.
- 3.1.2.8.3 The elimination of any standing bodies of water created in excavation project as may constitute a hazard to health and safety, unless the Planning Board specifies different restoration.
- 3.1.2.9 **Amendment of Permit**
If the scope of a project for which an excavation permit has been issued is proposed to be altered so as to affect either the size or location of the excavation, the rate of removal or the restoration plan, the owner shall submit an application for amendment of his excavation permit, which application shall be subject to approval in the same manner as provided for an original excavation permit.
- 3.1.2.10 **Hearing on Applications**
Prior to the Planning Board approving an application for an excavation permit or an application for an amended excavation permit, a public hearing shall be held in accordance with RSA 155-E:7.
- 3.1.2.11 **Issuance of Permits; Prerequisites**
If the Planning Board approves the application after a public hearing and determines it is not prohibited by Section 3.1.2.6 above, the Board shall grant an excavation permit only after:
 - 3.1.2.11.1 Town Receipt of an excavation permit fee as shown in 3.1.2.15.
 - 3.1.2.11.2 Unless waived by the Planning Board, receipt by Finance department of a bond or other surety in an amount computed by the Department of Public Works and

approved by the Planning Board as being reasonably sufficient to guarantee permit compliance.

- 3.1.2.11.3 Unless waived by the Planning Board, receipt by the Planning Board of a letter by counsel for the Planning Board certifying all documents as to form, said counsel fees to be paid by the owner.

3.1.2.12 Posting, Transferability, Expiring Dating and Conditions on Permits

- 3.1.2.12.1 A copy of the permit shall prominently be posted at the excavation site or the principal access thereto.
- 3.1.2.12.2 A permit shall not be assignable or transferrable without the prior written consent of the Planning Board.
- 3.1.2.12.3 A permit shall specify the date upon which it expires.
- 3.1.2.12.4 The Planning Board may include in a permit reasonable conditions as are consistent with the purpose of RSA 155-E, including the provision of visual barriers to the excavation.

3.1.2.13 Rehearings

- 3.1.2.13.1 If the Planning Board disapproved or approves an application for an excavation permit or an application for an amended permit, any interested person affected by such decision may appeal to the Planning Board for a rehearing on such decision or any matter determined thereby. The motion for a rehearing shall fully specify every ground upon which it is alleged that the decision or order complained of is unlawful or unreasonable, and said appeal shall be filed within ten (10) days of the date of decision appealed from. The Planning Board shall grant or deny the request for rehearing within ten (10) days, and if the request is granted, a rehearing shall be scheduled within thirty (30) days.
- 3.1.2.13.2 Any persons affected by the Planning Board's decision on a motion for rehearing to the Planning Board may appeal in conformity with the procedures specified in RSA 677:4-14.

3.1.2.14 Violation and Penalties; Enforcement

- 3.1.2.14.1 The Planning Board or its duly authorized agent may suspend or revoke the permit of any person who has violated any provision of his permit or this chapter or made a material misstatement in the application upon which his permit was granted. Such suspension or revocation shall be subject to a motion for rehearing thereon and appeal in accordance with Section 3.1.2.13.
- 3.1.2.14.2 The Planning Board or a person affected thereby may seek an order from the Superior Court that the violator cease and desist from violation of any provision of his permit or this chapter and take such action as may be necessary to be in compliance with his permit and this chapter. If the Superior Court issues such an order, the Planning Board or person affected, as the case may be, shall have judgement for all costs and attorney fees in seeking such an order.
- 3.1.2.14.3 To ascertain if there is compliance with this chapter, a permit issued hereunder or an order issued hereunder, the Planning Board or its duly authorized agent may enter upon land on which there is reason to believe an excavation is being conducted or has been conducted since January 1, 1979.
- 3.1.2.14.4 Whoever violates any provision of this chapter, a permit issued hereunder or valid order issued hereunder shall be guilty of a misdemeanor, if a natural person, or guilty of a felony, if any other person.

3.1.2.15 **Fees:** The owner is responsible for fees in accordance with the requirements of the Londonderry Site Plan Regulations, as most recently amended.

3.1.2.16 **Specifications for Plans and Documents**

3.1.2.16.1 Specifications for plans and documents shall be in accordance with the Town of Londonderry Site Plan Regulations unless otherwise stated in this section.

3.1.2.16.2 Site Plan: the site plan shall consist of a development plan, mitigation plan, and reclamation plan. The site plan shall be processed in accordance with the Town of Londonderry Site Plan Regulations.

3.1.2.16.2.1 **Development Plan:** The Development Plan shall show how the mining and excavation uses proposed on the site conform to Town Regulations. The Development Plan includes a site plan that shows the location of physical site features and extraction and processing features:

- 3.1.2.16.2.1.1 Lot boundary (metes and bounds)
- 3.1.2.16.2.1.2 Area to be mined and excavated
- 3.1.2.16.2.1.3 Existing topography at contour intervals of five or fewer feet, based on USGS
- 3.1.2.16.2.1.4 Wooded and heavily vegetated areas
- 3.1.2.16.2.1.5 The location and size of all underground and overhead utilities. The location of all manholes, transformer poles and other appurtenant facilities or structures shall be shown
- 3.1.2.16.2.1.6 Location and extent of any stone walls, ledge outcroppings, wells, existing buildings, septic systems, etc.
- 3.1.2.16.2.1.7 Existing and proposed fencing, buffers or visual barriers, including height and materials
- 3.1.2.16.2.1.8 The location of existing buildings, structures, septic systems and wells within one hundred fifty (150) feet of the property boundary
- 3.1.2.16.2.1.9 Any existing or proposed accessory facilities/activities
- 3.1.2.16.2.1.10 The location of all driveways and road intersections within two hundred (200) feet of the property boundary
- 3.1.2.16.2.1.11 Existing and proposed access roads, including width and surface materials
- 3.1.2.16.2.1.12 Parking and loading areas
- 3.1.2.16.2.1.13 Log of borings or test pits that extend to either the seasonal high water table, ledge, or a minimum of six feet below the maximum proposed excavation depth, including locations and soil data
- 3.1.2.16.2.1.14 The duration of operation, hours of operation, and the quantity of materials to be removed
- 3.1.2.16.2.1.15 Proposed routes of truck traffic from the site within the Town of Londonderry.

3.1.2.16.2.2 **Mitigation Plan:** The Mitigation Plan relates to the development plan and includes a site plan, narrative and cross-section that explain, illustrate and show mining procedures, practices, policies and methods that meet operational standards. The Mitigation Plan shall be at the same scale as the development plan, and covering the same area. The Mitigation Plan shall include:

- 3.1.2.16.2.2.1 Elevations for the floor of the pit when mining is completed (prior to restoration)
- 3.1.2.16.2.2.2 The cross-section of the anticipated depth of extraction and ground slope when mining is completed (prior to restoration)
- 3.1.2.16.2.2.3 All stockpile areas on site
- 3.1.2.16.2.2.4 Drainage study. The drainage study should be in accordance with the Town of Londonderry Site Plan Regulations
- 3.1.2.16.2.2.5 Erosion and sedimentation plan. This plan shall illustrate how erosion, sedimentation and nonpoint source pollution and contamination of the water table, nearby water bodies, streams, rivers, etc. will be avoided
- 3.1.2.16.2.2.6 A narrative explaining the actions the operator will take to reduce noise, dust, litter, and vibration. Also, where the operator will provide safety fencing and detail of the type of fencing
- 3.1.2.16.2.3 **Reclamation Plan:** The Reclamation Plan shows how the site is to be restored or redeveloped after all mining is concluded. The Reclamation Plan shall show either the final reuse and site configuration after the mining and excavation is ended or the interim holding use of the site and ground surface treatment until a later end-state reuse of the site is identified. The Reclamation Plan shall be at the same scale as the development plan, and covering the same area. The Reclamation Plan shall include:
 - 3.1.2.16.2.3.1 All boundaries of the area proposed for reclamation
 - 3.1.2.16.2.3.2 Final topography of the area proposed for reclamation
 - 3.1.2.16.2.3.3 Final surface drainage pattern, including the location and physical characteristics of all artificial and/or modified drainage facilities
 - 3.1.2.16.2.3.4 The location of buried earth or vegetative debris
 - 3.1.2.16.2.3.5 Schedule of final reclamation activities including seeding mixtures, cover vegetation, fertilizer types and rates
 - 3.1.2.16.2.3.6 Subsequent use of the site, if known or anticipated.
- 3.1.2.17 **Design Standards and Requirements for Improvements**
Design standards and requirements for improvements shall be in accordance with the Town of Londonderry Site Plan Regulations unless otherwise noted in Section 3.1.2.
- 3.1.2.18 **Assurances for Completion and Maintenance of Offsite Improvements**
 - 3.1.2.18.1 A financial security shall be submitted to the Town of Londonderry for the repairing of damage to public highways and infrastructure (bridges, culverts, etc.) caused by truck traffic to and from the site. The financial security shall be in accordance with the Town of Londonderry Site Plan Regulations.
 - 3.1.2.18.2 A financial security shall be submitted for any offsite improvement associated with the approved plan. The financial security shall be in accordance with the Town of Londonderry Site Plan Regulations.
- 3.1.2.19 **Reclamation Bond**
The owner shall submit a financial security to the Town of Londonderry to insure the reclamation of the site. The financial security shall be in accordance with the Town of Londonderry Site Plan Regulations.
- 3.1.2.20 **Annual Renewal**
The owner shall complete and submit the *Excavation Renewal Form* (available in the

Planning Department) on or before September 1 of each year. The Planning Board's duly authorized agent shall inspect the site, review the reclamation bond and submit a report to the Planning Board regarding the project's conformance with the approved site plan. The permit will be acted upon by the Planning Board on or before December 31 of each year.

3.1.2.21 Inspection

The Planning Board or its duly authorized agent shall have access to the excavation site at all times in order to inspect the site to insure compliance with the approved site plan.

- 3.1.3 The construction of wireless communications facilities shall be subject to Section 3.9 Wireless Facilities - Regulation and Performance Criteria.

3.2 PERFORMANCE STANDARDS

3.2.1 Performance Standards for Commercial and Industrial Districts:

It is the intent of these regulations to prevent land or buildings, including those permitted by right or special exception, from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare or heat; liquid or solid refuse or wastes; conditions conducive to the breeding of rodents or insects; or other substances or conditions in a manner or amount as to adversely affect the surrounding area.

3.2.2 Vibration

No vibration shall be produced which is transmitted through the ground and is discernable without the aid of instruments at or at any point beyond the lot line.

3.2.3 Noise

All noise, except that generated by normal automobile, truck or railroad service shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. At property lines, noise may not exceed a maximum level of 75 decibels.

3.2.4 Air Pollution

3.2.4.1 Visible Emissions

There shall not be discharged into the atmosphere from any source any air pollutant in excess of the darkness limitation listed below. Visible emissions of any kind at ground level past the lot line of the property on which the source of the emissions is located are prohibited.

3.2.4.2 Smoke and Air Contaminants

- 3.2.4.2.1 Smoke shall be regulated by the Ringlemann Chart method and limited to a maximum No. 2 Ringlemann for periods totaling four (4) minutes in any thirty (30) minute period and No. 3 Ringlemann for periods totaling (3) three in any fifteen (15) minutes when starting a new fire.

- 3.2.4.2.2 At property lines, dust, dirt and fly ash shall not exceed 0.3 grains per cubic foot of flue gas at a stack temperature of 500F and shall not exceed fifty (50) percent excess air and in no manner be unclean, destructive, unhealthful, hazardous nor shall visibility be impaired by the emission of a haze which unduly impedes vision within apparent opaqueness equivalent to No. 2 of the Ringlemann Chart.

- 3.2.4.2.3 There shall be no emission of an air contaminant from a manufacturing process or its equipment if the emitted contaminant as measured in the flue contains sulfur dioxide of more than 2000 parts per million.
- 3.2.4.2.4 The construction, reconstruction, installation or substantial alteration of incinerators is prohibited unless detailed plans and specifications have been submitted to, and approved by the State of New Hampshire Air Pollution Control Agency.
- 3.2.4.2.5 Material Handling - No person shall cause or permit any materials to be handled, transported, or stored in a manner which allows or may allow particulate matter to become airborne.
- 3.2.5 Odors

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped or so modified as to remove the odor.
- 3.2.6 Glare and Heat

No direct or sky-reflected glare from high temperature processes such as combustion or welding or otherwise, so as to be visible at the lot line shall be permitted.
- 3.2.7 Harmful Interference

As defined in the Federal Communications Commission's rules as amended, harmful interference is prohibited and, if caused shall be immediately eliminated.
- 3.2.8 Sewage and Waste Disposal
 - 3.2.8.1 All industrial operations will be subject to the Londonderry Industrial Pretreatment Program which will ensure that all liquid wastes meet federal, state, and local regulations prior to disposal into a municipal sewer system.
 - 3.2.8.2 No waste material or refuse shall be dumped upon or permitted to remain upon any part of any property outside of the building constructed thereon.
 - 3.2.8.3 All hazardous or toxic solid wastes generated by any industrial process will be disposed of in accordance with guidelines established in the Londonderry Industrial Pretreatment Program.
- 3.2.9 Curb and Gutter

Curb and gutter shall be installed where deemed necessary by the Director of Public Works, 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.
- 3.2.10 Sidewalks and Pedestrian Facilities

Sidewalks shall be provided on-site, as necessary to protect pedestrians and promote the safe and efficient movement of pedestrian and vehicular movement. 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.
- 3.2.11 Lighting

Please see Section 3.13 of the Town of Londonderry Site Plan Regulations for requirements and standards for lighting.

3.2.12 Electrical Power and Communication System Lines

All electrical power and communication system lines shall be installed underground within the site.

3.3 CONSERVATION SUBDIVISIONS

- 3.3.1 Purposes. A Conservation Subdivision represents a form of residential development where, instead of subdividing an entire tract of land into lots of conventional size and arrangement, a similar number of lots can be arranged on the land in a more innovative fashion which better fits the topography and natural attributes of the site. The remaining land in the tract that has not been built upon shall be set aside for open space or integrated among the housing units and reserved for usable common open space. This open space designation shall be held in a form of ownership that will prevent it from being further subdivided or developed.

The purpose for establishing this section is to promote a development pattern that creates areas of useable and accessible open space, provides land for open space, prevents disruption of natural topography and drainage systems, maintains the rural and open character of the undeveloped area of the Town; protects historically significant buildings, resources, and/or landscapes; protects valuable wildlife areas; allows for attractive site design; encourages a more environmentally practical utility and street network; and assists the Town in the goals of protecting open space and providing housing alternatives as outlined in the Master Plan.

3.3.2 Objectives

- 3.3.2.1 To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of land.
- 3.3.2.2 To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands, and wildlife habitat
- 3.3.2.3 To permit clustering of houses and structures on less environmentally sensitive soils, which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- 3.3.2.4 To reduce soil erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- 3.3.2.5 To encourage interconnected greenways and corridors throughout the community.
- 3.3.2.6 To encourage contiguous green space with adjacent jurisdictions.
- 3.3.2.7 To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- 3.3.2.8 To encourage street design that reduces traffic speeds and reliance on main arteries.
- 3.3.2.9 To encourage construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- 3.3.2.10 To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- 3.3.2.11 To protect prime agricultural land and preserve farming as an economic activity.
- 3.3.2.12 To preserve important historic and archaeological sites.

3.3.3 General Regulations

- 3.3.3.1 Applications of Regulations. This Conservation Subdivision option is available as a use by right in the AR-I Zoning District. The Applicants shall comply with all other provisions of the zoning ordinance and all other applicable regulations, except those that are incompatible with the provisions contained herein.
- 3.3.3.1.1 Lots of greater than 20 acres in the AR-I Zone that are located closer than 100 feet to a parcel already protected by the Town of Londonderry by easement or ownership for Open Space purposes, and which require the construction of a new roadway to access newly subdivided lots, shall be required to utilize the Conservation Subdivision requirements of this section for any subdivision of the land for housing development.
- 3.3.3.2 Housing Density Determination. The maximum number of lots in the Conservation Subdivision shall be determined by either of the following methods, at the discretion of the applicant:
- 3.3.3.2.1.1 **Calculation Method:** the maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning.
- 3.3.3.2.1.2 Where public sewer is not available, the maximum density for a Conservation Subdivision using the calculation method will be established by using Table 2 in Section 2.3.1.3 of this ordinance, and computing a total soil carrying capacity of all allowed soils found in the parcel proposed for subdivision. The soil carrying capacity of any soil is to be calculated by dividing the given area of any soil type by the required area for that soil type found in Table 1. The resulting number shall be multiplied by 85 percent to obtain the maximum number of dwelling lots permitted in the Conservation Subdivision.
- 3.3.3.2.1.3 Where public sewer is available, the maximum density will be established by using Table 1 of Section 2.3.1.3 of this ordinance, divided by the total area of the entire parcel to be subdivided.
- 3.3.3.2.1.4 In using the Calculation Method for determining the maximum number of lots, the following shall not be included in the total area of the parcel:
- 3.3.3.2.1.4.1 Slopes over 25% of at least 5000 square feet contiguous area;
- 3.3.3.2.1.4.2 The 100-year floodplain;
- 3.3.3.2.1.4.3 Drainage Easements; and
- 3.3.3.2.1.4.4 Wetlands that meet the definition of this ordinance.
- 3.3.3.2.2 **Yield Plan Method:** The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site feature and all applicable regulations
- 3.3.3.3 **Lot Area and Shape.**
- 3.3.3.3.1 The minimum lot size (prior to subdivision) for a Conservation Subdivision is 20 acres in common beneficial ownership. The minimum frontage for the development shall be a contiguous 100 feet and of sufficient length to provide safe access for a right-of-way of at least 50 feet.

3.3.3.3.2 Minimum Lot Size

- 3.3.3.3.2.1 For lots connected to public or community water and sewer: The minimum lot size in a Conservation Subdivision shall be one half (½) acre in size.
- 3.3.3.3.2.2 For lots connected to public or community sewer, but utilizing an onsite well for water service: The minimum lot size in a Conservation Subdivision shall be one half (½) acre in size.
- 3.3.3.3.2.3 For lots connected to public or community water, but utilizing an onsite septic system: The minimum lot size in a Conservation Subdivision shall be one half (½) of the total calculated minimum lot size using Table 2 of Section 2.3.1.3.1 of this ordinance or ½ acre, whichever is greater.
- 3.3.3.3.2.4 For lots serviced by an onsite well and an onsite septic system: The minimum lot size in a Conservation Subdivision shall be the total calculated minimum lot size using Table 2 of Section 2.3.1.3.1 of this ordinance or 1 acre, whichever is greater.

- 3.3.3.3.3 Frontage: Every building lot in the Conservation Subdivision shall have a minimum frontage of fifty (50) feet along a street providing access exclusively to the Conservation Subdivision and situated entirely within the Conservation Subdivision.

3.3.3.4 Setbacks.

- 3.3.3.4.1 Setbacks from exterior property lines of the entire development parcel (the lot as it existed prior to subdivision) shall be 25 feet.
- 3.3.3.4.2 Minimum Setback for Structures from Property Lines:
- | | |
|-------|---------|
| Front | 30 feet |
| Side | 15 feet |
| Back | 15 feet |

- 3.3.4 **Density Bonus Criteria.** All density bonuses are subject to approval of a Conditional Use Permit from the Planning Board and each bonus is computed on the base density as defined in Section 3.3.3.3 above. (For example, if a Conservation Subdivision was approved for 100 units and had two density bonuses of 10% each, the total authorized units would be 120, not $100 \times 1.1 \times 1.1 = 121$.)

- 3.3.4.1 Where the proposed Conservation Subdivision plan shows 50% or more of the total parcel as open space protected as such in perpetuity, the development may be awarded a density bonus of 10%.
- 3.3.4.2 Public Access Bonus- Where the public is granted access to the open space or a small (5 spaces or less) off-street gravel parking area for people to access open space is provided, the development may be awarded a density bonus of 5%. The intent of the bonus is permit pedestrian use, the Planning Board, may reasonably restrict the use of motorized vehicles.
- 3.3.4.3 Agricultural Lands and Use Bonus- Where the development protects agriculturally valuable lands and provides for their use as such in perpetuity, the development may be awarded a density bonus of up to 10%. The Planning Board shall, on a case-by-case basis, determine the bonus percentage by considering the size of the project, the quality of the soils, and the number of acres of farmland preserved. The open space portion preserved for agricultural use must be at least three and one-half (3.5) contiguous acres and must be reasonably accessible. To receive the maximum bonus it must either have

been historically farmed, or contain prime, statewide or locally significant agricultural soils, as shown on NRCS soil maps

- 3.3.4.4 Additional Protection Bonus - Where the development is able to protect unique characteristics, including the following, it may be awarded a total density bonus under this section 3.3.4.4 of up to 10%, in the sole discretion of the Planning Board. The development must provide for the protection of these resources in perpetuity and trail corridor protection must allow for reasonable public access:
 - 3.3.4.4.1 Viewsheds, which are lands or corridors of land that contribute to the visual landscape of the town, including items such as open fields containing stone walls, mature forests, visible water bodies and their buffers.
 - 3.3.4.4.2 Historically significant buildings and landscapes identified by the Heritage/Historic District Commission.
 - 3.3.4.4.3 Valuable wildlife habitat and exemplary natural communities confirmed by the Conservation Commission.
 - 3.3.4.4.4 Linking open space parcels or trail corridors through the site with existing trails or open space networks located off the subject parcel.
 - 3.3.4.4.5 Including land identified as part of the Londonderry Open Space Plan.
- 3.3.4.5 Bonus Multiplier for projects using Development Yield Method. The yield for residential Conservation Subdivision development shall be determined by total bedrooms and shall not exceed the following:
 - 3.3.4.5.1 4 bedroom units= (yield plan + bonuses) /1.00
 - 3.3.4.5.2 3 bedroom units= (yield plan + bonuses) / 0.85
 - 3.3.4.5.3 1 & 2 bedroom units= (yield plan + bonuses) /0.65
- 3.3.4.6 Density Bonus Cap: No Conservation Subdivision shall be granted bonuses totaling greater than 20% when combined.
- 3.3.5 **Application Requirements:** Refer to the Londonderry Subdivision Regulations for specific application requirements.
- 3.3.6 **Open Space**
 - 3.3.6.1 Definition. For purposes of this section of the Zoning Ordinance, open space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of a legal instrument approved by the Planning Board for the subdivision.
 - 3.3.6.2 Standards to Determine Open Space.
 - 3.3.6.2.1 The minimum restricted Open Space shall comprise at least 40% of the gross tract area.
 - 3.3.6.2.2 The following are considered Primary Conservation Areas and are required to be included within the Open Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this section:
 - 3.3.6.2.2.1 The regulatory 100-year floodplain;

- 3.3.6.2.2.2 Conservation Overlay (CO) District areas;
 - 3.3.6.2.2.3 Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - 3.3.6.2.2.4 Habitat areas of endangered or threatened species; and
 - 3.3.6.2.2.5 Archaeological sites, cemeteries, and burial grounds.
 - 3.3.6.2.2.6 Land included within the Londonderry Open Space Plan, to the extent the subject tract has sufficient acreage outside the town-designated goal for open space to meet the minimum requirements for a Conservation Subdivision.
 - 3.3.6.2.2.7 Lands containing prime agricultural soils as shown on NRCS soils maps that are at least three and one-half (3.5) acres in size.
- 3.3.6.2.3 The following are considered Secondary Conservation Areas and should be included within the Open Space to the maximum extent feasible.
- 3.3.6.2.3.1 Important historic sites;
 - 3.3.6.2.3.2 Existing healthy, native forests of at least one acre contiguous area;
 - 3.3.6.2.3.3 Individual existing healthy trees greater than 8 inches caliper, as measured from their outermost drip line;
 - 3.3.6.2.3.4 Other significant natural features and scenic view sheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - 3.3.6.2.3.5 Lands containing statewide significant agricultural soils as shown on NRCS soils maps that are at least three and one-half (3.5) acres in size.; and,
 - 3.3.6.2.3.6 Existing trails that connect the tract to neighboring areas.
- 3.3.6.2.4 Above-ground utility rights-of-way and small areas of impervious surface (for use in trails) may be included within the protected Open Space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
- 3.3.6.2.5 At least 75 percent of the Open Space shall form a contiguous area of land. The Open Space should adjoin any neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.
- 3.3.6.2.6 The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the Open Space.
- 3.3.6.2.7 A minimum of 25% of the total required open space land must be useable uplands and reasonably available for recreational purposes, provided however, that no more than 50% of the total required open space shall be utilized for such purpose in order to preserve a reasonable proportion of natural area on the site.
- 3.3.6.2.7.1 The minimum required Open Space shall not contain more than 50% of the sum of the following kinds of unbuildable land:

- 3.3.6.2.7.1.1 CO District Areas and Wetlands as defined in Section 4.7;
- 3.3.6.2.7.1.2 Slopes exceeding a grade of 25% of at least 5,000 square feet contiguous area;
- 3.3.6.2.7.1.3 Drainage facilities/Drainage Easements;
- 3.3.6.2.7.1.4 Land used for septic systems;
- 3.3.6.2.7.1.5 Floodways, as shown on official FEMA maps.

3.3.6.2.8 Permitted Uses of Open Space. Uses of Open Space may include the following:

- 3.3.6.2.8.1 Conservation of natural, archeological or historical resources;
- 3.3.6.2.8.2 Meadows, woodlands, wetlands, wildlife corridors, or similar conservation-oriented areas;
- 3.3.6.2.8.3 Walking or bicycle trails, provided they are constructed of porous paving materials;
- 3.3.6.2.8.4 Passive recreation areas that only minimally disturb the natural vegetation, e.g. walking trails;
- 3.3.6.2.8.5 Active recreation areas, provided that they are limited to no more than 10 percent of the total Open Space and are not located within Primary Conservation Areas. Active recreation in excess of this limit must be located outside of the protected Open Space;
 - 3.3.6.2.8.5.1 Uses customarily accessory to permitted outdoor-recreational uses such as small clubhouses (less than 1,500 square feet), maintenance facilities, or gazebos shall be permitted by Conditional Use Permit.
- 3.3.6.2.8.6 Community gardens, agriculture, horticulture or silviculture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;
- 3.3.6.2.8.7 Stormwater best management practices (may not encompass more than 5% of the protected open space);
- 3.3.6.2.8.8 Easements for drainage, access, and underground utility line; or
- 3.3.6.2.8.9 Other conservation-oriented uses compatible with the purposes of this ordinance.

3.3.6.2.9 Prohibited uses of Open Space.

- 3.3.6.2.9.1 Golf courses;
- 3.3.6.2.9.2 Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- 3.3.6.2.9.3 Agricultural and forestry activities not conducted according to accepted Best Management Practices; and
- 3.3.6.2.9.4 Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

3.3.6.2.10 Open Space Layout. Open space land shall be platted as undivided parcels to facilitate easement monitoring, enforcement, maintenance, and to promote appropriate management by a single entity exercising single or common ownership according to this Section, and the approved plans.

- 3.3.6.2.10.1 As part of the application an open space plan shall be submitted showing a clear delineation of parcels of open space land that is not to be developed.

- The open space plan shall be recorded at the Registry of Deeds and shall indicate that development is restricted in perpetuity.
- 3.3.6.2.10.2 Open space shall be directly accessible to the largest possible number of lots within the development and to town officials or designees for monitoring purposes.
- 3.3.6.2.10.3 Safe and convenient pedestrian access to open space shall be provided from all lots not adjoining the open space.

3.3.6.2.11 Ownership and Management of Open Space.

- 3.3.6.2.11.1 Ownership of Open Space. Conservation Areas provided by open space subdivisions shall be permanently protected as open space and shall be conveyed in one of the following ways subject to the approval of the Planning Board:
- 3.3.6.2.11.1.1 To the Town of Londonderry and accepted by the Town Council for park, open space or other specified conservation uses;
 - 3.3.6.2.11.1.2 To the State of New Hampshire for permanent open space uses; To a private non-profit organization whose principal purposes is the conservation of open space with the financial and organizational means for perpetual stewardship, such as the Audubon Society of New Hampshire, the Society for the Protection of New Hampshire Forests, or other land trust that has adopted the Land Trust Alliance Standards and Practices;
 - 3.3.6.2.11.1.3 To a corporation or trust, such as a homeowner's association owned or to be owned by the owners of lots or dwelling units within the subdivision, or to owners of shares within a cooperative development, by incorporation of appropriate restrictions in the instrument of conveyance, enforceable by the town of Londonderry;
 - 3.3.6.2.11.1.4 A private landowner such as a farmer or forest manager that will manage it for the uses consistent with the purposes of this Article by incorporation of appropriate restrictions in the instrument of conveyance, enforceable by the town of Londonderry;
- 3.3.6.2.11.2 The applicant must identify the owner of the Open Space who shall be responsible for maintaining the Open Space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space, for continued compliance with the use limitations of the Conservation Subdivision regulations, and for any facilities located thereon shall be borne by the owner.
- 3.3.6.2.11.3 Management Plan. Applicant shall submit a Plan for Management of Open Space and Common Facilities ("Plan") that:

- 3.3.6.2.11.3.1 Allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - 3.3.6.2.11.3.2 Estimates the costs of staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided;
 - 3.3.6.2.11.3.3 Provides that any changes to the Plan be approved by the Planning Board; and,
 - 3.3.6.2.11.3.4 Provides for enforcement of the Plan.
- 3.3.6.2.11.4 In the even the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the Town of Londonderry may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

3.3.6.2.12 Legal Instrument for Permanent Protection.

- 3.3.6.2.12.1 The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
- 3.3.6.2.12.1.1 A permanent conservation easement in favor of either:
 - 3.3.6.2.12.1.1.1 A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements that has adopted the Land Trust Alliance Standards and Practices. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - 3.3.6.2.12.1.1.2 A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.
 - 3.3.6.2.12.1.2 A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
 - 3.3.6.2.12.1.3 An equivalent legal tool that provides permanent protection, if approved by the Town of Londonderry.
- 3.3.6.2.12.2 The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the Applicant chooses to place on the use of the Open Space.

- 3.3.7 **Road Design Criteria.** Roads in Conservation Subdivisions shall be designed to the appropriate road design criteria found in the Subdivision Regulations, as most recently amended.

3.4 BACK LOT DEVELOPMENT

3.4.1 BACK LOT DEVELOPMENT

3.4.1.1 Purpose

The purpose of Back Lot Development is to allow a landowner to develop areas of his/her property without any road frontage in exchange for permanently prohibiting development of roadside areas identified by the community as contributing to Londonderry's character, such as land that is being actively farmed. The purpose is also to protect open space, to maintain a viable contribution to the community's economic base through agricultural employment and gross regional product, and to product roadside land which will preserve the rural historic character of the community. The Planning Board is authorized to utilize a Conditional Use Permit in accordance with the provisions of RSA 674:21, innovative zoning.

The Planning Board finds:

- 3.4.1.1.1 Back lot development is consistent with the Natural Resource Objective 4 of the 1988 Master Plan "To purchase or otherwise protect selected open space areas for community needs."
- 3.4.1.1.2 Back lot development is consistent with the Historic Preservation Objective 2 of the 1988 Master Plan "to encourage the use of easements and covenants to insure that the essential qualities of specific buildings or sites remains intact."
- 3.4.1.1.3 Back lot development is consistent with the Agricultural Goal and Objective of the 1988 Master Plan "To encourage the continued use of land in Town for farming" and "to encourage the preservation of Londonderry's agricultural atmosphere".
- 3.4.1.1.4 Agriculture is an important component of Londonderry's community character.
- 3.4.1.1.5 The retention of stone walls and open space viewed from our roads enhances the community's rural and agrarian character.
- 3.4.1.1.6 The Londonderry Master Plan 1988, et seq., and the Orchard and Open Space Protection Plan, 1996, shall be used as a guide in determining which properties reflect this character.

3.4.1.2 Definitions

BACK LOT DEVELOPMENT - The development of up to four (4) single family house lots with reduced development requirements including a narrow connecting strip to a Class V or better street, in exchange for permanently protecting through the use of agricultural preservation restrictions or conservation easements, an area of two acres and 150' of frontage on a Class V or better street, contiguous to each new back lot developed.

AGRICULTURAL PRESERVATION RESTRICTION OR CONSERVATION

EASEMENT - For each lot created, the landowner shall place a permanent restriction on a minimum of two (2) acres of roadside agricultural land or open space with at least 150' of frontage per lot. The easement or restriction shall be granted to the Town and/or a non-profit conservation or agricultural organization. The landowner may retain ownership and use of the land, although its use would be limited to agriculture and open space. The Planning Board has the right to add easement language that maintains the rural character of the protected land. For example, best management practices could be proposed for orchard land or regular haying for meadowland. The

easements/restrictions must be in a form acceptable to the Planning Board.

PRIVATE ACCESS AGREEMENT OR COMMON DRIVEWAY - A narrow connecting strip extending from the public street (Class V or better) to the boundary of last lot of the back lot development. The common driveway shall be constructed in accordance with the requirements of Section 4.10.D.3.

FRONT LOT - The land abutting a public street (Class V or better) which is placed under a conservation easement or agricultural preservation restriction. The area of the front lot shall be a minimum of two acres with 150' of frontage and contiguous to the back lot.

3.4.1.3 General Requirements

3.4.1.3.1 The use of back lot development shall be subject to approval by the Planning Board under its Conditional Use Permit and shall be subject to approval by the Planning Board under the Londonderry Subdivision Regulations. It is strongly recommended that the applicant schedule a discussion with the Planning Board as early in the process as possible.

3.4.1.3.2 In order to grant a Conditional Use Permit, the Planning Board must have found that three of the following conditions apply to the site:

3.4.1.3.2.1 The property proposed for Back Lot Development typifies Londonderry's Rural and Agricultural character

3.4.1.3.2.2 Existing fields, pastures, orchards and other land in agricultural use with be preserved and maintained.

3.4.1.3.2.3 The development will leave unblocked or uninterrupted scenic views and vistas, particularly as seen from public roads, sites deemed worthy of preservation as listed in the Open Space and preservation Plan, 1996, and from Londonderry's Scenic Roads.

3.4.1.3.2.4 The project preserves historic and prehistoric sites and their environs in so far as needed to protect the character of the site.

3.4.1.3.2.5 The elements of the Back Lot Development (buildings, circulation, front lot, landscaping, etc.) Are arranged so as to protect valuable natural environments such as stream valleys, outstanding vegetation, water bodies or scenic views.

3.4.1.3.2.6 The restricted land is reasonably contiguous, coherent and if the tract of land abuts adjacent permanently protected open space, it is connected with it.

The Planning Board shall consult the list of properties and qualities of properties worthy of preservation generated by our citizens during the Board's 10/24/95 Orchard Preservation and Land Protection Plan citizen participation process. Subsequent amendments to this plan shall be considered as well. Plans presented by the applicant to illustrate the findings above may also be consulted.

3.4.1.3.3 The applicant shall place a permanent agricultural preservation restriction or conservation easement over a minimum of two (2) acres of roadside land (to be known as the FRONT LOT) with at least 150' of frontage on a Class V or better street and contiguous to each back lot created.

3.4.1.3.4 Setbacks shall be a minimum of fifteen (15) feet from each property line

3.4.1.3.5 Minimum back lot area shall not be less than one half (1/2) an acre. In addition, the back lot, together with the contiguous to acre restricted area assigned to it, shall satisfy the total soil carrying capacity as computed using Minimum Lot Size by Soil Type requirements specified in Section 4.03.

- 3.4.1.3.6 Residential uses in a back lot development shall be limited to single-family dwellings. No accessory apartments shall be allowed.
- 3.4.1.3.7 Fifty feet (50') of frontage is required on the common driveway for each back lot created. The area within the common driveway access easement running through the restricted front lot shall not be counted for frontage purposes.
- 3.4.1.3.8 All Zoning Regulations of the Town of Londonderry shall apply except as specified here.
- 3.4.1.4 Specific Design Requirements
 - 3.4.1.4.1 A Subdivision Plan of the entire site proposed for back lot development shall be provided.
 - 3.4.1.4.2 The Water Supply and Waste Treatment System for a back lot development shall be designed in accordance with the standards and requirements of the New Hampshire Water Supply and Pollution Control Division and the Town of Londonderry.
 - 3.4.1.4.3 Common driveway construction standards
 - 3.4.1.4.3.1 Common driveway must meet AASHTO criteria for street intersection sight distance.
 - 3.4.1.4.3.2 Maximum length of the common driveway shall not exceed twelve hundred (1200) feet
 - 3.4.1.4.3.3 The width of the common driveway access easement shall be thirty five (35) feet. Additional width may be required to accommodate slope and drainage easements.
 - 3.4.1.4.3.4 Paved travel lane width shall be eighteen feet (18'), with two foot (2') shoulders on each side.
 - 3.4.1.4.3.5 If only one (1) back lot is to be served by the driveway, the travel way may be gravel and twelve feet (12') wide.
 - 3.4.1.4.3.6 Common driveway to be constructed to Town of Londonderry Subdivision Street requirements.
 - 3.4.1.4.3.7 Maximum gradient eight percent (8%)
 - 3.4.1.4.4 Two (2) outdoor parking spaces are to be shown on each lot as no parking is allowed on the common driveway.
 - 3.4.1.4.5 Turnaround or "T" approved by the Fire Department shall be provided at the end of the common driveway.
- 3.4.1.5 Agricultural Preservation Restrictions and Conservation Easements

Agricultural Preservation Restrictions and Conservation Easements as appropriate are to be placed on the front lots and registered at the Rockingham County Registry of Deeds. Such easements and restrictions are to be in a form acceptable to the Planning Board of the Town of Londonderry. The back lots and the protected front lots shall be shown on the same subdivision plan/plat.
- 3.4.1.6 Home Owners Association

Home Owners Association shall be required in a form acceptable to the Planning Board.

 - 3.4.1.6.1 Within the deed of each lot will be the right to use of the common driveway or access easement, a shared snow plowing and maintenance agreement and a stipulation that the driveway cannot be offered to the Town for acceptance as a public way.
- 3.4.1.7 The common driveway

The common driveway shall be built and the access easement recorded prior to

issuance of certificate of occupancy for any dwelling located on a back lot.

3.5 MANUFACTURED HOUSING

3.5.1 Purpose

The purpose of this Section is to establish guidelines for the use of mobile homes/house trailers.

3.5.2 General Regulations

- 3.5.2.1 Every house trailer and mobile home hereinafter occupied as a dwelling shall be placed in an established trailer court/park, or on a separate lot in an AR district.
- 3.5.2.2 The provisions of this Section shall not apply to the continued use of any house trailer or mobile home now occupied as a dwelling in its present location.
- 3.5.2.3 If a house trailer or mobile home now occupied as a dwelling is moved from its present location, the future use of the trailer or mobile home must comply with the above paragraph 3.5.2.1.
- 3.5.2.4 This Section does not prohibit a person from substituting a new trailer or mobile home for the one now existing in its present location if the square footage of the living area is at least equivalent to the replaced unit.
- 3.5.2.5 Mobile homes entering or leaving courts or parks shall be registered by the owner at the Town Assessor's Office.
- 3.5.2.6 The maximum number of trailers or mobile homes allowed in any trailer park shall be four (4) per acre unless such trailer will be attached to a Town sewer system in which case a maximum of eight (8) per acre shall be allowed.
- 3.5.2.7 The placement or replacement of a mobile home, as may be allowed under the terms of this Ordinance, shall also comply with the provisions of the Floodplain Development Ordinance (Section 2.6.5) as it applies to mobile homes within special flood hazard areas.
- 3.5.2.8 Mobile homes shall have a minimum of 600 square feet and mobile homes shall be certified that they comply with the mobile home construction and safety standards as adopted by the Department of Housing and Urban Development in 1976. All other manufactured housing shall comply with the Building Code of the Town of Londonderry.

3.6 ELDERLY HOUSING

3.6.1 Objectives And Characteristics

The Elderly Housing and Elderly Affordable Housing standards are designed to permit an increased residential density above that allowed in the AR-I and R-III districts and to set criteria that assures that a project for the elderly will address the needs of elderly as opposed to any other residential use.

Any elderly housing development under this Section must be established and maintained in compliance with the Fair Housing Act, as amended, 42 USC Sec. 3601 et seq. The Board may require assurance of compliance with the Act by deed restriction or other instrument as condition of approval. "Such assurance may consist of a written plan submitted by the Developer, which sets forth (1) the regulations under the Fair Housing Act whereby a project may lawfully discriminate in favor of elderly residents, and (2) how the Developer does or proposes to comply with such requirements, including covenants and other deed restrictions and other to-be-recorded agreements."

3.6.2 Uses

3.6.2.1 Permitted Uses

3.6.2.1.1 Elderly Housing

3.6.2.1.2 Elderly Housing Support Facilities

Elderly Housing shall be allowed in any residential or commercial district in the Town of Londonderry, as long as all of the requirements of the “Regulations and Design Criteria” (Section 3.6.4), Elderly Housing, can be met.

3.6.2.2 Conditional Uses

3.6.2.2.1 Elderly Affordable Housing – subject to the requirements of Section 3.6.5.

3.6.3 Definitions

3.6.3.1 Open Space

Open Space is that portion of a lot open and unobstructed from its lowest level to the sky. It shall not include land occupied by buildings and structures as well as all roads and drives. Where no separate right-of-way is delineated for private streets, only the pavement areas of the street, curbs and sidewalks are excluded. Walkways integral to the open space areas that are not curbside sidewalks do not count. A minimum of 30% of the required open space shall be useable lands. Minimum areas between dwellings (3.6.4.2) and the minimum setback between the building and the edge of right-of-way for the internal road system (3.6.4.3) shall not be counted towards the required 30% useable uplands. Up to 50% of the required open space can be wetlands or water bodies.

3.6.3.2 Useable Uplands: Land which is not a water body, wetland, or steep slopes above 25%.

3.6.3.3 Elderly Affordable Rental Housing – Housing units that are intended for elderly leasehold residential occupancy, solely by those age 62 and over (as provided for in RSA 354-A:15), and that are subsidized and administered by a federal or state governmental entity.

3.6.4 Regulations And Design Criteria

3.6.4.1 Minimum size of tract area for a elderly housing development shall be fifteen (15) acres. This tract shall have a minimum of fifty (50) foot frontage on a Class V road or better and, at the discretion of the Planning Board, a second fifty (50) foot frontage on a Class V road or better may be required for traffic circulation or safety.

3.6.4.2 Each dwelling shall have a minimum separation from any other building of sixty (60) feet. Each single family dwelling shall have a minimum separation from any other building of thirty (30) feet.

3.6.4.3 Each building shall have a minimum setback of forty (40) feet from the edge of right-of-way of the internal road system.

3.6.4.4 Buffers - The Planning Board shall establish the criteria for a Buffer zone around the entire perimeter of the site based on the following:

3.6.4.4.1 Topographic features of the site and adjacent studies;

3.6.4.4.2 Use or zoning classification of abutting land;

3.6.4.4.3 Degree of visual barrier provided by proposed buffer.

In no event shall the buffer zone be less than the following:

Adjacent zone or use:

AR-I, R-III, = 30 feet

C-I, C-II, C-III = 50 feet

I-I, I-II = 50 feet

The criteria for establishing the buffer zone is found in the “Non-Residential Site Plan Review Regulations” and “Subdivision Regulations” of the Town of

Londonderry, as amended.

- 3.6.4.5 Parking - There shall be 1.2 parking spaces per bedroom in each unit. 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.
- 3.6.4.6 Building Height - The building height shall not exceed thirty-five (35) feet.
- 3.6.4.7 Dwelling Units – The maximum number of dwelling units in a single building shall be sixteen (16) units. The base population shall not exceed an average of two persons per unit for the site. A site specific floor plan shall be part of the approval process and all designs shall reflect full time occupancy of no greater than two residents per unit.
 - 3.6.4.7.1 Elderly – The standard unit will be two (2) bedrooms.
 - 3.6.4.7.2 Elderly Affordable – The majority of standard units shall be one bedroom units. There may also be two bedroom units.
 - 3.6.4.7.3 The maximum number of dwelling units in a single building may be increased from sixteen (16) to no more than twenty (20) if the applicant is granted a conditional use permit from the Planning Board, in accordance with Section 3.6.5.2.
- 3.6.4.8 Open Space
 - 3.6.4.8.1 Elderly - Open space as defined elsewhere in this section of the zoning ordinance shall constitute no less than seventy (70) percent of the gross tract area of the site.
 - 3.6.4.8.2 Affordable Elderly - Open space as defined elsewhere in this section of the zoning ordinance shall constitute no less than fifty (50) percent of the gross tract of the site.
- 3.6.4.9 Required Support Facility/Service Uses - The applicant shall be required to demonstrate the provision of support facilities and/ or services specifically designed to meet the physical and social needs of older persons, OR if provision of such facilities and services is not practicable, that the proposed elderly housing is necessary to provide important housing opportunities for older persons. Consideration of support facilities and services shall include, but not be limited to:
 - 3.6.4.9.1 Religious Facility
 - 3.6.4.9.2 "Neighborhood" market;
 - 3.6.4.9.3 Recreational facilities (i.e., card rooms, swimming pool, meeting room, video room, music room, etc.);
 - 3.6.4.9.4 Postal sub-station;
 - 3.6.4.9.5 Medical sub-station (i.e., first aid, pharmacy, circuit health-care, etc.)/Emergency and preventative health care services
 - 3.6.4.9.6 Library;
 - 3.6.4.9.7 Circuit Veterinary Care.
 - 3.6.4.9.8 Programs designed to provide a social life for residents
 - 3.6.4.9.9 Continuing education programs of interest to residents
 - 3.6.4.9.10 Information and counseling services
 - 3.6.4.9.11 Homemaker services
 - 3.6.4.9.12 Services designed to assist residents with the maintenance and upkeep of buildings and grounds
 - 3.6.4.9.13 An accessible physical environment
 - 3.6.4.9.14 Congregate dining facilities

- 3.6.4.9.15 Transportation to facilitate access to social services
- 3.6.4.9.16 Referral services

In demonstrating that Support Facilities and/or Services are provided, it is not required that all of the services listed above are being provided.

It is intended under this Section that the applicant provide appropriate services & facilities, consistent with NH law which imposes similar requirements.

In the Planning Board's deliberations the Board shall give strong consideration to the needs of elderly, not the applicant.

- 3.6.4.10 Site Ownership - At the time of application, the entire site shall either be under one owner, or documents shall be submitted with application that show that all owners of record have applied to the Planning Board for consolidation, pending approval of the site plan.
- 3.6.4.11 Agreements, Restrictions and Provisions - All agreements, deed restrictions and organizational provisions for methods of management and maintenance of the common land, roads, utilities and support facilities shall be approved by the Planning Board, and shall indicate that occupancy is restricted to persons age 55 or over, in accordance with State and Federal Fair Housing law.
- 3.6.4.12 Road Construction - All roads and drives in a site shall be privately owned and maintained. Street design and construction is subject to the approval of the Planning Board. Easements for emergency access and relief from liability shall be given to the Town in a form acceptable to Town counsel.
- 3.6.4.13 Review - Any proposed elderly housing development shall be subject to the "Non-Residential Site Plan Review Regulations" of the Town of Londonderry, as amended.
- 3.6.4.14 Density - Maximum density shall be determined as follows:
 - 3.6.4.14.1 From Gross Tract Area subtract:
 - Areas of slopes greater than fifteen (15) percent;
 - Wetlands;
 - 3.6.4.14.2 The resulting calculation shall be called "net tract area" and shall be the basis for density determinations as follows:
 - 3.6.4.14.2.1 Elderly Housing - Sites with P.U.C. regulated municipal water and sewer disposal system: No greater than six (6) dwelling units per acre.
 - 3.6.4.14.2.1.1 Elderly Affordable Housing – Sites with P.U.C. regulated municipal water and sewer Disposal system: No greater than twelve (12) bedrooms per acre, which can be incorporated as a mix of one and two bedroom units.
 - 3.6.4.14.2.2 For sites without municipal sewer: An area or areas shall be set aside in perpetuity and designated for sewerage disposal, its capacity shall be determined for acceptance on leachate on a site specific basis. The density shall be determined by using the State of New Hampshire criteria for flowage for housing for the elderly on a per bedroom basis and dividing that number into the capacity of the site and then multiplied by a safety factor of eighty (80) percent.

3.6.5 Conditional Use Permits

3.6.5.1 Conditional Use Permits for Affordable Elderly Housing

3.6.5.1.1 Prior to Planning Board action on any site plan for Affordable Elderly Housing, which requires a Conditional Use Permit, the Board must have already granted the Conditional Use Permit. The Conditional Use Permit may be sought either separately or concurrently with Site Plan approval.

3.6.5.1.2 The following criteria must be satisfied in order to the Planning Board to grant a Conditional Use Permit for Elderly Affordable Housing. The applicant shall demonstrate that:

3.6.5.1.2.1 All criteria outlined in Section 3.6, as applicable to the application have been met;

3.6.5.1.2.2 The proposed Affordable Elderly Housing use is consistent with the Objectives and Characteristics of the District, Section 3.6.1;

3.6.5.1.2.3 Granting of the application would meet some public need or convenience;

3.6.5.1.2.4 Granting of the application is in the public interest;

3.6.5.1.2.5 The application demonstrated that the proposed Affordable Elderly Housing for which the Conditional Use Permit is sought does not impact the general health, safety, and general welfare of the Town, and provides for a housing need for an elderly population whose income level is not greater than 60% of the median income for Rockingham County.

3.6.5.1.2.6 Documentation has been provided to insure the long term affordability of the project.

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

3.6.5.2 Conditional Use Permits to increase the maximum number of units per building

3.6.5.2.1 The following criteria must be satisfied in order to the Planning Board to grant a Conditional Use Permit to increase the maximum number of units per building from 16 to not more than 20. The applicant shall demonstrate that:

3.6.5.2.1.1 Granting of the application would meet some public need or convenience;

3.6.5.2.1.2 Granting of the application is in the public interest;

3.6.5.2.1.3 The owner of record shall enter an agreement, to be filed in the Rockingham County Registry of Deeds, certifying that the project will be utilized and restricted to 100% elderly occupants (either 55+ or 62+, depending on whether the project is standard elderly housing or affordable elderly housing respectively);

- 3.6.5.2.1.4 There exist on the property limitations (steep slopes, wetlands, CO District areas, flood hazard areas, or other natural constraints on the subject parcel) that reduce the buildable area of the parcel such that the parcel is limited to less than 60% of the permitted density allowed by Section 3.6.4.14 utilizing 16 units per building. Such calculation must be demonstrated to the Planning Board by a NH licensed professional engineer (and other related professionals as applicable, such as certified wetland scientists or soil scientists).

3.6.6 Limitation on the Number of Elderly Housing Units

- 3.6.6.1 The Planning Board shall not accept for consideration any proposal which, if approved, would increase the total number of all elderly housing units in Londonderry, existing and proposed, above a number representing the percentage of units greater than the percentage of persons age 55 and older residing in Londonderry as calculated by the most recent US Census. (For example, if the percentage of persons over age 55 in Londonderry is 13%, not more than 13% of the total number of dwelling units in Londonderry may be Elderly Housing).
- 3.6.6.2 The Planning Board, may, by Conditional Use Permit, allow for Affordable Elderly Housing to exceed the percentage cap if the proposal meets all of the criteria from Section 3.6.5.2 and also provides documentation from the NH Office of Energy & Planning that the percentage of elderly residents residing in Rockingham County has increased more than 2% from the information available for the County from the most recent US Census.

3.7 ASSISTED LIVING FACILITIES AND NURSING HOMES

3.7.1 Density

For purposes of this Ordinance “assisted living facilities” and “nursing home facilities” serviced by municipal sewer shall not be subject to density standards of Section 2.3.2.3.2; provided that such a facility shall be subject to the density standards of 2.3.2.3.2.1.1 and 2.3.2.3.2.1.2 and 2.3.2.3.2.1.4 in the event that the facility has been included in an analysis of the “substantial positive tax impact” to obtain an exemption from growth management phasing and permit limitations. For density purposes, two bedrooms shall be equivalent to one dwelling unit, whether or not the facility includes full dwelling units.

3.8 SEXUALLY ORIENTED BUSINESSES

3.8.1 Purpose and Intent

It is the intent of this Section to establish reasonable and uniform regulations to prevent the concentration of Sexually Oriented Businesses within the Town of Londonderry; and to protect the citizens of the Town of Londonderry from the secondary effects of such Sexually Oriented Businesses and, it is the intent to promote the health, safety, and general welfare of the citizens of the Town of Londonderry; and it is the intent of this Section that the regulations be utilized to prevent problems of blight and deterioration which accompany and are brought about by the concentration of Sexually Oriented Businesses; and the provisions of this article have neither the purpose nor the intent of imposing limitation or restrictions on the contact of any communicative materials, including Sexually Oriented Materials, and it is not the intent nor the effect of this article to restrict or deny access by adults to Sexually Oriented Materials protected by the First Amendment, or to deny access by the distributors and exhibitors of Sexually Oriented Entertainment to their intended market; and neither is it the intent nor effect of this article to condone or legitimize the distribution of obscene material.

3.8.2 Location Restrictions of Sexually Oriented Businesses

Location Restrictions of Sexually Oriented Businesses as defined in Section 4.7, shall be subject to all regulations, requirements, and restrictions for the zone in which the Sexually Oriented Businesses are permitted and shall be subject to the following distance requirements:

- 3.8.2.1 No Sexually Oriented Business shall be permitted within 1,000 feet of another Sexually Oriented Business which is either existing at the effective date of this article or one for which a building permit has been applied for, and no Sexually Oriented Business shall be permitted within a building, premises, structure or any other facility that contains another Sexually Oriented Business.

- 3.8.2.1.1 No Sexually Oriented business shall be permitted within 500 feet of any:

- 3.8.2.1.1.1 Residentially zoned land (AR-I and R-III)

- 3.8.2.1.1.2 Commercial III (office) zoned land;

- 3.8.2.1.1.3 Church, place of worship, parish house, convent, public or parochial or private school; kindergarten, state approved day care center, public sports or recreation park;

- 3.8.2.1.1.4 Town boundary line

3.8.2.2 Measure of Distance

The distancing requirements above shall be measured in a straight line, without regard to intervening structures, from the property line of any site above (unless otherwise specified) to the closest exterior wall of the structure where Sexually Oriented Business is conducted.

3.8.3 Performance Standards

3.8.3.1 Lighting

Lighting shall be high pressure sodium vapor and located adjacent to the designated parking spaces at a ratio of one light per twenty (20) spaces. Spotlights or similar illuminating devices shall be shielded and/or directed to avoid visibility of the light source and any associated beam from public right of way or adjacent property.

3.8.3.2 Screening

"Sexual Conduct" including instruments, devices or paraphernalia which are designed for use in connection with sexual conduct or their images, shall not be visible in any fashion whatsoever from the outside of the building where the business is located.

3.8.3.3 Signage

Signage shall comply with Section 3.11, Signage, of this Ordinance. Signs shall not include nudity or include images or references to sexual conduct, whether actual or simulated, or instruments, devices, or paraphernalia which are designed for use in connection with sexual conduct.

3.8.3.4 This use is subject to Site Plan Review

3.8.3.5 Noise

No prurient sounds associated with sexual conduct shall be audible outside the building or portion of the building in which business is conducted.

3.8.4 Severability

The invalidity of any Section or provision of this article shall not invalidate any other Section or provision thereof.

3.9 WIRELESS FACILITIES - REGULATION AND PERFORMANCE CRITERIA

- 3.9.1 Construction of wireless communications facilities are prohibited in CO (Conservation Overlay), AR-I, and R-III zones and are permitted as a use by right in C-I, C-II, C-III, IND-I and IND-II only if the criteria of Part D of this Section are met. If Part D criteria are not met, then a special exception must be obtained in C-I, C-II, C-III, IND-I and IND-II.
- 3.9.2 It is required by this ordinance that cellular phone antenna be placed on an existing wireless facility tower if it is physically and legally possible.
- 3.9.3 All variance processes are subject to site plan review.
- 3.9.4 Performance Criteria
(See next page)

3.9.4.1 Wireless Facility Performance Criteria

SECTION	AR-I, R-III, CO	C-I, C-II, C-III, IND-I, IND-II
3.9.4.1.1 Cellular Antenna to be affixed to a new (proposed) ground tower	Not allowed	Maximum Tower Height: 190 feet Setbacks: The GREATER distance by application of the following: 1. Tower Height +10 feet from street rights-of-way or site boundaries 2. Two (2) times the tower height from abutting residential property lines 3. The tower shall be fenced to a minimum height of eight (8) feet with two (2) strands of barbed wire 4. Site Plan Review required
3.9.4.1.2 Cellular antenna to be affixed to an existing building without a roof tower	Not allowed	1. Antenna may be placed on the facade or roof of conforming building or structures without regard to height or setback of the building. 2. Antenna support structures will be considered to be roof towers if the height of the structure exceeds ten (10) feet above permitted height of building.
3.9.4.1.3 Cellular antenna to be affixed to a new (proposed) roof tower.	Not allowed	Roof Towers may be placed on the roof of a conforming building using either of the following to determine tower height and setback: 1. Tower height above the roof may be as high as the setback distance to the nearest roof edge. 2. The heights allowable for a ground tower may be used for a roof tower if the required setbacks for a ground tower are met.
3.9.4.1.4 Cellular antenna to be added to an existing approved or permitted tower.	Not allowed	Allowed if following conditions are met: 1. The tower height is not increased. 2. No ancillary features are added to the tower other than antenna, required safety hardware, and ancillary equipment buildings. 3. All conditions of the previous tower approval have been satisfied.
3.9.4.1.5 Existing nonconforming tower	N/A	Subject to zoning requirements concerning Nonconforming Structures
3.9.4.1.6 Ancillary equipment building(s)	Not allowed	1. Subject to all requirements of appropriate zone (ie: bulk, setback, etc.)

- 3.9.4.2 New ground towers shall be subject to site plan review. The assessment and review of each application for a wireless facility's compliance with the Performance Criteria of Part D shall be the responsibility of the Building Inspector, Planning Director and Town Engineer. For antennas mounted on existing structures, the above-mentioned Town review team shall ascertain that the proposal meets all applicable Town requirements as follows:
- 3.9.4.2.1 Site and building plans shall be submitted and approved as specified herein.
 - 3.9.4.2.2 A report prepared by a qualified professional engineer registered in the State of New Hampshire indicating the existing structures' suitability to accept the antenna, and the proposed method of affixing the antenna to the structure shall be limited along with the complete details of all fixtures and couplings, and the precise point of attachment shall be indicated.
- 3.9.4.3 Any proposed wireless communication facility shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two additional users if the tower is over one hundred (100) feet in height or for at least one additional user if the tower is over sixty (60) feet in height. Wireless communication facilities shall be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.
- 3.9.4.4 Temporary facilities must meet the following requirements:
- 3.9.4.4.1 Use of a temporary facility in excess of one day is allowed only if the owner has received a temporary use permit from the Londonderry Building Department
 - 3.9.4.4.2 Temporary wireless facilities are permitted for use not to exceed a total of thirty (30) days during construction of permanent facilities or a total of ten (10) days during a special event.
 - 3.9.4.4.3 The maximum permitted height of a temporary wireless facility is fifty (50) feet from grade.
 - 3.9.4.4.4 Temporary facilities are subject to all applicable portions of this Ordinance.
- 3.9.5 Non-Commercial Wireless Facility (Amateur Radio) Standards
- Towers that solely support amateur radio equipment ("Ham Radio Towers") and conform to all applicable performance criteria as set forth in Section D, shall be permitted in the rear yard of residentially-zoned parcels. Ham Radio Towers shall be limited to the minimum height that is technically necessary to engage successfully in amateur radio communications.
- 3.9.6 Removal of Unused Towers or Portions of Towers
- Unused towers or portions of towers shall be dismantled and removed as follows:
- 3.9.6.1 Any approval of a new ground tower and associated facilities shall be subject to a condition that the tower and facilities shall be removed within six (6) months of the cessation of operations unless a time extension is approved in writing by the Planning Board. All abandoned or unused towers and associated facilities at the site, unless a time extension is approved in writing by the Planning Board.
 - 3.9.6.2 At the time of application, the applicant, if not the landowner, shall submit a copy of the relevant portions of a signed lease which requires the applicant to remove the tower and associated facilities upon cessation of operations.

- 3.9.6.3 In the event that a tower is not removed within six (6) months of the cessation of operations at a site, the tower and associated facilities may be removed by the Town and the costs of removal assessed against the property.
 - 3.9.6.4 Unused portions of towers above a manufactured connection shall be removed within six (6) months of the time of antenna relocation. Any replacement of portions of a tower previously removed shall be subject to the approval and permit requirements of this Section.
 - 3.9.6.5 As a condition of approval, the applicant shall provide security in a form and amount acceptable to the Planning Board to ensure removal of the unused tower. The security shall be maintained until the tower is removed.
 - 3.9.6.6 The owner of a wireless facility, with written authorization from the property owner, shall file annually a declaration with the Planning Department as to the continuing operation of every facility installed subject to these regulations. Failure to do so may be construed to mean that the facility is no longer in use and considered abandoned, thus subject to the provisions of Sections 3.9.6.1 through 3.9.6.5 above.
- 3.9.7 Signs are prohibited on Wireless Communications Facilities
- 3.9.8 Special Exception for Wireless Communications Facilities - Wireless communications facilities are prohibited in Residential zones (AR-I, CO and R-III). Special exceptions shall be granted only in Commercial (C) and Commercial-I (C-I) zoning districts upon a determination by the Zoning Board of Adjustment that the wireless communications equipment planned for the proposed site cannot be accommodated:
- 3.9.8.1 On an existing or approved antenna support structure or on any alternative tower structure for which an application is pending within a radius of:
 - 3.9.8.1.1 One mile for structures of one hundred twenty (120) feet or greater in height;
 - 3.9.8.1.2 One half mile for structures under one hundred twenty (120) in height, or
 - 3.9.8.1.3 One quarter mile for structures under eighty (80) feet in height for one of the following reasons:
 - 3.9.8.1.3.1 The planned equipment would exceed the structural capacity of the existing, approved or pending antenna support structure, as documented by a qualified professional engineer registered in the State of New Hampshire, and the existing or approved tower cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment at a reasonable cost (defined here in as three quarters (3/4) of the cost of the tower;
 - 3.9.8.1.3.2 Planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the antenna support structure as documented by a qualified professional engineer registered in the State of New Hampshire and the interference cannot be prevented at a reasonable cost.
 - 3.9.8.1.3.3 Existing or approved antenna support structure within the required radius cannot accommodate the planned equipment at the necessary height as documented by a qualified professional engineer registered in the State of New Hampshire.
 - 3.9.8.2 The burden of proof is upon the applicant to demonstrate that all reasonable alternatives to the erection of a new structure have been fully explored.

3.10 VEHICLE ACCESS AND PARKING

- 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. It is further the intent of this ordinance to:

- 3.10.1.1 Ensure there are adequate parking and loading facilities to serve the use or uses of the property;
 - 3.10.1.2 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;
 - 3.10.1.3 Reduce congestion in the streets and contribute to traffic safety.
 - 3.10.1.4 Encourage environmentally friendly access and parking areas.
- 3.10.2 **Authority**
- 3.10.2.1 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**
- 3.10.3.1 If any section, clause, provision or phrase of this Section is be 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**
- 3.10.4.1 **New Structures**
The requirements of this section shall apply to all new structures erected for use on a property.
 - 3.10.4.2 **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.
 - 3.10.4.3 **Loss of Legal Non-Conforming Status**
Loss of legal non-conforming status will occur under the following circumstances:
 - 3.10.4.3.1 Any structure which is hereafter altered or enlarged.
 - 3.10.4.3.2 All new uses of a property.
 - 3.10.4.3.3 Any use of a property which is hereafter altered or enlarged.

3.10.5 Vehicle Access

- 3.10.5.1 Vehicle access to all lots shall be from public right-of-way by one or more curb cuts/driveways.
- 3.10.5.2 The location and design of curb cuts/driveways shall minimize traffic hazards and not unduly retard traffic flow in public right-of-way.
- 3.10.5.3 No portion of any driveway shall be closer than fifty (50) feet to any intersecting street.
- 3.10.5.4 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.
- 3.10.5.5 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.
- 3.10.5.6 Vehicle access ways and driveways shall be maintained and kept clear of debris.

3.10.6 Location of Off-Street Parking and Loading Facilities:

3.10.6.1 Parking Facilities

- 3.10.6.1.1 Every lot shall have an off-street parking area. Parking on public rights-of-way or parking where it will obstruct property or public rights-of-way access is not permitted.
- 3.10.6.1.2 Loading spaces shall in all cases be on the same lot as the use they are intended to serve.
- 3.10.6.1.3 All off-street parking shall have direct access at all times by on-site travelways to a public right-of-way.
- 3.10.6.1.4 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.

3.10.6.2 Off-Site Locations

- 3.10.6.2.1 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.

3.10.7 Dimensional Requirements:

3.10.7.1 Standard Stall Dimensions

- 3.10.7.1.1 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.
- 3.10.7.1.2 **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.

3.10.7.2 Loading Space Dimensions

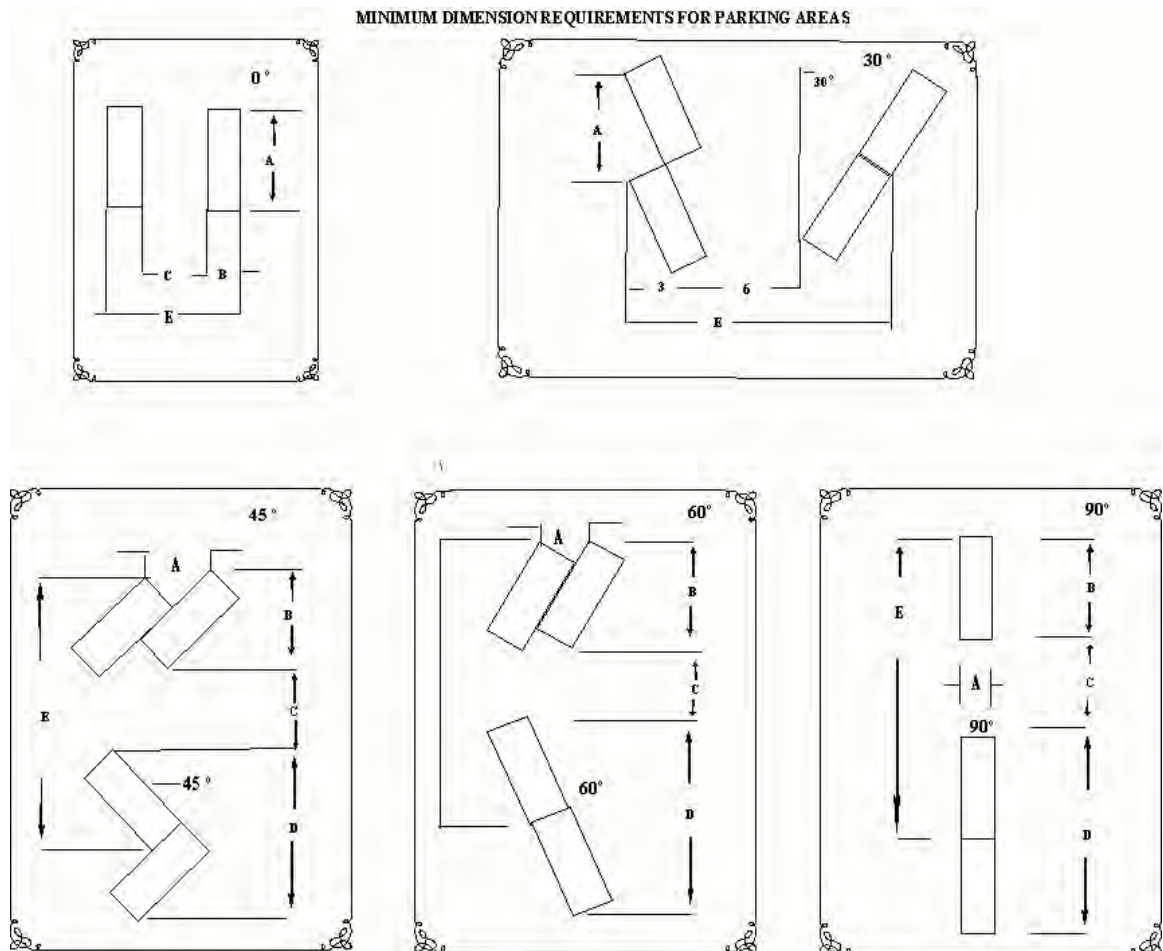
- 3.10.7.2.1 Minimum dimensions for industrial loading spaces shall be fourteen (14) feet in width and forty (48) feet in length. A vertical clearance of fifteen (15) feet is also required
- 3.10.7.2.2 Minimum dimensions for a commercial loading space shall be determined by evaluation of the size of 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.

3.10.7.2.3 TABLE 1

TABLE 1
MINIMUM DIMENSIONAL REQUIREMENTS FOR PARKING AREAS

(Based on 9'x 20' Parking Stall except for 0 degrees)

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		
62.0	62.0						



3.10.8 General Off-Street Parking and Loading standards:

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.

3.10.8.1 Calculation of Parking and Loading Requirements

- 3.10.8.1.1 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.
- 3.10.8.1.2 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.
- 3.10.8.1.3 Quantity of parking and loading spaces shall comply with the minimum listed within Table 2 of section 3.10.10 based on allowed uses.
- 3.10.8.1.4 Loading and unloading areas shall not be considered as parking spaces.
- 3.10.8.1.5 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.
- 3.10.8.1.6 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.

3.10.8.2 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.

3.10.8.2.1 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.

3.10.8.2.2 Car Washes

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

3.10.8.2.3 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.

3.10.8.2.4 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.

3.10.8.3 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 3.10.12.1 of this ordinance.

3.10.9 Off-Street Parking and Loading Standards by District:

3.10.9.1 Industrial District Loading Space Standards

- 3.10.9.1.1 No on-street loading or unloading shall be permitted
- 3.10.9.1.2 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.
- 3.10.9.1.3 Loading bays shall meet the dimensional requirements of section 3.10.7.2, Loading Space Dimensions.
- 3.10.9.1.4 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.
- 3.10.9.1.5 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.
- 3.10.9.1.6 All loading bay areas shall be surfaced in compliance with section 3.10.13.2.

3.10.9.2 Route 102 & Rt. 28 POD Parking Requirements

- 3.10.9.2.1 General performance standards for off-street parking.
 - 3.10.9.2.1.1 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 2.5.1.3.8 and 2.4.1.3.9) which are governed by the performance standards for landscaping, as outlined in Section 2.6.1.7.2.
- 3.10.9.2.2 In parking lots where shared access and/or interconnected parking lots occur, the side and rear landscape area requirements of 2.6.1.7.2 can be omitted.

3.10.10 Minimum Parking and Loading Required:

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 3.10.8.1.6		
Agricultural and Residential		
Agriculture	GFA	1 per 1,000 sq. ft.
Assisted Living Facilities	Resident unit or bed and employees	0.5 per resident unit or bed plus one per employee
Back Lot Development	DU and type	2 spaces per DU
Dwelling, multi-family ^{1,3}	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	2 per DU
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
Excavation, including Temporary and Permanent Manufacturing Plants as an accessory use.	GFA or employees	1 per associated vehicle plus 1 per 600 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
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 200sq. ft. plus adequate parking and loading spaces for each company vehicle operating from the premises plus 1 per employee
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</p> <p>* Refer to section 3.10.8.1.5 for a definition of “employee(s)” as used in this table</p> <p>* GFA = Gross Floor Area</p> <p>* DU = Dwelling Unit(s)</p> <p>Footnotes:</p> <ol style="list-style-type: none"> 1. Elderly affordable housing is exempt from this requirement. Refer to Section 3.6 for elderly affordable requirements. 2. Off-street parking shall be provided for at least four (4) vehicles. Garage and “piggy-back” parking is encouraged. 3. 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. 		

3.10.11 Flexibility in Off-Street Parking and Loading Standards:

3.10.11.1 Flexibility in Administration Required

- 3.10.11.1.1 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 3.10.11.2.

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

3.10.11.2.1 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 3.10.11.2.1.1):

- 3.10.11.2.1.1 Such deviations are consistent with the purpose and intent of section 3.10.1
- 3.10.11.2.1.2 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.
- 3.10.11.2.1.3 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.
- 3.10.11.2.1.4 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,
- 3.10.11.2.1.5 A sole business (not part of a larger multi-tenant building) is primarily oriented to walk-in trade.

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

3.10.12.1 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.

3.10.12.2 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:

3.10.12.2.1 The applicant shall provide the Planning Board with a shared parking plan which shall be based upon the following:

- 3.10.12.2.1.1 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.

- 3.10.12.2.1.2 A complete and accurate description of the number of employees and their respective shifts.
 - 3.10.12.2.1.3 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.
 - 3.10.12.2.2 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 3.10.12.3.
 - 3.10.12.2.3 The approval of such shared parking shall be automatically terminated upon the termination of the operation of any of the involved uses.
- 3.10.12.3 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
- 3.10.12.4 Transportation Mitigation Plans
- 3.10.12.4.1 Transportation mitigation plans may be implemented in conjunction with any use at the option of the Planning Board, exclusive of large scale parking facilities.
 - 3.10.12.4.2 Properties with a required number of parking spaces exceeding two-hundred fifty (250) spaces shall be classified large scale parking facilities.
 - 3.10.12.4.3 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.
 - 3.10.12.4.4 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.
 - 3.10.12.4.5 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.
- 3.10.12.5 Alternative Transportation
- 3.10.12.5.1 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.

- 3.10.12.5.2 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

3.10.13.1 General

- 3.10.13.1.1 All parking spaces shall be so marked by use of painted lines or other permanent striping materials.
- 3.10.13.1.2 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.
- 3.10.13.1.3 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.
- 3.10.13.1.4 Parking areas shall not be used for outdoor storage, display of items for sale, or other activities.
- 3.10.13.1.5 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.
- 3.10.13.1.5.1 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.
- 3.10.13.1.5.2 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.

3.10.13.2 Paving Materials

- 3.10.13.2.1 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 3.10.13.2.3.
- 3.10.13.2.2 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.
- 3.10.13.2.3 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.

- 3.10.13.3 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.
- 3.10.13.4 Walls and Fences
- 3.10.13.4.1 Walls and fences shall be erected where required for privacy, screening, separation, security, erosion control, or to serve other necessary and reasonable functions.
- 3.10.13.4.2 The design and materials used shall be functional and compatible with existing and proposed site architecture.
- 3.10.13.4.3 No fence or wall shall be so constructed or installed as to constitute a hazard to traffic or safety.
- 3.10.13.5 Lighting
- 3.10.13.5.1 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:
- 3.10.13.5.2 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
- 3.10.13.5.3 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.
- 3.10.13.6 Street Furniture
- 3.10.13.6.1 Street furniture, such as, but not limited to, trash receptacles, benches, and phone booths, shall be located and sized in accordance with function.
- 3.10.13.6.2 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 **Parking for Disabled Persons**
- 3.10.14.1 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 **Pedestrian and Bicycle Circulation**
- 3.10.15.1 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 **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.

3.10.16.1 Tabular Bicycle Parking Requirements

TABLE 3
BICYCLE PARKING

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

- 3.10.16.2 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.
- 3.10.16.3 A minimum of two (2) and a maximum of twenty (20) stalls shall be provided
- 3.10.16.4 In calculating stall requirements all decimals and fractions shall be rounded up to the nearest whole number.
- 3.10.16.5 All bicycle parking stalls shall be located within one-hundred (100)ft. of the primary use or as close as the closest auto space.
- 3.10.16.6 A bicycle "stall" shall include a delineated and safe parking area, and an appropriate structure to which bicycles can be locked.
- 3.10.16.7 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.
- 3.10.16.8 Bicycle parking racks, shelters or lockers must be securely anchored to the ground or to a structure.
- 3.10.16.9 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.
- 3.10.16.10 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 Ordinance.

3.11 SIGNS

3.11.1 Purpose & Intent

The purpose of this Section is to establish uniform regulations for the installation and use of signs in the Town of Londonderry and to protect and improve the livability and quality of life in Londonderry through sign regulations that:

- 3.11.1.1 Protect the health, safety, and welfare of the public;
- 3.11.1.2 Maintain and enhance the appearance and aesthetic environment of Londonderry;
- 3.11.1.3 Maintain and promote the rural, agricultural, and historical character of Londonderry;
- 3.11.1.4 Control visual clutter and encourage high professional standards in sign design and display;
- 3.11.1.5 Promote signs that are harmonious in color, material and lighting with the buildings and surroundings to which they relate;
- 3.11.1.6 Retain the Town's ability to attract and encourage economic development and growth;
- 3.11.1.7 Promote the economic growth of Londonderry by creating a community image that is conducive to attracting new business and industrial development.

3.11.2 Authority

- 3.11.2.1 Pursuant to the authority granted by Chapter 674 et seq., New Hampshire Revised Statutes Annotated, as amended, the Town of Londonderry adopts the following sign regulations.

3.11.3 Severability

- 3.11.3.1 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.

3.11.4 Permit Process

- 3.11.4.1 All signs, with the exception of those listed uses listed in section 3.11.6.1 shall require a permit issued by the Building Inspector. A permit shall be required to erect, construct, install, alter, or replace a sign. The applicant shall submit to the Building Inspector an application form, a set of plans to scale showing site location, sign size, method of illumination, if any, types of material to be used in construction and such other as may be required by the Building Inspector. The location, size, design and illumination of signs associated with new commercial or industrial construction shall be approved in conjunction with Site Plan Review by the Planning Board. Permits for such signs shall not be issued by the Building Inspector without a signed site plan. In reviewing applications for sign permits, the following standards shall apply:
 - 3.11.4.1.1 The sign will not cause visual confusion, glare or offensive lighting in the neighborhood;
 - 3.11.4.1.2 The sign will not significantly alter the character of the zoning district;
 - 3.11.4.1.3 The sign will not interfere with traffic safety in the area;
 - 3.11.4.1.4 The sign will comply with the other provisions of this ordinance.

After reviewing the application and Planning Board comments, if the site plan approval is required, the Building Inspector shall grant or deny the application with or without conditions. The decision of the Building Inspector may be appealed to the Zoning Board of Adjustment.

3.11.5 Measurement and Calculation of Area

3.11.5.1 Area of Freestanding Signs

- 3.11.5.1.1 Sign face area is calculated as the total area within the smallest rectangle, circle, or triangle, which will completely enclose the sign face. The sign structure shall not be included as a portion of the sign face, provided that no message, symbol, or anything that can be construed as part of the sign face is displayed on or designed as part of the sign structure.
- 3.11.5.1.2 The area of one side of a double-faced sign shall be regarded as the total area of the sign provided that such sign faces are either parallel or at an angle of thirty (30) degrees or less to each other. If the sides are of unequal area, the larger shall determine the area.

3.11.5.2 Area of Wall Signs

- 3.11.5.2.1 The sign face area of signs attached or affixed to buildings or other structures shall include all lettering, designs, or symbols, together with the background, whether open or enclosed, upon which they are displayed. When signs are incorporated into canopies or awnings, the entire panel containing the sign copy is counted as the sign face area.
- 3.11.5.2.2 Where a sign consists of individual letters or symbols attached, painted or applied to a building, wall or window, without any distinguishing border, panel or background, the area shall be considered to be the smallest rectangle, triangle, or circle encompassing all the letters and symbols.
- 3.11.5.2.3 In no case can the additional surrounding background area exceed the area of the copy. For the purpose of this section, the permitted background area is the total area between the lintel bar and the parapet on a one (1) story building or between the lintel bar and the floor level of the floor above on a multi-story building

3.11.5.3 Sign Height

- 3.11.5.3.1 No sign other than those specified in section 3.11.6.4.6 (Airport District) shall exceed ten (10) feet in height.
- 3.11.5.3.2 The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of the following:
 - (1) The existing grades of the lot before construction, or
 - (2) The newly established grade of the lot after construction inclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
- 3.11.5.3.3 Clearances are measured from the grade directly below the sign to the bottom of the sign structure enclosing the sign face.

3.11.6 General Requirements

3.11.6.1 Signs Not Requiring a Permit

The following signs shall be exempt from paragraph 3.11.4.1 requiring the issuance of a sign permit, but shall be in conformance with all other applicable provisions of this Ordinance and all other Town regulations.

- 3.11.6.1.1 Construction – Construction signs for public safety and / or information
- 3.11.6.1.2 Flags - Flags of any nation, state, political subdivision.
- 3.11.6.1.3 Historical Reference
 - 3.11.6.1.3.1 Any sign not exceeding six (6) square feet indicating only the date of erection or name of a building.

- 3.11.6.1.3.2 Historic plaques or markers no greater than two (2) square feet in area.
 - 3.11.6.1.4 Holiday Decoration - Signs of a decorative nature and commonly associated with any national, local or religious holiday, provided that such signs shall be displayed for a period of not more than thirty (30) days prior to and fifteen (15) days after the date of the holiday.
 - 3.11.6.1.5 Indicator and Directional
 - 3.11.6.1.5.1 House numbers and name plates.
 - 3.11.6.1.5.2 Nameplates - For each single family home or duplex house, one (1) nameplate not exceeding a combined area of two (2) square feet for each dwelling unit.
 - 3.11.6.1.6 Newspaper Boxes – Newspaper boxes for home delivery provided that all copy and logos (the sign face area) do not exceed one-half (.5) square foot per box.
 - 3.11.6.1.7 Political Signs
 - 3.11.6.1.7.1 Political signs shall conform to all New Hampshire State Statutes, including R.S.A. 664:14 through 664:18 and as may be amended, and enforcement shall be through the office of the New Hampshire Attorney General.
 - 3.11.6.1.8 Public notices.
 - 3.11.6.1.9 Real Estate - One (1) temporary non-illuminated on premise For Sale, Rent or Lease sign not exceeding six (6) square feet in Residential Districts nor greater than twelve (12) square feet in all other districts.
 - 3.11.6.1.10 Temporary Special Event Signs - Temporary window signs and displays, poster, banners, string lights, cluster flags pertaining to drives or events of civic, philanthropic, educational or religious organizations provided that signs are posted no more than thirty (30) days before the event and remain in place no more than forty-five (45) days total.
 - 3.11.6.1.11 Warning – Customary warning signs such as "No Trespassing," "No Dumping" and "Danger" no greater than two (2) square feet in area.
- 3.11.6.2 Signs Prohibited in All Districts
- The following types of signs are expressly prohibited in all districts except as otherwise provided by this Ordinance.
- 3.11.6.2.1 Portable or wheeled signs except as permitted in paragraphs 3.11.6.3.5 and 3.11.6.3.6.
 - 3.11.6.2.2 Any vehicle or trailer which has attached to it a sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. This section is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettered on a motor vehicle.
 - 3.11.6.2.3 Banners, pennants, search lights, twirling signs, all frame signs or other sidewalk signs, unless allowed for under paragraphs 3.11.6.3.5 and 3.11.6.3.6 of this Ordinance.
 - 3.11.6.2.4 Any sign that is an imitation of, or resembles an official traffic sign or signal pursuant to RSA 265:14
 - 3.11.6.2.5 Off-premise signs are prohibited in the Town of Londonderry except as permitted in paragraph 3.11.6.3.3,.
- 3.11.6.3 Signs Permitted in All Districts
- The following signs are permitted in all districts.
- 3.11.6.3.1 Construction Site - One (1) sign not exceeding thirty-two (32) square feet on a construction site identifying the architect, owner and/or contractor. The sign is to be maintained on the premises during actual construction and removed within seven (7) days after issuance of a certificate of occupancy.

- 3.11.6.3.2 Freestanding (Ground) Signs - One (1) ground sign is permitted for each parcel having frontage on a public right-of-way.
- 3.11.6.3.3 Any sign not exceeding four (4) square feet in area, limited solely to directing traffic within a parking area or indicating parking restrictions in the use of such parking area.
- 3.11.6.3.4 Any sign not exceeding six (6) square feet in area solely indicating entrance and exit driveways.
- 3.11.6.3.5 Any sign not exceeding six (6) square feet indicating only the date of erection of a building.
- 3.11.6.3.6 Off Premise - An off-premise sign which identifies the name and location of business located in the Town of Londonderry may be allowed by special exception from the Zoning Board of Adjustment provided the following conditions are met.
 - 3.11.6.3.6.1 No more than one (1) off-premise sign shall exist on an individual parcel.
 - 3.11.6.3.6.2 No business shall be advertised on more than two (2) off premise signs except as provided in section 3.11.6.4.2.3.2.
 - 3.11.6.3.6.3 Off-premise signs located in an Industrial or Commercial district shall have a maximum surface area of twenty-five (25) square feet.
 - 3.11.6.3.6.4 Off-premise signs located in districts other than Industrial or Commercial shall have a maximum surface area of eight (8) square feet.
 - 3.11.6.3.6.5 Directional Signs - where a business is located a significant distance from commonly traveled ways, and a need is demonstrated, the Board may allow one (1) or more additional directional signs. Such signs shall be limited to the name of the business and specific directions. The maximum size of a directional sign shall be two (2) square feet.
 - 3.11.6.3.6.6 The sign must otherwise conform to other applicable regulations of this ordinance.
 - 3.11.6.3.6.7 Other conditions or restrictions as the Board of Adjustment may deem to be in the public interest.
- 3.11.6.3.7 Open House - "Sandwich" Board signs and Open House signs will be allowed in Residential districts in conjunction with an Open House or Model Home demonstration conducted by a Realtor for two (2) days before the opening of such a demonstration and up to two (2) days after for total of six (6) days. The location and date of display of these signs shall be recorded with the Building Inspector. Where the Open House or Model Home is maintained for an on-going project, these time limits do not apply.
- 3.11.6.3.8 Temporary, Residential, Commercial and Industrial Signs - Banners, posters, pennants, "A" frame, sandwich board, and portable signs shall not be used on a permanent basis. The location and date of display of these signs shall be recorded with the Building Inspector. Only one (1) temporary sign will be permitted at the opening of a new business or reopening of an existing business under new management or special sales in a Residential, Commercial, or Industrial district on no more than two occasions per calendar year for a total period not to exceed thirty (30) consecutive days for each occasion as approved by permit from the Building Inspector.
- 3.11.6.3.9 Other Signs
 - 3.11.6.3.9.1 Up to two (2) incidental signs may be attached to a freestanding sign structure or to a building wall, but may not be attached perpendicular to the wall. Such signs are restricted to trading stamps, credit cards accepted, and official notices of services required by law or trade affiliations. Area of each

- sign may not exceed four (4) square feet; the total area of all such signs may not exceed eight (8) square feet.
- 3.11.6.3.9.2 Price information signs on gasoline pumps are permitted, indicating the name and type of gasoline and the price thereof. Such Signs shall not exceed 1 square foot in size per sign.
- 3.11.6.3.9.3 Any identification wall signs with non-illuminated letters up to but not exceeding three (3) inches in height nor two (2) square feet in area are not restricted.
- 3.11.6.3.9.4 Flags other than those of any nation, state, political subdivision.

3.11.6.4 Signs Permitted and Prohibited by District

3.11.6.4.1 Within any Residential zone, signs are permitted as follows:

- 3.11.6.4.1.1 One (1) sign per vehicle entrance of each subdivision, mobile home park or condominium complex having an area not exceeding a total of sixteen (16) square feet per sign.
- 3.11.6.4.1.2 For non-residential uses, one (1) identification sign for each developed parcel not exceeding a total of six (6) square feet in area for all signs. For purposes of this section, a developed parcel is a tract of land which has been developed for a non-residential use. Subdivision of a parcel is not considered "development" for purposes of signage for non-residential uses.
- 3.11.6.4.1.3 Identification signs and other similar structures for governmental agencies which may be regulated by the Town are subject to approval thereof by the Building Inspector.
- 3.11.6.4.1.4 All signs shall be placed flat against a building or designed as part of any architectural feature thereof except that signs may be detached if they do not exceed a height of six (6) feet.
- 3.11.6.4.1.5 No freestanding sign, or any part thereof, shall be located nearer than fifteen (15) feet to a property line.

3.11.6.4.2 For agricultural use on lots of three (3) acres or greater within any AR-1 zone.

- 3.11.6.4.2.1 One (1) freestanding sign indicating the name, nature and address of the occupancy for each agricultural lot, not to exceed thirty-two (32) square feet of the total sign face area allowed, 100% may be used for changeable signage.
- 3.11.6.4.2.2 One (1) wall or fascia sign indicating only the name and nature of the occupancy.
 - 3.11.6.4.2.2.1 Said wall sign shall not exceed a total area of forty (40) square feet.
 - 3.11.6.4.2.2.2 When a building faces two (2) rights-of-way, the permitted area of the wall sign may be divided between the two (2) building faces.

3.11.6.4.2.3 Seasonal Agricultural Signage

- 3.11.6.4.2.3.1 Seasonal on-premise signs not to exceed eight (8) square feet in area, that advertise the availability of seasonal produce or product during the season within which said produce is available for sale or harvest.
- 3.11.6.4.2.3.2 Seasonal agricultural signage must be constructed of durable materials.
- 3.11.6.4.2.4 Each customary home occupation recognized as such by this Ordinance shall be permitted to display one (1) sign not to exceed three (3) square feet in size.

3.11.6.4.3 Within the Commercial I, II, III, & MUC sub-districts, signs are permitted as follows:

3.11.6.4.3.1 One (1) freestanding sign for each developed parcel up to a maximum of sixty-five (65) square feet. Of total sign face area allowed, 75% may be used for changeable signage. For purposes of this section, a developed parcel is a tract of land which has been developed for a non-residential use. Subdivision of a parcel is not considered “development” for purposes of signage in the Commercial or Industrial Districts.

3.11.6.4.3.1.1 No freestanding sign, or any part thereof, shall be located nearer than fifteen (15) feet to a property line.

3.11.6.4.3.2 One (1) wall of facia sign indicating only the name and nature of the occupancy, for each occupancy within the developed parcel.

3.11.6.4.3.2.1 Said wall sign shall not exceed a total area of fifty (50) square feet. For multi-tenant commercial buildings where multiple wall signs are permitted, the maximum size of said wall signs shall not exceed forty (40) square feet per tenant.

3.11.6.4.3.2.2 When a building faces two (2) rights-of-way, the permitted area of the wall sign may be divided between the two (2) building faces.

3.11.6.4.3.3 In multi-tenant commercial developments of eight (8) acres or more, the maximum permitted area of freestanding signs may be increased, according to the following:

3.11.6.4.3.3.1 Maximum area increased by ten (10) square feet for each acre over eight (8) up to a maximum of one hundred (100) square feet; **OR**,

3.11.6.4.3.3.2 If the lot has frontage on 2 or more roadways, a second freestanding sign, can be permitted, so long as the total square footage of both freestanding signs combined does not exceed 10 square feet for each acre over 8, up to a maximum of 100 square feet (for example – a 11 acre site with frontage on 2 roadways may have 2 freestanding signs with a combined square footage of 95 square feet).

3.11.6.4.3.4 Directory signs, in addition to the principal sign, may be used for property with two (2) or more business establishments having a common public entrance. Directory signs may not exceed an area based on one (1) square foot for each establishment on the property up to thirty-two (32) square feet. Directory signs shall be located in an area adjacent to the building they serve.

3.11.6.4.3.5 Sexually Oriented Businesses - Signage shall comply with the requirements for signs in the zoning district in which the business is located. Signs shall not include nudity or include images or references to sexual conduct, whether actual or simulated, or instruments, devices, or paraphernalia which are designed for use in connection with sexual conduct

3.11.6.4.4 Within the Commercial IV zone, signs are permitted as follows:

3.11.6.4.4.1 One (1) freestanding sign up to a maximum of thirty (30) square feet. Of total sign face area allowed, 50% may be used for changeable signage

3.11.6.4.4.1.1 No freestanding sign, or any part thereof, shall be located nearer than fifteen (15) feet to a property line.

3.11.6.4.4.2 One (1) wall facia sign for each occupancy within the developed parcel.

3.11.6.4.4.2.1 Said wall sign shall not exceed a total area of twenty five (25) square feet.

3.11.6.4.4.2.2 When a building faces two (2) rights-of-way, the permitted area of the wall sign may be divided between the two (2) building faces.

3.11.6.4.5 Industrial I and Industrial II Zones

Within the IND-I and IND-II zones, signs are permitted as follows:

3.11.6.4.5.1 One (1) freestanding sign for each developed parcel not to exceed one hundred (100) square feet. Of total sign face area allowed, 25% may be used for changeable signage.

3.11.6.4.5.2 One (1) wall or facia sign for each occupant within the developed parcel. Said sign shall not exceed a total of one hundred (100) square feet.

3.11.6.4.5.3 When a building faces two (2) rights-of-way, the permitted area of the wall sign may be divided between the two (2) building faces.

3.11.6.4.5.4 No freestanding sign, or any part thereof, shall be located nearer than ten (10) feet to a property line.

3.11.6.4.5.5 Directory signs in addition to the principal sign may be used for property with two (2) or more business establishments having a common public entrance. Directory signs may not exceed an area based on one (1) square foot for each establishment on the property up to thirty-two (32) square feet. Directory signs shall be located in an area adjacent to the building they serve.

3.11.6.4.6 Airport District

3.11.6.4.6.1 The purpose of the Airport signing system is to move the traveling public through a myriad of roadways and corridors using a concise and comprehensible system of directional, informational, and regulatory messages. Notwithstanding any other provision of Section 2.6.7.3 within the Airport District, the following signs shall be permitted, subject to a sign permit:

3.11.6.4.6.1.1 Traffic Control signs, which shall conform in size, shape, color and copy to the recommendations of the U.S. Department of Transportation, Federal Highway Administration, Manual on Uniform Traffic Control Devices for Streets and Highways, current edition.

3.11.6.4.6.1.2 Directional and informational signs for the terminal Airport parking lots and airside Aeronautical Activities, which shall be reflectorized white copy on a charcoal gray background.

3.11.6.4.6.1.3 Any such signs to be placed freestanding near a roadway or an overhead sign structures shall be designed in accordance with the AASHTO standard specification for structural supports for highway traffic signs, luminaries, and traffic signals.

3.11.6.4.6.1.4 Prior to installation of a sign under this subsection, the Airport shall submit an application for a sign permit to the Building Inspector, who shall review applications for compliance with this subsection.

3.11.6.4.6.1.5 For signs described in this subsection, the Airport shall maintain an up-to-date Airport Signing Plan showing the location and text of each directional, informational, and regulatory sign in the Airport District,

and an up-to-date copy of the Airport Signing Plan shall be submitted annually to the Building Inspector.

- 3.11.6.4.6.2 All signs other than those described above within the Airport District shall conform to the requirements of Section 3.11.6.4.3. or 3.11.6.4.5., depending upon whether the use to which the sign is appurtenant is commercial or industrial and shall require a permit in accordance with section 3.11.4.

3.11.6.4.7 Route 102 Performance Overlay District – See Section 2.6.1.7.6

3.11.6.4.8 Route 28 Performance Overlay District – See Section 2.6.2.7.6

3.11.6.4.9 Signs for Religious Facilities

- 3.11.6.4.9.1 There shall be no more than one (1) freestanding sign (double sided) permitted for any religious facility

- 3.11.6.4.9.1.1 The maximum freestanding sign area shall be: 30 (thirty) square feet

- 3.11.6.4.9.1.2 Freestanding signs shall be set back a minimum of ten (10) feet from the front property line.

- 3.11.6.4.9.2 There shall be no more than one (1) building mounted sign permitted for any Religious Facility

- 3.11.6.4.9.2.1 Wall signs may be as large as one (1) square foot per three (3) linear feet of building frontage or a maximum of thirty (30) square feet, whichever is less.

3.11.6.4.10 Historic District – See Section 2.6.4.8.5.

3.11.7 Design, Construction, and Maintenance

3.11.7.1 Location

- 3.11.7.1.1 Signs or their supports shall not be placed in such position or manner as to obstruct or interfere, either physically or visually, with any fire alarm, police alarm, traffic signal or sign, or any devices maintained by or under public authority; or with vehicular or pedestrian ingress or egress to or from any public or private ROW, roadway, driveway, or sidewalk.
- 3.11.7.1.2 Where applicable, signs shall be erected only at locations shown on site plans approved by the Planning Board.
- 3.11.7.1.3 Signs shall not be placed on or affixed to public property within roadway rights-of-way and shall be only permitted on private property only with owner's consent.
- 3.11.7.1.4 Wall signs shall not project above the roofline or eaveline of any building.

3.11.7.2 Construction and Maintenance

- 3.11.7.2.1 The material and construction of any sign shall be in accordance with the Building Code.
- 3.11.7.2.2 All signs, whether erected prior to or after the effective date of this Ordinance shall be maintained in a safe condition and, together with their structural elements, shall be kept in good repair to the satisfaction of the Building Inspector.
- 3.11.7.2.3 Dark backgrounds with light colored lettering are encouraged. Fluorescent or glowing colors are prohibited.
- 3.11.7.2.4 Signs shall not obscure important architectural details or features such as windows, transom panels, sills, moldings, cornices, and the like.
- 3.11.7.2.5 Signs on adjacent storefronts within the same building should be coordinated in design, height, and proportion.

- 3.11.7.2.6 Permanent signs shall be made of durable materials, not paper or other short-lived materials.
- 3.11.7.2.7 Signs are encouraged to be constructed of natural or natural looking materials.
- 3.11.7.2.8 Signs are encouraged to be constructed in such a way that waste materials are minimized.
- 3.11.7.2.9 No sign shall have more than two (2) faces.

3.11.7.3 Sign Landscaping

- 3.11.7.3.1 All free-standing signs and the premises surrounding same shall be landscaped in an aesthetically pleasing or appropriate manner with hardy plant materials, groundcover, lawn or hard surfaces that will remain attractive throughout the year and be maintained by the owner thereof clear of rubbish and weeds.
- 3.11.7.3.2 Landscaping and plantings shall not obstruct the view of any portion of the sign face.

3.11.7.4 Sign Movement

No sign shall be permitted which is animated by means of flashing, shimmering or traveling lights or any other means, nor shall any sign contain any parts which move.

3.11.7.5 Illumination of Signs

- 3.11.7.5.1 Direct and indirect lighting of signs is permitted, provided it meets the criteria from Section 3.13 of the Site Plan Regulations.
- 3.11.7.5.2 Externally illuminated signs and signs that are consistent with Section 3.12.g of the Site Plan Regulations are strongly encouraged.
- 3.11.7.5.3 Animated, moving, flashing, and noise making signs are prohibited. Changeable electronic message board signs are prohibited in all zoning districts.
- 3.11.7.5.4 No sign or related outdoor lighting fixture shall be so placed as to focus light directly into any oncoming traffic or any street or into any window of any residence that abuts or is in the immediate vicinity of the fixture.
- 3.11.7.5.5 In the C-IV and Residential districts, a sign, if lighted, shall be illuminated with lights by indirect method only with no light placed within the sign.
- 3.11.7.5.6 Except in the C-I, CII, CIII, and Industrial districts, if specifically approved by the Planning Board, no sign shall be illuminated between the hours of eleven (11) p.m. and seven (7) a.m.

3.11.8 Pre-Existing Signs

3.11.8.1 Legally Pre-Existing Signs

Any sign located within the Town of Londonderry on the date of adoption of this Ordinance, which does not conform with the provisions of the Ordinance is eligible for characterization as a "legally preexisting" sign and is permitted, provided it also meets the following requirements:

- 3.11.8.1.1 The sign was covered by sign permit or variance on the date of adoption of this Ordinance if one was required under applicable law; or
- 3.11.8.1.2 If no sign permit was required under applicable law for the sign in question, the sign was in all respects in compliance with the applicable zoning law on the date of adoption of this Ordinance, and was in compliance with all other applicable Town ordinances or requirements.

3.11.8.2 Loss of Legal Non-Conforming Status

A legally preexisting sign shall immediately lose its legal preexisting status designation

if:

- 3.11.8.2.1 The sign is altered in any way in structure or copy (except for changeable copy signs and normal maintenance);
- 3.11.8.2.2 The sign is relocated; or
- 3.11.8.2.3 The sign is replaced, other than replacing the sign in its exact original conditional and statements; or
- 3.11.8.2.4 The sign shall have been abandoned (See Section 4.2).
- 3.11.8.2.5 The sign advertises or calls attention to any products, businesses or activity which are no longer carried on or sold, whether generally or at the particular premises; or
- 3.11.8.2.6 The sign shall not have been repaired or properly maintained within 60 days after written notice to that effect has been given by the Building Inspector; or
- 3.11.8.2.7 On the happening of any one of 1, 2, 3, 4, 5, or 6, the sign shall be immediately brought into compliance with this Ordinance with a new permit secured therefore, or shall be removed.

3.11.9 **Definitions**

Definitions pertaining to signage may be found in section 4.7 of this Ordinance

3.12 **HOME OCCUPATIONS**

3.12.1 **General Home Occupations by Special Exception**

- 3.12.1.1 Home Occupation shall be permitted by special exception only (property owner must apply to the Board of Adjustment for a special exception). Standards for Child Care and Adult Day Care Home Occupations are set forth in Sections 3.12.2 and 3.12.3.
- 3.12.1.2 Home Occupation shall be carried on by the occupant only within a dwelling and/or garage and shall be incidental and secondary to the use of the property as a dwelling for dwelling purposes and shall not change the residential character thereof. For purposes of this section, a garage shall be defined as a detached accessory building or portion of a principal building used or occupied for the parking or temporary storage of household goods and/or motor vehicles of the occupants of the premises.
- 3.12.1.3 No exterior renovations or construction, nor the outside storage of any materials related to the proposed home occupation will be permitted as part of a Home Occupation.
- 3.12.1.4 The Home Occupation shall not occupy more than twenty-five percent (25%) of the normal living area (as defined in Section 4.7 of this ordinance) of the home, regardless of the location of the home occupation on the property.
- 3.12.1.5 In order to qualify as a Home Occupation, only members of the occupant's immediate family residing on the property may be employed. Upon request, the Board of Adjustment is authorized to permit the employment of one additional employee on site.
- 3.12.1.6 In considering a special exception for a Home Occupation, the Board of Adjustment shall consider, in addition to the requirements set forth above, whether the proposed Home Occupation will adversely affect the property involved, or neighboring properties, by reason of any unusual sight, light, noise, smell, traffic or other effects of the Home Occupation. The Board shall consider the adequacy of off-street parking for anticipated customers, although no parking areas in excess of those necessary for normal residential purposes will be allowed.
- 3.12.1.7 The Board of Adjustment shall impose such conditions and restrictions as it deems desirable or necessary to protect the residential character of the neighborhood.

- 3.12.1.8 In all cases where a special exception for a Home Occupation is granted, the person receiving the special exception shall complete and sign a form with the Building Inspector that sets forth the nature of the Home Occupation and provides details of the business and its scope of operations. The applicant shall comply with the conditions set forth in the granting of special exceptions and the failure to comply will result in the revocation of the special exception.
- 3.12.1.9 The following uses shall not be considered Home Occupations:
 - 3.12.1.9.1 Auto Repair
 - 3.12.1.9.2 Auto Sales (on site sales)
 - 3.12.1.9.3 Landscaping Businesses
 - 3.12.1.9.4 Machine Shops
 - 3.12.1.9.5 Lawnmower/Tractor Sales & Service (on site sales)

3.12.2 Child Care Facilities as Home Occupations

- 3.12.2.1 Child Care Facility Home Occupations shall be permitted by special exception only (property owner must apply to the Board of Adjustment for a special exception).
- 3.12.2.2 Child Care Facility Home Occupations shall be carried on by the occupant only within a dwelling and shall be incidental and secondary to the use of the property as a dwelling for dwelling purposes and shall not change the residential character thereof.
- 3.12.2.3 A fence for outdoor play areas may be required by the Zoning Board of Adjustment. No other exterior renovations or construction will be permitted as part of a Child Care Facility Home Occupation.
- 3.12.2.4 The Child Care Facility Home Occupation shall not occupy more than twenty-five percent (25%) of the normal living area (as defined in Section 4.7 of this ordinance) of the home.
- 3.12.2.5 In order to qualify as a Child Care Facility Home Occupation, only members of the occupant's immediate family residing on the property may be employed. Upon request, the Board of Adjustment is authorized to permit the employment of one additional employee.
- 3.12.2.6 In considering a special exception for a Child Care Facility Home Occupation, the Board of Adjustment shall consider, in addition to the requirements set forth above, whether the proposed Child Care Facility Home Occupation will adversely affect the property involved, or neighboring properties, by reason of any unusual sight, light, noise, smell, traffic or other effects of the Child Care Facility Home Occupation. The Board shall consider the adequacy of off-street parking for anticipated drop-off and pick-up of children, although no parking areas in excess of those necessary for normal residential purposes will be allowed.
- 3.12.2.7 The Board of Adjustment shall impose such conditions and restrictions as it deems desirable or necessary to protect the residential character of the neighborhood.
- 3.12.2.8 In all cases where a special exception for a Child Care Facility Home Occupation is granted, the person receiving the special exception shall complete and sign a form with the Building Inspector that sets forth the nature of the Child Care Facility Home Occupation and provides details of the business and its scope of operations. The applicant shall comply with the conditions set forth in the granting of special exceptions and the failure to comply will result in the revocation of the special exception.

- 3.12.2.9 The following categories and criteria shall be applied to all requests for Child Care as a Home Occupation:

	Allowed as Home Occupation	Space per child
Family Day Care	Y	35 Square Feet*
Family Group Day Care	Y	35 Square Feet*
Day Care Nursery	Y (max of 12 children)	N/A
Group Child Care Centers	N	N/A

* Must meet 25% Rule of Child Care Facility Home Occupations.

Note: Guidelines taken from NH Child Care Facility (Day Care) Licensing and Operating Standards under RSA 170

- 3.12.2.10 Definitions relating to Child Care Facilities

DAY CARE, FAMILY: Care of three (3) to six (6) children from one (1) or more unrelated families including children under six (6) years old who live in the home and others related to the applicant. In addition to the six children, one (1) to three (3) children attending a full day school program may also be cared for up to five (5) hours per day on school days and all day during school holidays.

DAY CARE, FAMILY GROUP: Care of seven (7) to twelve (12) children from one (1) or more unrelated families including children under six (6) years old who live in the home and others related to the applicant.

DAY CARE NURSERY: Care of five (5) or more children under three (3) years of age.

DAY CARE CENTERS, GROUP CHILD: See Group Child Care Centers

GROUP CHILD CARE CENTERS: Either a full day or half day child care facility (whether or not the facility is known as day nursery, nursery school, kindergarten, etc.) by which services are regularly provided for any part of a day, but less than twenty-four (24) hours to thirteen (13) or more children.

3.12.3 Adult Day Care Facilities as Home Occupations

- 3.12.3.1 Adult Day Care Facility Home Occupations shall be permitted by special exception only (property owner must apply to the Board of Adjustment for a special exception).
- 3.12.3.2 Adult Day Care Facility Home Occupations shall be carried on by the occupant only within a dwelling and shall be incidental and secondary to the use of the property as a dwelling for dwelling purposes and shall not change the residential character thereof.
- 3.12.3.3 No exterior renovations or construction will be permitted as part of a Adult Day Care Facility Home Occupation, excepting for minor modifications required by the Building Code or the Federal Americans with Disabilities Act for handicap accessibility.
- 3.12.3.4 The Adult Day Care Facility Home Occupation shall not occupy more than thirty-five percent (35%) of the normal living area of the home, as defined by the following, per NH Department of Health & Human Services regulations (Life Safety Code Section 3.3.16.2.2. - Definition of Net Floor Area)
 - 3.12.3.4.1 The floor area within the inside perimeter of the outside walls, or the outside walls and fire walls of the building under consideration with deductions for hallways, stairs, closets, thickness of interior walls, columns, or other features.

- 3.12.3.5 In order to qualify as a Adult Day Care Facility Home Occupation, only members of the occupant's immediate family residing on the property may be employed. Upon request, the Board of Adjustment is authorized to permit the employment of two additional employees.
- 3.12.3.6 In considering a special exception for a Adult Day Care Facility Home Occupation, the Board of Adjustment shall consider, in addition to the requirements set forth above, whether the proposed Home Occupation will adversely affect the property involved, or neighboring properties, by reason of any unusual sight, light, noise, smell, traffic or other effects of the Home Occupation. The Board shall consider the adequacy of off-street parking for anticipated drop-off and pick-up of clients, although no parking areas in excess of those necessary for normal residential purposes will be allowed.
- 3.12.3.7 The Board of Adjustment shall impose such conditions and restrictions as it deems desirable or necessary to protect the residential character of the neighborhood.
- 3.12.3.8 In all cases where a special exception for a Adult Day Care Facility Home Occupation is granted, the person receiving the special exception shall complete and sign a form with the Building Inspector that sets forth the nature of the Adult Day Care Facility Home Occupation and provides details of the business and its scope of operations. The applicant shall comply with the conditions set forth in the granting of special exceptions and the failure to comply will result in the revocation of the special exception.
- 3.12.3.9 The following criteria shall be applied to all requests for Adult Day Care as a Home Occupation:

	Allowed as Home Occupation	Space per client
Adult Family Day Care	Y	35 Square Feet*
Adult Group Day Care	Y	35 Square Feet*
Adult Day Care Centers	N	N/A

* Must meet 35% Rule of Adult Day Care Facility Home Occupations.

3.12.3.10 Definitions relating to Adult Day Care Facilities

DAY CARE CENTER, ADULT: An Adult Day Care facility in which more than 12 clients receive care, maintenance, and supervision by someone other than a relative or legal guardian for less than 24 hours per day, which has been licensed by a state or county licensing agency.

DAY CARE OCCUPANCY, ADULT: A portion of a structure (residential home or commercial building) used for less than 24 hours per day to care for more than 3 elderly adults requiring care, maintenance, and supervision by someone other than a relative, which has been licensed by a state or county licensing agency. Clients shall be ambulatory or semi-ambulatory and shall not be bedridden. (Definition modified from Life Safety Code Handbook 2000 16.1.4.2.)

FAMILY DAY CARE, ADULT: An Adult Day Care facility in which three (3) to six (6) clients receive care, maintenance, and supervision by someone other than a relative or legal guardian for less than 24 hours per day, within a residential dwelling unit (Definition modified from Life Safety Code Handbook 2000 16.6.1.4.1.)

GROUP DAY CARE, ADULT: An Adult Day Care facility in which seven (7) to twelve (12) clients receive care, maintenance, and supervision by someone other than a relative or legal guardian for less than 24 hours per day, within a residential dwelling unit (Definition modified from Life Safety Code Handbook 2000 16.6.1.4.1.)

3.13 FARM RETAIL SALE OF CONSUMABLE NON-FARM PRODUCTS

The Town of Londonderry has recognized the value of maintaining its farmland as viable farm enterprises. In support of the economic viability of such operations the Board of Adjustment may grant a special exception to allow the retail sale of non-farm grown products such as ice cream, baked goods, Christmas Trees, honey, etc. The total retail value of said special exception sales shall not exceed in value the total sales of the primary crops.

The Board of Adjustment shall impose such conditions and restrictions as it deems desirable or necessary to protect the residential character of the neighborhood. The applicant shall comply with the conditions set forth in the granting of special exception and the failure to comply will result in the revocation of the special exception.

In granting such special exception, the Zoning Board will consider the adequacy of: parking, sewerage disposal capacity, required permits, days, and hours of operation.

3.14 FENCES

3.14.1 Fences shall be subject to the following requirements to ensure safe sight distance and to limit barriers that materially impede vision along the public right-of-way

3.14.1.1 No fence shall be erected which constitutes a Spite Fence according to RSA 476.

3.14.1.2 All private fences are prohibited within the public right-of-way.

3.14.1.3 No fence shall obstruct the proper sight distance as established by the Londonderry Department of Public Works.

3.14.1.4 No fence shall be erected which incorporates barbed wire, razor wire, or other sharp edges in its construction, with the exception of security fences for commercial and industrial properties as approved by the Planning Board, or agricultural fences for the confinement of livestock.

3.14.2 Fences located in the front yard of residential properties may not exceed four (4) feet in height except for agricultural fences for the confinement of livestock. The front yard, for the purpose of this section, shall be that portion of the property encompassing the area from the front property line to the 40 foot setback line. For corner lots fronting on two public rights-of-way the front yard shall apply to both property lines abutting both rights-of-way.

3.14.2.1 The height of fences located at the front setback line of residential properties shall be limited to the height restrictions established for the AR-I district.

3.14.2.2 Fences located along the side and rear property lines in the AR-I district shall not exceed six (6) feet in height.

3.14.3 Fences installed on properties in the Commercial and Industrial zones shall be subject to Planning Board approval.

3.15 SMALL WIND ENERGY SYSTEMS

3.15.1 **Purpose** - This small wind energy systems section is enacted in accordance with RSA 674:62-66, and the purposes outlined in RSA 672:1-III-a. The purpose of this ordinance is to accommodate small wind energy systems in appropriate locations, while protecting the public's health, safety and welfare. In addition, this ordinance provides a permitting process for small wind energy systems to ensure compliance with the provisions of the requirements and standards established herein.

3.15.2 Definitions Specific to this Section:

3.15.2.1 **Meteorological tower (met tower).** Includes the tower, base plate, anchors, guy wires and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment for anemometers and vanes, data loggers, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location. For the purpose of this ordinance, met towers shall refer only to those whose purpose are to analyze the environmental factors needed to assess the potential to install, construct or erect a small wind energy system.

3.15.2.2 **Modification.** Any change to the small wind energy system that materially alters the size, type or location of the small wind energy system. Like-kind replacements shall not be construed to be a modification.

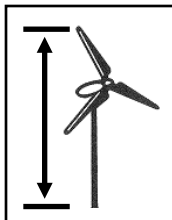
3.15.2.3 **Net metering.** The difference between the electricity supplied to a customer over the electric distribution system and the electricity generated by the customer's small wind energy system that is fed back into the electric distribution system over a billing period.

3.15.2.4 **Power grid.** The transmission system, managed by ISO New England, created to balance the supply and demand of electricity for consumers in New England.

3.15.2.5 **Shadow flicker.** The visible flicker effect when rotating blades of the wind generator cast shadows on the ground and nearby structures causing a repeating pattern of light and shadow.

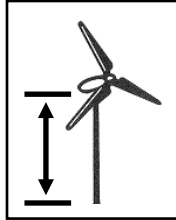
3.15.2.6 **Small wind energy system.** A wind energy conversion system consisting of a wind generator, a tower, and associated control or conversion electronics, which has a rated capacity of 100 kilowatts or less and will be used primarily for onsite consumption.

3.15.2.7 **System height.** The vertical distance from ground level to the tip of the wind generator blade when it is at its highest point (see below).



3.15.2.8 **Tower.** The monopole, guyed monopole or lattice structure that supports a wind generator.

3.15.2.9 **Tower height.** The height above grade of the fixed portion of the tower, excluding the wind generator (see below).



3.15.2.10 **Wind generator.** The blades and associated mechanical and electrical conversion components mounted on top of the tower whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.

3.15.3 Procedure for Review

3.15.3.1 **Building Permit:** Small wind energy systems and met towers are an accessory use permitted in all zoning districts where structures of any sort are allowed. No small wind energy system shall be erected, constructed, or installed without first receiving a building permit from the building inspector. A building permit shall be required for any physical modification to an existing small wind energy system. Met towers that receive a building permit shall be permitted on a temporary basis not to exceed 3 years from the date the building permit was issued.

3.15.3.2 **Application:** Applications submitted to the Senior Building Official shall contain a site plan with the following information:

- 3.15.3.2.1 Property lines and physical dimensions of the applicant's property.
- 3.15.3.2.2 Location, dimensions, and types of existing major structures on the property.
- 3.15.3.2.3 Location of the proposed small wind energy system, foundations, guy anchors and associated equipment.
- 3.15.3.2.4 Tower foundation blueprints or drawings.
- 3.15.3.2.5 Tower blueprints or drawings.
- 3.15.3.2.6 Setback requirements as outlined in this ordinance.
- 3.15.3.2.7 The right-of-way of any public road that is contiguous with the property.
- 3.15.3.2.8 Any overhead utility lines.
- 3.15.3.2.9 Small wind energy system specifications, including manufacturer, model, rotor diameter, tower height, tower type, nameplate generation capacity.
- 3.15.3.2.10 Small wind energy systems that will be connected to the power grid shall include a copy of the application for interconnection with their electric utility provider.
- 3.15.3.2.11 Sound level analysis prepared by the wind generator manufacturer or qualified engineer.
- 3.15.3.2.12 Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the NH State Building Code.
- 3.15.3.2.13 Evidence of compliance or non-applicability with Federal Aviation Administration requirements.
- 3.15.3.2.14 List of abutters to the applicant's property.

- 3.15.3.3 **Abutter and Regional Notification:** In accordance with RSA 674:66, the Senior Building Official shall notify all abutters and the local governing body by certified mail upon application for a building permit to construct a small wind energy system. The public will be afforded 30 days to submit comments to the building inspector prior to the issuance of the building permit. The Senior Building Official shall review the application for regional impacts per RSA 36:55. If the proposal is determined to have potential regional impacts, the Senior Building Official shall follow the procedures set forth in RSA 36:57, IV.

3.15.4 **Standards**

- 3.15.4.1 The Senior Building Official shall evaluate the application for compliance with the following standards:

- 3.15.4.1.1 **Setbacks:** The setback shall be calculated by multiplying the minimum setback requirement number by the system height and measured from the center of the tower base to property line, public roads, or nearest point on the foundation of an occupied building.

Minimum Setback Requirements			
Occupied Buildings on Participating Landowner Property	Occupied Buildings on Abutting Property	Property Lines of Abutting Property and Utility Lines	Public Roads
0 times system height	1.5 times system height	1.1 times system height	1.5 time system height

- 3.15.4.1.1.1 Small wind energy systems must meet all setbacks for principal structures for the zoning district in which the system is located.
- 3.15.4.1.1.2 Guy wires used to support the tower are exempt from the small wind energy system setback requirements.
- 3.15.4.1.2 **Tower:** The maximum tower height shall be restricted to 35 feet above the tree canopy within 300 feet of the small wind energy system. In no situation shall the tower height exceed 150 feet.
- 3.15.4.1.3 **Sound Level:** The small wind energy system shall not exceed 60 decibels using the A scale (dBA), as measured at the site property line, except during short-term events such as severe wind storms and utility outages.
- 3.15.4.1.4 **Shadow Flicker:** Small wind energy systems shall be sited in a manner that does not result in significant shadow flicker impacts. Significant shadow flicker is defined as more than 30 hours per year on abutting occupied buildings. The applicant has the burden of proving that the shadow flicker will not have significant adverse impact on neighboring or adjacent uses. Potential shadow flicker will be addressed either through siting or mitigation measures.
- 3.15.4.1.5 **Signs:** All signs including flags streamers and decorative items, both temporary and permanent, are prohibited on the small wind energy system, except for manufacturer identification or appropriate warning signs.

- 3.15.4.1.6 Code Compliance: The small wind energy system shall comply with all applicable sections of the New Hampshire State Building Code.
- 3.15.4.1.7 Aviation: The small wind energy system shall be built to comply with all applicable Federal Aviation Administration regulations including but not limited to 14 C.F.R. part 77, subpart B regarding installations close to airports, and the New Hampshire Aviation regulations, including but not limited to RSA 422-b and RSA 424.
- 3.15.4.1.8 Visual Impacts: It is inherent that small wind energy systems may pose some visual impacts due to the tower height needed to access wind resources. The purpose of this section is to reduce the visual impacts, without restricting the owner's access to the optimal wind resources on the property.
- 3.15.4.1.8.1 The applicant shall demonstrate through project site planning and proposed mitigation that the small wind energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include, but not be limited to information regarding site selection, wind generator design or appearance, buffering, and screening of ground mounted electrical and control equipment. All electrical conduits shall be underground, except when the financial costs are prohibitive.
- 3.15.4.1.8.2 The color of the small wind energy system shall either be the stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment. Approved colors include but are not limited to white, off-white or gray.
- 3.15.4.1.8.3 A small wind energy system shall not be artificially lit unless such lighting is required by the Federal Aviation Administration (FAA). If lighting is required, the applicant shall provide a copy of the FAA determination to establish the required markings and/or lights for the small wind energy system.
- 3.15.4.1.9 Approved Wind Generators: The manufacturer and model of the wind generator to be used in the proposed small wind energy system must have been approved by the California Energy Commission or the New York State Energy Research and Development Authority, or a similar list approved by the state of New Hampshire, if available.
- 3.15.4.1.10 Utility Connection: If the proposed small wind energy system is to be connected to the power grid through net metering, it shall adhere to RSA 362-A:9.
- 3.15.4.1.11 Access: The tower shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum height of 8 feet above the ground. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- 3.15.4.1.12 Clearing: Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the small wind energy system and as otherwise prescribed by applicable laws, regulations, and ordinances.

3.15.5 Abandonment

- 3.15.5.1 At such time that a small wind energy system is scheduled to be abandoned or discontinued, the applicant will notify the building inspector by certified U.S. mail of the proposed date of abandonment or discontinuation of operations.
- 3.15.5.2 Upon abandonment or discontinuation of use, the owner shall physically remove the small wind energy system within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the building inspector. "Physically remove" shall include, but not be limited to:
 - 3.15.5.2.1 Removal of the wind generator and tower and related above-grade structures.
 - 3.15.5.2.2 Restoration of the location of the small wind energy system to its natural condition, except that any landscaping, grading or below-grade foundation may remain in its same condition at initiation of abandonment.
- 3.15.5.3 In the event that an applicant fails to give such notice, the system shall be considered abandoned or discontinued if the system is out-of-service for a continuous 12-month period. After the 12 months of inoperability, the building inspector may issue a Notice of Abandonment to the owner of the small wind energy system. The owner shall have the right to respond to the Notice of Abandonment within 30 days from Notice receipt date. After review of the information provided by the owner, the building inspector shall determine if the small wind energy system has been abandoned. If it is determined that the small wind energy system has not been abandoned, the building inspector shall withdraw the Notice of Abandonment and notify the owner of the withdrawal.
- 3.15.5.4 If the owner fails to respond to the Notice of Abandonment or if, after review by the building inspector, it is determined that the small wind energy system has been abandoned or discontinued, the owner of the small wind energy system shall remove the wind generator and tower at the owner's sole expense within 3 months of receipt of the Notice of Abandonment. If the owner fails to physically remove the small wind energy system after the Notice of Abandonment procedure, the building inspector may pursue legal action to have the small wind energy system removed at the owner's expense.
- 3.15.6 **Violation** - It is unlawful for any person to construct, install, or operate a small wind energy system that is not in compliance with this ordinance. Small wind energy systems installed prior to the adoption of this ordinance are exempt from this ordinance except when modifications are proposed to the small wind energy system.
- 3.15.7 **Penalties** - Any person who fails to comply with any provision of this ordinance or a building permit issued pursuant to this ordinance shall be subject to enforcement and penalties as allowed by NH Revised Statutes Annotated Chapter 676:17.

4 GENERAL ADMINISTRATION

4.1 BOARD OF ADJUSTMENT

4.1.1 Authority

After the adoption of this Ordinance, the Town Council shall be and are hereby authorized to appoint the Board of Adjustment contemplated by such Zoning Ordinance, such Board to conform in membership and duties to the provisions of Chapter 674 NH Revised Statutes Annotated 1985. Thereafter the Town Council shall be responsible for filling vacancies and maintaining full membership on the Board of Adjustment.

4.1.2 Purpose and Responsibilities

In accordance with RSA 674:33, the Board of Adjustment will have the following powers.

- 4.1.2.1 To hear and decide appeals where it is alleged there is an error in any order, requirements, decision or determination made by an administrative official in the enforcement hereof or of any ordinance adopted pursuant thereto.
- 4.1.2.2 To hear and decide special exceptions to the terms of the Ordinance upon which such Board is required to pass under such Ordinance.
- 4.1.2.3 Permit variances from any provisions of this Ordinance where it can be shown that unnecessary hardship would otherwise result and where such variances would not be contrary to the public interest.
- 4.1.2.4 To decide to hear appeals on decisions made in carrying out responsibilities of this section.

4.1.3 Public Hearing

All requests for Board of Adjustment decisions will be heard in front of a public hearing. Public notices will be posted and all abutters will be notified of the hearing by certified mail.

4.1.4 Application Procedures

All requests for Board of Adjustment consideration will be accompanied by an application and fee made directly to the Secretary of the Board of Adjustment in the form required by the Board. The Board of Adjustment will annually recommend a fee, based on the previous year's operating expenses.

4.1.5 Special Exception Uses For Commercial And Industrial Uses

In deciding whether or not to grant a special exception, the Board of Adjustment will follow these guidelines.

- 4.1.5.1 Such use shall be one which is specifically authorized by ordinance as a special exception use in the district within which such particular site is located.
- 4.1.5.2 For every special exception use, the Board shall make a specific finding, after a public hearing in the manner provided by law, that such use will not cause or create a nuisance or hazard to adjacent properties.
- 4.1.5.3 For every special exception use, the Board shall determine that there is appropriate provision for access facilities adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety and to avoid traffic congestion. Vehicular entrances and exits shall be clearly visible from the street.

- 4.1.5.4 For every special exception use, the Board may require protective screening. Existing natural growth may be considered as part of the screen. A planting plan specifying type, size and location of existing and proposed plant material shall be required.
 - 4.1.5.5 For every special exception use, the Board shall determine that there are fully adequate parking areas and off-street truck loading spaces in conformity with this Ordinance and all other pertinent ordinances, for the anticipated number of occupants, employees and patrons, and that the layout of the parking spaces, truck loading berths and interior driveways is convenient and conducive to safe operation.
 - 4.1.5.6 For every special exception use where the installation of outdoor flood or spot lighting is intended, the Board shall determine that such lighting will not shine directly upon an abutting property, nor upon the street. No unshielded lights shall be permitted.
 - 4.1.5.7 For every special exception use, the Board shall determine that adequate provisions will be made for collection and disposal of storm water run-off from the site.
 - 4.1.5.8 The Board of Adjustment, if it deems the situation necessary, may require input from the Planning Board concerning the location and site layout for a special exception request.
 - 4.1.5.9 The Board of Adjustment shall also have original jurisdiction and power to grant a special exception use on a particular site, without a finding of unnecessary hardship, but subject to the guiding principles, standards, conditions, and safeguards contained in this Section to the extent applicable and in the manner provided by law.
 - 4.1.5.10 The Board's decision to grant a permit for a special exception use shall be made only after public and other notification, and hearing pursuant to the Rules of Procedure of the Board. Said permit shall apply specifically to the application and plans submitted and presented at said public hearing by the Board of Adjustment as a special new exception use.
 - 4.1.5.11 A special exception use, for which a permit is granted by the Board of Adjustment pursuant to the provisions of this section, shall be construed to be a conforming use.
 - 4.1.5.12 Special Exceptions for Wireless Communications Facilities shall be subject to both the requirements of Section 4.1.5 and 3.9.8.
- 4.1.6 **Special Exceptions For Residential Garage Setbacks**
- A special exception may be granted to reduce side and/or rear yard setback requirements for garages (only applicable for residential use, and not for the conduct of any business activities) in the AR-I District subject to all of the following conditions:
- 4.1.6.1 The lot must not have been created by a subdivision that occurred after January 1, 2004;
 - 4.1.6.2 A finding by the Zoning Board of Adjustment that there is some existing pattern in the area for garage setbacks smaller than those required;
 - 4.1.6.3 Locating the garage in conformance with the side and/or rear yard requirements would significantly impact existing vegetation, views from the residence, use of the yard, or site circulation; or is impractical due to lot dimensions or other constraints;

- 4.1.6.4 If a new driveway serves the garage, it must have an approved Driveway Permit issued by the Department of Public Works & Engineering, prior to the public hearing;
- 4.1.6.5 The proposed garage must be set back at least 10 feet from any existing building located on an adjacent lot;
- 4.1.6.6 The proposed garage must be designed to blend with the architectural character of the neighborhood (siding, roof pitch, etc.). Elevation drawings must be submitted to and approved by the ZBA;
- 4.1.6.7 The garage does not exceed 24 feet in either length or width; and
- 4.1.6.8 The garage walls do not exceed 10 feet in height (the roof may exceed this 10 foot limit).

4.1.7 **Special Exceptions for Historic Structures**

A special exception may be granted to reduce setback requirements for “historic structures,” as identified in the Town’s “Historic Properties Preservation Task Force - Task Force Summary & Recommendations Report” (on file with the Planning Department and Heritage Commission, hereinafter referred to as “the report”), as most recently updated, subject to all of the following conditions:

- 4.1.7.1 The structure must meet the definition of “Historic Structure” as defined by the report and be listed in appendix 1 of the report;
- 4.1.7.2 A finding by the Zoning Board of Adjustment that:
 - 4.1.7.2.1 The proposed construction will not make the structure ineligible for listing in the report by resulting in the structure retaining less than 75% of it’s original external features; **OR**,
 - 4.1.7.2.2 The Heritage/Historic District Commission has determined that the structure remains eligible despite modifications to the structure (as provided for in the definition in the report);
- 4.1.7.3 The proposed construction must be designed to blend with the architectural character of the historic nature of the existing structure. Elevation drawings must be submitted to and approved by the ZBA;
- 4.1.7.4 Locating an addition in conformance with the setback requirements would significantly impact existing vegetation, views from the residence, use of the yard, or site circulation; or is impractical due to lot dimensions or other constraints;
- 4.1.7.5 The proposed construction/addition must be set back at least 10 feet from any existing building located on the lot or on an adjacent lot; and
- 4.1.7.6 The proposal must have been reviewed by the Heritage/Historic District Commission and written recommendations of the Commission forwarded to the ZBA.

4.1.8 **Restrictions**

- 4.1.8.1 The granting of any variance or special exception will be subject to all restrictions stipulated by the Board of Adjustment at the time of the public hearing.
- 4.1.8.2 When applicable, building permits must be obtained from the Building Department within twelve (12) months following the granting of a variance (or special exception use) or the variance or exception will become null and void.

4.2 **NON-CONFORMING USE**

4.2.1 **Existing Non-Conforming Use**

- 4.2.1.1 Any non-conforming uses of land or buildings may continue in their present use, except that any non-conforming use or building may not be:
 - 4.2.1.1.1 Changed to another non-conforming use;
 - 4.2.1.1.2 Re-established after discontinuance for one (1) year except when such use or building conforms to the provisions of this ordinance;
 - 4.2.1.1.3 Expanded;
 - 4.2.1.1.4 Rebuilt after damage exceeding 75% of its replacement value.
- 4.2.1.2 No commercial junk yard may continue as a non-conforming use for more than one (1) year unless it complies with state laws governing same. No new commercial junk yards shall be established.

4.3 PENALTY

Every person, persons, firm or corporation violating any of the provisions of this Ordinance Code or any other provision adopted by the Town of Londonderry will be subject to the fines and penalties provision of N.H. RSA 676:17.

4.4 ENFORCEMENT

- 4.4.1 The Town Council shall authorize the Building Inspector to enforce the provisions of this Ordinance and issue any and all building permits requested when such permit is in accordance with the provisions of this Ordinance.
- 4.4.2 After passage of this Ordinance, it shall be unlawful to erect any structure or building, or relocate any building without first obtaining a permit.
- 4.4.3 Upon any well-founded information that this Ordinance is being violated, the Town Council shall take immediate steps to enforce the provisions of this Ordinance by seeking an injunction in District Court, Superior Court or any other legal action.

4.5 SAVING CLAUSE

If any portion of this Ordinance is found to be unlawful it shall not void any of the other provisions. The regulations of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare provided, however, that where this Ordinance is found to be in conflict with any other lawfully adopted ordinances, codes, covenants or regulations, the provision which imposes the higher standard or is the more restrictive shall prevail.

4.6 AMENDMENTS

- 4.6.1 As stipulated in RSA 675:2, this Ordinance may be amended by a majority vote of the Town Council when such amendment has received a public hearing, which hearing has been advertised and given a legal notice in accordance with Section 4.6.5, below. In the case of overlay zones a reasonable effort to notify effected property owners may be made by the Town. Such notice does not require the use of certified mail.
- 4.6.2 Submission to the Planning Board
Other than changes to the Zoning Ordinance proposed by the Planning Board, all requests for amendments to the Zoning Ordinance shall be referred to the Planning Board for its consideration and the Board shall submit its recommendations concerning such requests to the Town Council within ninety (90) days after the referral has been made by the Council.

4.6.3 Planning Board Hearing

The Planning Board shall hold a public hearing on the proposed amendment, with notice being given in accordance with Section 4.6.5 below, before making recommendations to the Town Council.

4.6.4 Planning Board Initiative

The Planning Board may, upon its own initiative, from time to time, consider amendments to the Zoning Ordinance and submit recommendations thereon to the Town Council.

4.6.5 Notice

In accordance with RSA 675:7, notice shall be given for the time and place of the public hearing at least 10 days before the hearing. The notice required under this Section shall not include the day the notice is posted or the day of the public hearing. Notice of each public hearing shall be published in a newspaper of general circulation in the municipality and shall be posted in at least 2 public places.

4.6.6 Text of Ordinance

The full text of the proposed amendment to the Zoning Ordinance need not be included in the notice if an adequate statement describing the proposal and designating a place where the proposal is on file for public inspection is stated in the notice.

4.7 DEFINITIONS

ABANDONMENT: The voluntary evacuation of a use for a continuous period of at least 12 months, either by completely vacating the lot or by transferring to another use permitted only in a more restricted zoning district.

ACCESSORY USE OR ACCESSORY STRUCTURE: A use or structure which is incidental to, subordinate to, and customarily found in connection with a principal use or structure and which is situated on the same lot as the principal use or structure, except that where specifically provided in the applicable regulations, accessory off-street parking or loading facilities or private recreational facilities need not be located on the same lot.

AERONAUTICAL FACILITIES: Shall mean all land and buildings customarily used in support of the operation of an airport as follows: a) runways, taxiways, aprons, and ramps; b) terminal buildings; c) parking garages; d) parking lots; e) fuel farms; f) cargo facilities; g) car rental facilities; h) aircraft hangers; i) air traffic control facilities. Additional uses or property may be included within the definition of aeronautical facilities upon the express mutual consent of the parties (as defined in the new inter-municipal agreement 2003).

AGRICULTURE: shall mean all operations of a farm such as the cultivation, conserving, and tillage of the soil, dairying, greenhouse operations, the production, cultivation, growing and harvesting of any agricultural, floricultural, sod or horticultural commodities, the raising of livestock, bees, fur-bearing animals, fresh water fish or poultry, or any practices on the farm as an incident to or in conjunction with such farming operations including, but not necessarily restricted to, the following: preparation for market, delivery to storage or to market, or to carriers for transportation to market, or any products or materials from the farm; the transportation to the farm of supplies and materials; the transportation of farm workers; forestry or lumbering operations; the marketing or selling at wholesale or retail or in any other manner any products from the farm and of other supplies that do not exceed in average yearly dollar volume the value of products from such farm.

AIRPORT shall mean the Manchester Airport.

ANIMAL HOSPITAL: A building used by a licensed veterinarian solely for the practice of veterinary medicine, not as a kennel.

APPROVED STREET: Any street dedicated and accepted by the Town of Londonderry; or any street approved at any time by the Town Council. The word "street" shall include the words "road," "highway," "boulevard," "avenue," and similar terms as defined in the Town Subdivision and Site Plan Regulations.

ASSISTED LIVING FACILITIES: shall be defined as facilities licensed under RSA 151 for elderly (over 55 years of age) or disabled individuals, which provide onsite services that support independent living for residents, including, at a minimum, communal dining facilities, and may include onsite personal care services, housekeeping and linen service and the supervision of self-administered medications.

BACK LOT DEVELOPMENT - The development of up to four (4) single-family house lots with reduced development requirements in exchange for permanently prohibiting development of roadside areas identified by the community as contributing to Londonderry's character, such as land that is being actively farmed.

BED AND BREAKFAST HOMESTAY: A private owner-occupied residence with one to four guest rooms. A bed and breakfast homestay having more than four and less than seven guest bedrooms may be approved if the home or historic barn is located within the Town of

Londonderry Cultural Resources Survey or listed on the National Register of Historic Places. The bed and breakfast homestay is subordinate and incidental to the main residential use of the building. Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than thirty (30) days in any one year period.

BERM: An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

BUFFER: A combination of physical space and vertical elements, such as plants, berms, fences or walls, the purpose of which is to separate and screen incompatible land uses from each other.

BUILDABLE AREA: The portion of a lot remaining after required easements and setbacks from lot lines, proposed public road right-of-way land designated as a public street or highway, and/or from the 100-year flood plain, have been provided.

BUILDING: A structure with exterior walls which combine to form an occupiable structure, including but not limited to apartments, barns, dwelling, garages, hotels, offices, restaurants and stores. Signs are not to be considered a building, or part of a building, and are regulated by this Ordinance.

BUILDING COVERAGE: This area of a lot covered by the aggregate of the maximum horizontal cross Section of all buildings on a lot, including covered porches and accessory structures, all measurements shall be made between exterior faces of walls, foundations, piers, or other means of support.

BUILDING GROUP: A group of two or more main structures and any structures accessory thereto, occupying a single lot.

BUILDING, HEIGHT OF: The vertical distance from the average grade adjoining the walls of the structure to the average of the highest points of a roof surface of a flat roof ; and to the deck line of a mansard roof; and the mean height level between eaves and ridge for a gable, hip or gambrel roof.

BUILDING, MAIN: The structure in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which the same is located if the lot is used primarily for residential purposes.

BUILDING PROFILE: A drawing showing the maximum horizontal and vertical limits of the structure

BUFFER, CONSERVATION OVERLAY: the term "conservation overlay buffer" means the upland areas adjacent to wetlands and surface waters in the Conservation Overlay District other than the wetlands themselves

CEMETERY: A place used for the permanent interment of dead bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for incendiary interments, or a combination thereof.

CERTIFIED SOIL SCIENTIST: A person qualified in soil classification and Mapping who is certified by the State of New Hampshire Board of Natural Scientists.

COMMERCIAL USE: Any use involving in part or in whole the sale of merchandise, materials or services, but not including home occupations as defined in this section.

COMMERCIAL VEHICLE: Every motor vehicle and every trailer or semi-trailer designed and used for carrying freight or merchandise in the furtherance of any commercial enterprise; a motor

vehicle that is designed to carry more than 10 passengers and is used to carry people, including vehicles registered as school buses or any other motor vehicle that is designed and used to carry people for compensation, except for taxicabs.

COMMON LAND: Land jointly owned by a group of residents.

COMMUNITY CENTER: A building to be used as a place of meeting, recreation, or social activity and not operated for profit and in which alcoholic beverages are not normally dispensed or consumed.

CONVALESCENT HOME: This term includes rest homes, nursing homes, convalescent homes for children, and homes providing chronic and convalescent care.

CONVENTIONAL SUBDIVISION: Subdivision conforming to Section 2.3.1 of Londonderry Zoning Regulations excluding Planned Residential Development.

CRITERIA: Text material accompanying a Plan for Subdivision or Site Plan approval by the Planning Board.

CUSTOMARY HOME OCCUPATION: An occupation for gain or support conducted primarily on the premises by members of a family residing on said premises.

DEPTH OF LOT: The mean horizontal distance between the front lot line and rear lot line of a lot.

DETACHED BUILDING: A building surrounded by yards or other open area on the same lot and not to be used as a dwelling unit.

DEVELOPMENT: The construction of a new structure on a lot; the relocation of an existing structure on another lot; the use of a tract of land, including frontage along an existing street or highway, into two or more lots. Also includes mining, dredging, filling, grading, paving, excavation, and drilling operations.

DEVELOPMENT, COMMERCIAL MIXED USE: A tract of land or building or structure containing more than one type of land use or a single development of more than one building and use, where the different types of land uses (including, but not limited to, residential, office, manufacturing, retail, public, or entertainment) are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

DISTRICT: A zoning district as specified in this Ordinance.

DISTRICT, OVERLAY: means a zoning district superimposed on one or more established zoning districts to impose supplemental restrictions on uses in these districts.

DOMESTIC PETS: This term includes dogs, cats and other small animals commonly kept for non-commercial purposes for the exclusive enjoyment of the residents.

DRIVE-THRU ESTABLISHMENT: A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach of parking spaces for motor vehicles so as to serve patrons while in the motor vehicle. Does not include establishments involved in the business of preparing and/or purveying food on a regular basis. For all such businesses please see Restaurant, fast food.

DRIVE-THRU WINDOWS: A customer service facility designed for the convenience of the motoring public accessory to an office or retail establishment which is intended to enable the customer to transact business with a person located within a structure or a machine without

exiting the motor vehicle.

DRIVEWAY: Area designated for vehicular access to a lot from an approved highway or street.

DUPLEX: See “Dwelling, Two-Family”

DWELLING, SINGLE-FAMILY: A detached or free-standing residence other than a mobile home, designed for and occupied by one family only.

DWELLING, TWO-FAMILY: A residential building designed for or occupied by two families living independently of each other in individual attached dwelling units. Also known as a duplex.

DWELLING, MULTI-FAMILY: A residential building designed for or occupied by three or more families.

DWELLING UNIT: Any room, or rooms connected together forming a habitable unit for one family with its own bathing and toilet facilities and its own living, eating and sleeping areas wholly within such rooms, or rooms connected together.

EASEMENT: As shown on a subdivision plan, an area on a lot reserved for the passage of water, utility, slope, temporary cul-de-sac, or other identified purposes. The owner cannot block the easement and must allow the Town access for maintenance purposes.

ELDERLY: Persons 55 years of age or older. An entire household is elderly if it is the primary residence of one person 55 years of age or older and their spouse.

ELDERLY HOUSING: housing established and maintained in compliance with the Fair Housing Act, as amended, 42 USC Sec. 3601 et seq that is designed to meet the needs of persons 55 years of age or older (RSA 354-A:15).

EQUIPMENT, HEAVY: A movable or transportable vehicle or other apparatus commonly used in commercial, industrial, or construction enterprises, such as but not limited to trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, having a gross weight of 2.5 tons or more.

EXCAVATION: Excavation means a land area which is used, or has been used, for the commercial taking of earth, including all slopes. Excavation is only allowed in accordance with the EXCAVATION REGULATIONS adopted by the Town of Londonderry Planning Board on January 26, 1994, on file with the Town of Londonderry Planning Department.

EVERGREEN: A plant with foliage that persists and remains green year-round.

FAMILY:

- A. A single person occupying a dwelling and maintaining a household, or
- B. Two or more persons related by blood, marriage or adoption, occupying a dwelling, living together, and maintaining a common household, or
- C. Not more than eight unrelated persons occupying a dwelling, living together, and maintaining a common household.

FENCE: A barrier used as a boundary, means of protection, privacy screening or confinement, enclosing a field or yard. Designs of Chain-link, Wire, Post & Rail, Paddock, Stockade, Lattice, Stone, or Brick, are typical fence types, exclusive of hedges, shrubs, trees, or other natural growth. Fences of more than 6 feet in height erected on residential properties are considered structures and shall be subject to the setback provisions of the AR-I zoning district.

FINANCIAL INSTITUTION: an establishment where the principal businesses is the receipt, disbursement or exchange of funds and currencies, such as: banks, savings and loans, or credit unions

FLOOR AREA: The sum of the areas of the several floors of the structure(s) as measured by the exterior faces of the walls, less any area within the structure(s) devoted to parking, vehicular driveways, atria or enclosed malls and similar areas.

FRONTAGE: The continuous linear extent of a lot measured along any highway or right-of-way from the intersection of one side lot line to the intersection of the other side lot line of the same lot.

GASOLINE STATION: See "Motor Vehicle Station, Limited" and "Motor Vehicle Station, Full Service."

GRADE: The level from which the height of a structure is measured , as defined herein.

GREEN AREA: Land area covered by vegetation.

HOME OCCUPATION: an occupation, profession, activity or use that is clearly a customary, secondary, and incidental use of a residential dwelling unit

HOSPITAL: Any institution, including a sanitarium, which maintains and operates facilities for overnight care and treatment of two or more non related persons as patients suffering mental or physical ailments, but not including any dispensary or first aid treatment facilities maintained by a commercial or industrial plant, educational institution, convent or nursing home, as previously defined.

HOTEL: Any building containing six or more guest rooms which are used, rented, or hired for sleeping purposes by transient guests and with access to units primarily from interior lobbies, courts, or halls

ILLEGAL USE: Any use, whether of a structure or of a tract of land, in which a violation of any provision of these regulations has been committed or shall exist.

JUNK YARD: A parcel of land used for a commercial dismantling, storage, and sale of salvage material, including scrap metal, vehicles, paper and rags . The bailing, shredding or compacting of or sale of salvage materials are permitted.

KENNEL: The use of a lot or structure for the containment of four (4) or more dogs, that are more than six (6) months old.

LIVESTOCK: This term shall include horses, cattle, sheep, swine, goats and other animals usually kept or raised on a farm. Exempted from this definition are domestic pets as defined in this Ordinance.

LOT: The whole area of a single parcel of land with ascertainable boundaries in single or joint ownership, undivided by a street and established by deed(s) of record.

LOT AREA: The land wholly within the boundary of a lot exclusive of any Group 6 soils, easements, or within a street right-of-way.

LOT LINE: A line representing a boundary of a lot.

LOT OF RECORD: A lot which is part of a subdivision of record in the office of the Rockingham

County Registrar of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded in the Rockingham County Registry of Deeds.

LOT SIZE: This land wholly within the boundary of a lot exclusive of any Group 6 soils, easements, or within a street right-of-way.

MANUFACTURED HOUSING: For the purpose of this Ordinance, the definition means any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein. Manufactured housing as defined in this Section shall not include presite built housing as defined in this Ordinance.

MANUFACTURED HOUSING: any residential structure as defined under 24 CFR 3280.2 of the Department of Housing and Urban Development regulations establishing manufactured home construction and safety standards. A manufactured home is typically a single-family unit constructed entirely in a controlled factory environment. Manufactured housing as defined in this Section shall not include presite built housing as defined in this Ordinance.

MANUFACTURING, HEAVY: The manufacturing of products from raw or unprocessed materials. Normal operations might include the use of heat, noise, or odor generating/producing processes.

MANUFACTURING, LIGHT: An establishment or activity primarily engaged in manufacturing, production or assembly which does not involve, on the premises, the use of heat, noise, or odor generating/producing processes which are detectable off-site. Includes the assembly, testing, repair and packing of components, devices and equipment systems

MEDICAL OR DENTAL CLINICS: Any structure or group of structures occupied by one or more medical or dental practitioners for the purpose of providing health services to people on an out-patient basis.

MEMBERSHIP CLUB: Buildings and facilities owned or operated by a corporation, associates, person, or persons for a social, educational, or recreational purpose to which membership is required for participation, but not primarily operated for profit or to render a service which is primarily done as a business. Does not include gun related clubs and sexually oriented businesses operating as membership clubs.

MIXED USE RESIDENTIAL: a building which contains dwellings located above the ground floor of an institutional, civic, office, commercial, or retail use.

MOBILE HOME: (See "Manufactured Housing")

MOBILE HOME PARK: Any tract of land on which two or more mobile homes are parked and occupied for living purposes.

MOTOR HOME: A portable, temporary dwelling to be used for travel, recreation and vacation, and constructed as an integral part of a self propelled vehicle.

MOTOR VEHICLE RENTAL: rental of automobiles, light trucks and vans, including incidental parking and servicing of vehicles for rent. Typical uses include auto rental agencies.

MOTEL: A building or series of buildings in which lodging is offered for compensation, and which is distinguished from a hotel primarily by reason of providing direct independent access to, and adjoining parking for, each rental unit

MOTOR VEHICLE: A vehicle that is designed to be self-propelled and is not operated on rails. Motor vehicle does not include a motorcycle or a bicycle that is equipped with an assisting motor.

MOTOR VEHICLE MAINTENANCE, MAJOR REPAIR AND PAINTING: A facility that provides major vehicle repairs, maintenance, painting, including full body repairs, engine rebuilding and reconditioning, and collision services and incidental sales of parts.

MOTOR VEHICLE STATION, LIMITED SERVICE: A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides and minor automobile accessories. In addition, such a facility may provide minor vehicle servicing, minor repairs and maintenance, including engine rebuilding but not reconditioning of motor vehicles, collision services such as body, frame or fender straightening and repair, or overall painting of automobiles.

MOTOR VEHICLE STATION, FULL SERVICE: A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides and minor automobile accessories. In addition, such a facility must provide minor vehicle servicing, minor repairs and maintenance, and may provide engine rebuilding but not reconditioning of motor vehicles, collision services such as body, frame or fender straightening and repair, or overall painting of automobiles.

MUNICIPAL WASTEWATER SYSTEM: A wastewater collection, treatment and disposal system that is operated by a municipality (privately owned wastewater systems connected to a municipal wastewater system shall be considered as part of the municipal system.)

NON-CONFORMING USE: Any use of land and/or buildings in violation of the provisions of this Ordinance.

NORMAL LIVING AREA: A room or enclosed space designed for human occupancy in which individuals live, sleep, cook, and dine; equipped with means of egress, light, heat and ventilation facilities. Excluding such places as garages, unfinished areas, decks, barns, sheds or other accessory buildings.

NURSING HOME: Rest or care homes, convalescent homes and homes for the aged devoted primarily to the maintenance and operation of facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities or injuries not requiring the intensive care that is normally provided by hospitals, but who do require care in excess of room and Board and who need medical, nursing, convalescent or chronic care. Such institutions include those for the treatment and care of mental patients, alcoholics and drug addicts

OPEN SPACE: A separate lot which is either:

- A. Reserved or dedicated for common use; open and unobstructed from its lowest level to the sky, except that roofed area for open space uses may be included to a total of not more than ten percent of the open space area, and parking may be included if its primary purpose is to accommodate open space uses; and held for the common use of the public or of persons residing in the particular locality within the neighborhood for park, school, recreation or environmental purposes; or
- B. An historic structure and the lot upon which the historic structure is situated provided the historic structure is held for the common use of the public or of persons residing in the locality within the neighborhood and parking may be included if its primary purpose is to accommodate open space uses.

OUTDOOR STORAGE: the storage of any material for a period greater than 24 hours, including items for sale, lease, processing, and repair (including vehicles) not in an enclosed building.

PARKING SPACE, OFF-STREET: For the purposes of these regulations, an off-street parking

space shall consist of a space adequate for parking a motor vehicle with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room.

PERMANENT MANUFACTURING PLANT: A rock crushing plant that operates for more than 60 days. It is usually set on a concrete foundation. Permanent Manufacturing Plants are to operate in compliance with the excavation regulations adopted by the Town of Londonderry Planning Board on January 26, 1994, on file with the Town of Londonderry Planning Department.

PRESITE BUILT HOUSING: Any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities. For the purposes of this subsection, presite built housing shall not include manufactured housing as defined in this Ordinance.

PRINCIPAL USE: The primary purpose for which a lot or structure is used.

PROFESSIONAL OFFICE: offices for doctors, dentists, lawyers, engineers, planners, architects, attorneys, insurance, real estate, or investment agencies, or any similar type of profession.

PUBLIC FACILITIES: any facility including but not limited to buildings, property, recreation areas, and roads, which are leased or otherwise operated or funded by a governmental body

PUBLIC UTILITIES: all lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and includes facilities for the generation of electricity.

RECREATION, COMMERCIAL: recreation facilities operated as a business and open to the general public for a fee including but not limited to indoor theaters, bowling alleys, golf courses, racquet clubs, and health facilities.

RECREATION FACILITIES, PUBLIC: publicly owned or operated recreation facilities

RELIGIOUS FACILITIES: a building or buildings used for public worship by a congregation. Religious facilities include churches, synagogues, temples, mosques, and other places of religious worship.

REPAIR SERVICES: Establishments primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive repair use types. Typical uses include jewelry, clock, radio and television repair, small appliance repair, bicycle repair and services of a similar nature.

RESEARCH LABORATORY: A structure or group of structures used primarily for applied and developmental research, where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation and test marketing.

RESIDENCE OR RESIDENTIAL: A structure or part of a structure containing dwelling units or rooming units, including single-family or two-family houses, multiple dwellings, Boarding or rooming houses, or apartments. Residences do not include:

- A. Such transient accommodations as transient hotels, motels, tourist cabins, trailer courts; or
- B. Dormitories, fraternity or sorority houses;
- C. In a mixed use structure, that part of the structure used for any non-residential uses, except accessory to residential uses;
- D. Recreational vehicles.

RESIDENCE, SINGLE-FAMILY: A building containing only one dwelling unit.

RESTAURANT: a structure in which the principal use is the preparation and sale of food and beverages to the public on demand from a menu during stated business hours, to be consumed on the premises primarily inside the building. Includes cafes, taverns, and similar establishments but does not include a drive-thru establishment.

RESTAURANT, FAST FOOD: an establishment whose primary business is serving food to the public for consumption on or off the premises by order from and service to vehicular passengers outside the structure.

RETAIL SALES ESTABLISHMENT: a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser. Typical uses include but are not limited to clothing, appliance, hardware and department stores, automotive accessory, drug and variety stores, grocery stores and supermarkets

RIGHT-OF-WAY, R.O.W: A strip of land that is generally used for the location of a street, walkway, utility line or other access way, that is separate and distinct from the lots and parcels adjoining such R.O.W. and not included within the dimensions or areas of such other lots or parcels.

SCHOOL, PRIVATE: a private educational institution other than a public school which offers instruction in the several branches of learning and study required to be taught in the public schools or where instruction is given in the vocational, professional, or recreational fields

SCREEN: A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls or any appropriate combination thereof.

SERVICE ESTABLISHMENT: any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.

SETBACK: Open area, located on the same lot with a structure or group of structures, between the structure or outer structure of a group and the nearest lot or street line, unoccupied and unobstructed from the ground upward, except as provided in these regulations.

- A. Setback, Front: Extends across the full width of the lot, between the front street line (or proposed front street line) and the nearest line of the structure or enclosed portion thereof. The depth of the setback is the shortest horizontal distance between the front existing or proposed street line and the nearest point of structure or enclosed portion thereof.
- B. Setback, Rear: Extends across the full width of the lot, between the rear lot line and the nearest line of the structure, porch or projection thereof. The depth of the setback is the shortest horizontal distance between the rear lot line and the nearest point of structure, porch or projection.
- C. Setback, Side: Extends between the side lot line or side street line (proposed side street line, if such line falls within the lot) and the nearest line of the structure, porch or projection thereof, extending from the front setback to the rear setback, or, in the absence of either of such setbacks, to the front street line and/or rear lot line. The width of)side setback is the shortest distance between the side lot line and the nearest point of structure, porch or projection.

SEXUAL CONDUCT: means human masturbation, sexual intercourse actual or simulated, normal or perverted, whether alone or between members of the same or opposite sex or between

humans and animals, any depiction or representation of excretory functions, any lewd exhibitions of the genitals, flagellation or torture in the context of a sexual relationship. Sexual intercourse is simulated when it depicts explicit sexual intercourse which gives the appearance of the consummation of sexual intercourse, normal or perverted.

SEXUAL CONDUCT SUBSTANTIAL PORTION OF THE TOTAL PRESENTATION TIME:

Occurring on more than seven (7) days within any fifty-six (56) consecutive day period.

SEXUAL ENCOUNTER CENTER: A business or commercial enterprise that a substantial part of the time, offers for any form of consideration: (A) physical contact in the form of wrestling or tumbling between persons of the opposite sex; or (B) activities between male and female persons and/or persons of the same sex when one or more persons is in the state of nudity; and where the activities in (A) or (B) is characterized by an emphasis on "sexual conduct."

SEXUALLY ORIENTED BUSINESSES:

ADULT BOOKSTORE or ADULT VIDEO STORE - A business that devotes more than 15% of the total display, shelf, rack, table, stand, or floor area, utilized for the display and sale of the following:

- A. Books, magazines, periodicals, or other printed matter, or photographs, films, video games, motion pictures, video cassettes, slides, tapes, records, CD-ROMs or other forms of visual or audio representations which depict or describe "sexual conduct"; or
- B. Instruments, devices or paraphernalia which are designed for use in connection with "sexual conduct".
- C. An adult bookstore or adult video store does not include an establishment that sells books or periodicals as an incidental or accessory part of its principal stock and trade and does not devote more than 15% of the total display, shelf, rack, table, stand, or floor area of the establishment to the sale of books and periodicals.

ADULT CABARET - A nightclub, bar, restaurant, or similar commercial establishment or a private membership club, fraternal membership or social club which during a substantial portion of the total presentation time features:

- A. Live performances which are characterized by "sexual conduct"
- B. Feature films, motion pictures, video cassettes, slides or other photographic reproductions, which depict or describe "sexual conduct".

ADULT DRIVE-IN THEATER - An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration to persons in motor vehicles or on outdoor seats, in which a substantial portion of the total presentation time being presented for observation by patrons is devoted to the showing of material which depict or describe "sexual conduct".

ADULT MOTION PICTURE ARCADE - Any place in which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to four or fewer persons per machine at any one time, and in which a substantial portion of the total presentation time of the images so displayed is distinguished or characterized by the depicting or describing of "sexual conduct".

ADULT MOTION PICTURE THEATER - An establishment with a capacity of five or more persons, where for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which depict or describe "sexual conduct".

ADULT THEATER: A theater, concert hall, auditorium or similar establishment either indoor or outdoor in nature, which, for any form of consideration, regularly features live performances, a substantial portion of the total presentation time of which are distinguished or characterized by an emphasis on activities which depict or describes "sexual conduct".

SIGN: Any permanent or temporary structure, billboard, device, letter, word, banner, pennant, insignia, trade flag or representation used as, or which is in the nature of, an advertisement, announcement, or direction which is on a public way, or on a private property within public view of a public way, a private way open to public use, property to which the public has access, a public park or reservation. Non-illuminated and illuminated non animated signs located within the interior of a building in a commercial or industrial zone shall not be considered a sign.

SIGN, AREA OF:

Freestanding Sign: The area of a non-wall sign shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign any "cutouts" or extensions, but shall not include any supporting structure or bracing.

Wall Sign: Where individual mounted letters are used without a sign background, the area of the sign shall be the area in square feet of the smallest rectangular, circular, or oval figure which describes the area enclosed by the actual copy of a sign

SIGN, CHANGEABLE COPY: A sign or portion thereof designed to accommodate message changes composed of characters, letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign.

SIGN, ELECTRONIC MESSAGE BOARD: A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

SITE PLAN: To the extent required by the Planning Board, a plan indicating the location of existing and proposed structures, paved areas, walkways, vegetative cover, existing and proposed grades, initial landscaping, and screening within a site proposed for development which is to be submitted to the Planning Board for approval prior to the release of building permits on the site.

SLOPE: The average steepness of the land surface under consideration. For the purpose of determining lot size categories, slope shall be determined by slope factors used by the National Cooperative Soil Survey Soil Classification.

SPECIAL EXCEPTION: A use of a building or lot which may be permitted under this Ordinance only upon application to the Board of Adjustment and subject to the conditions and approval of that Board, and only in cases where the words . "Special Exception" in this Ordinance pertain.

STORY: That part of a structure between the surface of a floor and the ceiling immediately above.

STORAGE, SELF-SERVE: a building or group of buildings divided into separate compartments, which may be leased or rented on an individual basis.

STORAGE STRUCTURE, PORTABLE: any container, storage unit, shed-like container, other than an accessory building or shed complying with all building codes and land use requirements, that can be used for storage of personal property of any kind and which is located for such

purposes outside an enclosed building.

STREET: Public ways established by or maintained under public authority, private ways open for public use, and private ways plotted or laid out for the ultimate acceptance as a public street whether or not constructed.

STRUCTURE: Anything constructed, the use of which requires permanent location on the ground, or attached to something having permanent location on the ground. Antenna, awnings, driveways, exterior lighting fixtures, fire hydrants, gardens, mailboxes, parking surfaces, retaining walls less than three feet in height, survey monuments, temporary storage areas, walks, and similar minor structures shall not be considered structures for bulk regulation purposes. In addition, unenclosed ground level decks, and unenclosed elevated decks which project no more than ten (10) feet from the principal structure, shall not be considered structures for lot coverage purposes when constructed onto a single-family attached dwelling.

TEMPORARY MANUFACTURING PLANT: A temporary rock crushing plant used to produce crushed gravel or crushed stone product to be permitted in operation for not more than 60 days. Temporary Manufacturing Plants are to operate in compliance with the excavation regulations adopted by the Town of Londonderry Planning Board on January 26, 1994 on file with the Town of Londonderry Planning Department.

TERMINAL, AIRPORT: Shall mean a building or buildings designed to service persons using the Airport, and may accommodate such uses as ticket purchases and exchanges, passenger and baggage check in, waiting areas, the sale of goods, the sale of food and alcoholic beverages, banks, ATM machines, barber and beauty shops, shoe shine, car rentals, travel services and other uses customarily found in Airports located within the United States.

TERMINAL, TRUCKING: the loading or unloading of trucks where the storage of cargo is incidental to the primary function of motor freight shipment.

TRAVEL TRAILER: A vehicular portable structure built on a chassis, designed as a temporary dwelling for travel, recreation and vacation having a body width not exceeding 8' 6" and a body length not exceeding 40 feet. Any travel trailer exceeding 40 feet in length shall be considered a mobile home.

TRUCK, HEAVY: Trucks, including truck tractors, and similar vehicles exceeding a gross vehicle weight rating of 18,500 pounds.

USE:

- A. Any purpose for which a structure or a tract of land may be designed, arranged, intended, maintained or occupied, or
- B. Any activity, occupation, business or operation carried on, or intended to be carried on, in a structure, or on a tract of land.
- C. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

VARIANCE: Such departure from the terms of this Ordinance as the Board of Adjustment, upon appeal in specific cases, is empowered to authorize only under terms of Section 4.1 and applicable statutes of the State of New Hampshire.

VEHICLE SALES ESTABLISHMENT: any business establishment that sells or leases new or used automobiles, trucks, motorcycles, boats, snowmobiles, trailers, camping or other similar motorized transportation vehicles which may or may not provide on-site facilities for the repair and service of vehicles sold or leased by the establishment.

WAREHOUSE: a use engaged in storage, (wholesale, and distribution) of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive.

WETLAND: from RSA 482-A:2, "wetland" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WHOLESALE ESTABLISHMENT: an establishment primarily engaged in selling and/or distributing merchandise to retailers, users, firms, or other wholesalers, as well as activities involving the movement and storage of products and equipment.

WIRELESS COMMUNICATIONS FACILITY: Any towers, poles, antennas or other structures intended for use in connection with transmission or receipt of radio or television signals or any other spectrum-based transmissions/receptions.

YARD: An open space on the same lot with a main building unoccupied and unobstructed by any structure or portion of structure provided that fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction or visibility.

5 BUILDING CODE AMENDMENTS

Article No. 14, adopted at the Town Meeting March 9, 1965;
Article Nos. 19 and 20 March 11, 1969; Special Town Meeting June 14, 1971;
Article No. 23, Town Meeting March 7, 1972-BOCA;
Article Nos. 107, 108, and 109 Town Meeting March 2, 1976;
Article No. 46 Town Meeting 1975;
Article No. 107-76-1975 BOCA
Article No. 108-76-Plumbing Code/1975
Article No. 109-76-NEC 75
Article No. 110 Town Meeting March 13, 1979).
Article No. 103 Town Meeting May 14, 1985 - Replaced BOCA Code 1975 Th 1984 Edition
Article No. 110 Town Meeting March 10, 1992 - Repealed current Building Codes and adopted 1990 BOCA (11th Edition)

Ordinance 99-07	11/01/99	Amend to BOCA Building Code - Fourteenth Edition
Ordinance 03-05		Not yet adopted
Ordinance 2004-4	3/8/04	Update to reflect State Building Code, Add demolition delay provisions.
Ordinance 2007-11	11/5/07	Update to reflect 2006 updates to State Building Code
Ordinance 2010-04	07/15/10	Update to reflect 2009 updates to State Building Code

5.1 BUILDING CODE AMENDMENTS - PART I

The International Building Code 2009 Edition as recommended and maintained by the voting membership of the International Code Council, Inc., with the following deletions and insertions:

- 5.1.1 **Section 101.1** Insert name of jurisdiction in section as follows: These regulations shall be known as the Building Code of “the Town of Londonderry, New Hampshire”, hereinafter referred to as “this code”.
- 5.1.2 **Section 101.4.3 Plumbing:** Delete last sentence of this Section and insert in place thereof the following: “The provisions of the current State of NH Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance Chapter XX shall apply to private sewage disposal systems.”
- 5.1.3 **Section 103.1 Creation of Enforcement Agency:** Amend Section to read as follows: The department of building safety is hereby created “in accordance with the Town of Londonderry Municipal Code, Title V, Chapter II, Section III”, and the official in charge shall be known as the Building **Official** “*or Building Inspector where the context so admits or requires.*”
- 5.1.4 **Section 103.2 Appointment:** Amend Section to read as follows: The building official shall be appointed “in accordance with the Town of Londonderry Municipal Code, Title V, Chapter I, Section IV-A, and in accordance with the provisions of RSA 674:51, III. The building official shall be removed as provided by the Londonderry Town Charter and/or the personnel policies and procedures.”
- 5.1.5 **Section 103.3 Deputies:** Delete Section 103.3 and insert in place thereof the following: “Section 103.3 Organization: The appointing authority as prescribed by the Charter of the Town of Londonderry shall appoint such number of officers, technical assistants, and other employees as shall be necessary for the administration of this code.”
- 5.1.6 **Section 107.2.6** Add the following section: ““Section 107.2.6 Soil and Technical Data: All technical and soil data required by the current State of NH Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance, Chapter XX shall be submitted with the site plan.”
- 5.1.7 **Section 107.2.7 Driveway Plan:** Add the following section: “Section 107.2.7 Driveway Plan: The driveway plan shall indicate the location and profile of the driveway(s) in accordance with the Public Works design specifications for the Town of Londonderry. The driveway plan shall be reviewed and approved by the Public Works Department prior to the issuance of a building permit.”
- 5.1.8 **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.”
- 5.1.9 **Section 110.3.1.1 Certified Foundation Footing Plan:** Add the following section: “Section 110.3.1.1 Certified Foundation Footing Plan: Upon completion of foundation footings, a certified plot plan prepared and signed by a surveyor licensed by the State of NH indicating that the improvements shown on said plan are in compliance with the building setback requirements of the Town of Londonderry, and a notation of the elevation of the top of the foundation footing shall be submitted to the Building Inspector prior to erecting the

foundation walls. This requirement may be waived by the Building Inspector in the case of accessory structures and additions to existing structures.”

- 5.1.10 **Section 110.5 Inspection Requests:** Add the follow sentence to the Section paragraph: “Inspection requests made to the Londonderry building department shall require a minimum one day notice.”
- 5.1.11 **Section 111.2.1 Approval Signature:** Add the following section: “Section 111.2.1 Approval Signature: All commercial, industrial, residential and other structures and occupancies requiring a certificate of occupancy as mandated by Section 110 of this code will require the following signatures: an authorized Building Department representative; an authorized Fire Department representative; an authorized Engineering Department representative.
EXCEPTION: Structures requiring no action by the Fire or Engineering Departments will require only an authorized Building Department representative signature.”
- 5.1.12 **Section 113.1 General:** Delete Section 113.1 in its entirety, (ie: 113.2 and 113.3) and insert in place thereof the following: “ Board of Appeals: In accordance with the provisions of RSA 673:3, IV., the Londonderry Zoning Board of Adjustment shall act as the building code Board of appeals, with the power as provided by RSA 674:34.”
- 5.1.13 **Section 114.4 Violation Penalties:** Amend Section to read as follows: Omit at the end of the paragraph “by law”, and insert the following: “by the provisions of RSA 676:15 and 676:17.”
- 5.1.14 **Section 115.3 Unlawful Continuance:** Amend Section to read as follows: Omit at the end of the paragraph “by law”, and insert the following: “ by the provisions of RSA 676:15 and RSA 676:17.”
- 5.1.15 **Section 1608.2 Ground Snow Loads:** : Delete section in its entirety and insert in place thereof the following: “It has been determined by a site-specific case study conducted by the Structural Engineers of NH that the ground snow load for the Town of Londonderry is 65 pounds per square foot.”
- 5.1.16 **Section 1809.7 Frost Protection:** Amend section item 1. as follows:
 - 1. Extending below the frost line “for the Town of Londonderry of 48" below finished grade.”
- 5.1.17 **Section 1809.7 Frost Protection:** Amend section exception item 2. as follows:
 - 2. Area of 400 square feet or less for] any accessory structure;
- 5.1.18 **Section 2901.1 Scope:** Amend last sentence of paragraph to read as follows: “ Private sewage disposal systems shall conform to the current State of NH Env.-WS1000 Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance, Chapter XX.”
- 5.1.19 **International Plumbing Code 2009 – Section 106.6.2 Fee Schedule:** The fees for plumbing work shall be “in accordance with the schedule as determined by the Londonderry Town Council.”

- 5.1.20 **International Plumbing Code 2009 – Section 106.6.3 Fee refunds:** *Delete sub-section Item 2 and Item 3 entirely.*
- 5.1.21 **International Plumbing Code 2009 - Section 602.3.3 Water Quality:** Insert at the end of the section paragraph, the following sentence: “A water test report shall be submitted to the Building Inspector for review prior to the issuance of a certificate of occupancy. Such test shall include, “standard analysis” as recommended by the NH Department of Environmental Services, as well as volatile organic compounds (VOC) contaminants.”
- 5.1.22 **International Mechanical Code 2009 - Section 101.1 Title:** These regulations shall be known as the Mechanical Code of the “Town of Londonderry”, hereinafter referred to as “this code”
- 5.1.23 **International Mechanical Code 2009 - Section 106.5.2 Fee schedule:** The fees for mechanical work shall be “in accordance with the schedule as determined by the Londonderry Town Council.”
- 5.1.24 **International Mechanical Code 2009 – Section 106.5.3 Fee refunds:** Delete sub-section Item 2 and Item 3 entirely.
- 5.1.25 **Appendices:** The following Appendix Chapters are hereby adopted as a part of the Londonderry Building Code:
 “Appendix C Group U - Agricultural Buildings”
 “Appendix E Supplementary Accessibility Requirements”

5.2 BUILDING CODE AMENDMENTS – PART II

The International Residential Code, 2009 Edition as recommended and maintained by the voting membership of the International Code Council, Inc., with the following deletions and insertions.

- 5.2.1 **Section R101.1 Title:** Insert in “[NAME OF JURISDICTION]” the following: *“the Town of Londonderry”*
- 5.2.2 **Section R103.1 Creation of Enforcement Agency:** *Amend Section to read as follows:* The department of building safety is hereby created “ in accordance with the Town of Londonderry Municipal Code, Title V, Chapter II, Section III”, and the official in charge shall be known as the Building Official “or Building Inspector where the context so admits or requires.”
- 5.2.3 **Section R103.2 Appointment:** Amend Section to read as follows: The building official shall be appointed “in accordance with the Town of Londonderry Municipal Code, Title V, Chapter I, Section IV-A, and in accordance with the provisions of RSA 674:51, III. The building official shall be removed as provided by the Londonderry Town Charter and/or the personnel policies and procedures.”
- 5.2.4 **Section R103.3 Deputies:** Delete Section R103.3 and insert in place thereof the following: “Section R103.3 Organization: The appointing authority as prescribed by the Charter of the Town of Londonderry shall appoint such number of officers, technical assistants, and other employees as shall be necessary for the administration of this code.”
- 5.2.5 **Section R105.2 Work Exempt from Permit:** Amend Section as follows: Omit listed item number “1.” in its entirety. Amend listed item number 3. By replacing “4 feet” with “3 feet”.
- 5.2.6 **Section R106.2.1** Add the following section: “Section R106.2.1 Soil and Technical Data: All technical and soil data required by the current State of NH Subdivision and Individual Sewage Disposal System Design Rules and the Town of Londonderry Health Ordinance, Chapter XX shall be submitted with the site plan.”
- 5.2.7 **Section R106.2.1.2** Add the following section: “Section R106.2.1.2 Driveway Plan: The driveway plan shall indicate the location and profile of the driveway(s) in accordance with the Public Works design specifications for the Town of Londonderry. The driveway plan shall reviewed and approved by the Public Works Department prior to the issuance of a building permit.”
- 5.2.8 **Section R108.2 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. This requirement may be waived by the Building Inspector in the case of accessory structures and additions to existing structures. Town owned structures and properties shall be exempt.”
- 5.2.9 **Section R109.1.1.2 Certified Foundation Footing Plan:** add the following section: “Section R109.1.1.2 Certified Foundation Footing Plan: Upon completion of foundation footings, a certified plot plan prepared and signed by a surveyor licensed by the State of NH indicating that the improvements shown on said plan are in compliance with the building setback requirements of the Town of Londonderry, and a notation of the elevation of the top of the foundation footing shall be submitted to the Building Inspector prior to erecting the

foundation walls. This requirement may be waived by the Building Inspector in the case of accessory structures and additions to existing structures.”

- 5.2.10 **Section R109.3 Inspection Requests:** Add the following sentence to the Section paragraph: “Inspection requests made to the Londonderry building department shall be a minimum of one day notice.”
- 5.2.11 **Section R110.3.1 Approval Signature:** Add the following section: “Section R110.3.1 Approval Signature: All commercial, industrial, residential and other structures and occupancies requiring a certificate of occupancy as mandated by Section 110 of this code will require the following signatures: an authorized Building Department representative; an authorized Fire Department representative; an authorized Engineering Department representative; EXCEPTION: Structures requiring no action by the Fire or Engineering departments will require only an authorized Building Department representative signature.”
- 5.2.12 **Section R112 Board of Appeals:** Delete Section R112 in its entirety and insert in place thereof the following: “Section R112 Board of Appeals: In accordance with the provisions of RSA 673:3, IV., the Londonderry Zoning Board of Adjustment shall act as the building code Board of appeals, with power as provided by RSA 674:34.”
- 5.2.13 **Section R113.4 Violation Penalties:** Amend Section to read as follows: Omit at the end of the paragraph “by law”, and insert the following: by the provisions of RSA 674:15 and RSA 674:17.”
- 5.2.14 **Section R114.2 Unlawful Continuance:** amend Section to read as follows: omit at the end of the paragraph “ by law”, and insert the following: by the provisions of RSA 674:15 and RSA 674:17.”
- 5.2.15 **Table R301.2(1) Climatic and Geographic Design Criteria:** Insert design criteria in the Table as follows: Ground Snow Load - “It has been determined by a site-specific study conducted by the Structural Engineers of NH that the ground snow load for Londonderry is 65 pounds per square foot.” ;Wind Speed - “90 mph Exposure B” Seismic Design Category - “C”; Weathering - “Severe”; Frost Depth - “48”; Termite – “Moderate”; Winter Design Temp - “-3F”; Ice Barrier Underlayment – “Yes”; Flood Hazard - “1980”; Air Freezing Index – “1500”; Mean Annual Temperature – “45”
- 5.2.16 **Section R403.1.4.1 Frost Protection:** Amend section exception item 1. as follows: 400. Delete section exception item 2. entirely.
- 5.2.17 **International Plumbing Code 2009** - Section 602.3.3 Water Quality: insert at the end of the Section paragraph, the following sentence “A water test report shall be submitted to the Building Inspector for review prior to the issuance of a certificate of occupancy. Such test shall include, “standard analysis” as recommended by the NH Department of Environmental Services, as well as volatile organic compounds (VOC) contaminants.”
- 5.2.18 **Appendices:** The following Appendix Chapters are hereby adopted as part of this code:
 - “Appendix F – Radon Control Methods”
 - “Appendix G - Swimming Pools, Spas and Hot Tubs”

5.3 BUILDING CODE AMENDMENTS – PART III, DEMOLITION DELAY

5.3.1 Definitions

As used in this section, the following words or phrases shall be defined as follows:

5.3.1.1 Building

Defined as in the International Building Code 2000 Edition as recommended and maintained by the voting membership of the International Code Council, Inc.

5.3.1.2 Demolition Review Committee

A committee comprised of 3 members and 2 alternates appointed by the Town Council comprised of at least 2 Heritage Commission members and 1 at-large member of the public.

5.3.1.3 Demolition

The act of pulling down, destroying, removing, or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

5.3.2 Criteria

Any building or part of a building in the Town of Londonderry will fall under this ordinance where:

5.3.2.1 The proposed demolition is greater than 500 square feet of gross floor area; and

5.3.2.2 The building was constructed more than 75 years before the date of application for demolition permit; and

5.3.2.3 The building is visible from the adjacent public right of way or public lands.

5.3.3 Procedure

When an application for a demolition permit, or a building permit involving a demolition, or a site plan review involving demolition is made, or a formal written application is submitted to the Building Inspector for a determination under this ordinance, the Building Inspector will determine if the building, or Section of the building, meets the above criteria. If it does meet the above criteria, the Building Inspector shall:

5.3.3.1 Notify the applicant in writing within 5 business days of the filing that the demolition must be reviewed before proceeding and that the delay will not exceed 45 days.

5.3.3.2 Within 5 business days forward the application to each member of the Demolition Review Committee.

5.3.3.3 If the Demolition Review Committee determines the building to be potentially significant (see Section 5.3.4.1); within 5 business days of that decision the Building Inspector shall notify the applicant that a sign identifying the building as proposed for demolition and the date, time, and place of the public hearing on the proposed demolition is ready for posting in a visible location on the building. Posting of the sign within 5 business days of receiving notification from the Building Inspector shall be the responsibility of the applicant. If the sign is not posted within 5 business days, the 45 day time frame provided for above shall stop running and not resume until the sign is posted.

5.3.4 Demolition Review Committee Responsibilities

It is the responsibility of the Demolition Review Committee to:

5.3.4.1 Make a decision within 5 business days of receipt of the demolition application as to whether the building might be of historical or architectural significance.

5.3.4.2 Notify the Building Inspector in writing within 2 business days of decision if the building is found not to be significant and demolition can proceed.

5.3.4.3 Notify the Building Inspector in writing within 2 business days of decision if the building is found to be potentially historically or architecturally significant.

- 5.3.4.4 Establish a date and location for a public hearing to occur within 12 days of determination of potential significance. A notice of public hearing shall be submitted to the local newspaper within 2 days of decision.
- 5.3.4.5 Hold the public hearing to hear all public testimony regarding demolition of the building. The applicant (or applicant's agent) proposing the demolition shall be invited to attend the public hearing to hear the concerns or alternatives that are proposed by members of the public.
- 5.3.4.6 Notify the applicant and the Building Inspector within 2 business days following the public hearing that the demolition can proceed if the building is found not to be significant.
- 5.3.4.7 Hold a meeting between the Demolition Review Committee and the applicant (or applicant's agent) within 10 business days of the public hearing to discuss alternatives to demolition if the committee determines the building is significant and its loss potentially detrimental to the community.

5.3.5 Demolition

- 5.3.5.1 If no alternatives to demolition have been identified and agreed to by the applicant, after the meeting provided in Section 5.3.4.7, the applicant is free to proceed with demolition. Prior to demolition, and if the applicant is in agreement, the Demolition Review committee shall photographically document the building. The committee may also encourage the applicant to salvage significant architectural features.
- 5.3.5.2 Nothing in this ordinance shall be construed to prevent immediate demolition where public safety is at stake and the building has been determined by the Building Inspector to be a public hazard and demolition is the only viable recourse.

5.4 BOARD OF ADJUSTMENT

The Board of Adjustment shall have authority to allow slight variations from the specific terms of this Ordinance where it can be shown that unnecessary hardship would otherwise result.

5.5 AMENDMENTS

This ordinance may be amended by a majority vote of the Town Council, following the procedures set forth in the Town Charter.

5.6 ENFORCEMENT

Upon any well-founded information that this ordinance is being violated the Building Official shall take steps to enforce the provisions of this Ordinance by seeking appropriate legal action. Whoever violates any of the provisions of the above regulations shall be punished upon conviction by a fine in accordance with RSA 676:15 and 676:17.

5.7 EFFECTIVE DATE

This ordinance (code) was originally adopted at the Town Meeting March 9, 1965.

5.8 CONFLICTING PROVISIONS

Whenever the regulations made under the authority hereof differ from those described by any statute, ordinance or other regulations, that provision which imposes the greater restriction or the higher standard shall govern.

5.9 VALIDITY

If any section, clause, provision, portion, or phrase of this ordinance shall be 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 this Ordinance.

APPENDIX “A” Roadway Classifications

A. DEFINITIONS:

Arterial - A road intended to carry local and regional traffic to, from and between limited access highways as well as to, from and between the major centers of employment, service, and retailing in commercial and industrial districts. These roads are designed to carry large volumes of traffic to and from collector streets. The emphasis is on mobility, not access to adjoining land uses. Arterial roads are characterized by high volumes of traffic and two to four travel lanes.

Collector - A road intended to carry local vehicular traffic within commercial and industrial districts as well as to, from, and through residential areas to reach arterial streets and the commercial and industrial districts. Collectors provide access to adjoining land uses, as well as conduct traffic from local streets to arterial streets and interstate highways. Collector roads are characterized by high volumes of traffic at peak hours and two (2) travel lanes, often with additional turning lanes at intersections.

B. ROAD CLASSIFICATIONS

Arterials:

Interstate Rte. 93
Mammoth Road (NH Rte.128 - Portion)
Nashua Road (NH Rte. 102)
Rockingham Road (NH Rte. 28)

Collectors:

Adams Road	Hardy Road	Pillsbury Road
Auburn Road	Harvey Road	Shasta Drive
Elwood Road	High Range Road	Stonehenge Road
Gilcreast Road	Litchfield Road	South Road
Grenier Field Road	Old Derry Road	West Road
Griffin Road	Perkins Road	Wiley Hill Rd.

APPENDIX “B” ZONING CHANGES/AMENDMENTS

<u>Date</u>	<u>Article #</u>	<u>Amendment</u>
3/12/63	22	Adopt Zoning Ordinance - vote of 374 to 353
3/10/64	19	Rezone to Industrial, land on Mammoth Rd.
	20	Amend Art. 5: to rezone federal land at Grenier Field
	21	Rezone to Ind., land of Harvey & Pettengill Rds.
3/14/67	13	Adopt Sign Ordinance
	14	Adopt Ordinance relative to Commercial Piggeries and Mink Farms
3/11/69	23	Amend Ch. I, Sec. XVII relative to Mobile Homes
	24	Rezone Palmer & Matarozzo properties on East side of Ft. 102 to Commercial
3/9/71	22	Amend Ch. I, Sec. II, Par. A: to create Beaver Brook Conservation District
	23	Amend Ch. I, Sec. III, Par. G-1; to restrict multi-family housing to specified roads
	24	Amend Ch. I, Sec. III, Par. G-2; to permit owner-occupied duplexes
	25	Amend Ch. I, Sec. XV; when ordinance conflicts with other regulations, the higher standard prevails
3/7/72	22	Create a Wetland Conservation Dist.
	23	Adopt BOCA Code
	24	Amend Sign Ordinance
	26	Rezone to Industrial parcels 14-17 & 15-2
3/6/73	21	Establish density requirements
	22	Establish 1500 ft depth limitation on multi-family developments
	23	Increase amt. of recreation land required in multifamily developments
	24	Rezone to Industrial land on east side of Grenier Field Rd .So. to Webster Ln.
	25	Empowering the Planning Board to review non-residential site plans
	26	Eliminate Sec. XIII-B4 & 5 that allows ZBA to permit ind. & com .uses in res. zones
	27	Delete existing sign ordinance & replace
	28	Rezone to Commercial, lot 40, Map 7
	29	Rezone to Commercial, lot 72, Map 6
	30	Rezone to Industrial-Commercial lots 24 & 25, Map 28 and lot 11, Map 14
	32	Minimum lot (1A) and frontage (150') for cluster subdivisions
3/5/74	27	Amend min. lot and frontage requirements for cluster subdivisions
	28	Frontage requirements for multi-family developments
	29	Multi-family developments must be prepared by and approved land use planner
	30	Requiring buffer zones for multi-family developments
	31	driveways be approved by the Building Inspector
	32	Requiring a permit for commercial gravel extraction
	33	Limiting number of units in multi-family development to 8
	34	Extending the Industrial Zone on tax Map 14
3/5/74	35	Rezoning to Industrial, lots 1, 64-1, 60, 80 & 81 on Map 16
	36	Rezone to Commercial, lots 4, 5, 6, 7, 8, 65, 66, 67, 68, 69, 70, 71 & 73 on Map 16, and lots 52, 55, 56, & 57 on Map 15, and lot 41 on Map 6
	37	Limiting accessory signs
	38	Limiting size of directional signs
	40	Rezone as Industrial, lots 14 & 15 on Map 26, and rezone as Commercial lot 8 on Map 26

3/4/75	42	Rezone to Commercial north of Ft. 102 between Londonderry Rd. and Dickey St.
	43	Rezone to Industrial 361 acres on Map 14
	44	to Commercial lot 26 on Map 15
	46	Rezone to Commercial and Industrial lot 9 on Map 14
	38	Amend Ch. 1, Sec. XIX, Art. 2B; sign size
	39	Permitting temporary signs
	40	Amend Ch I, Sec III, adding A1 residential district
	42	Amend Ch. I, Sec. XIII, adding C.; application fee of \$10
	43	Amend Ch. I, Sec. III, Art. B. 3a.1; minimum lot size
	44	Ch. I, Sec XVII, defining frontage
	45	Ch. I, Sec. XVII, defining frontage
	46	Ch. II, Sec. III, Art. B, add 4; prohibiting building on substandard roads
	47	Rezone Commercial, land north of Ft. 102 between Gilcreast Rd. and I-93
	48	Rezone Commercial, land 500' deep east of Londonderry Rd. from present Comm. Dist. to north of Ash St.
	49	Rezone Commercial, lots 72 & 72-1 on Map 7
	50	Rezone Commercial, lots 51, 51-1, 136, 129, 128, and 123, Map 10
	52	Amend Ch. I, Sec. III; lot size and frontage for multi-family development
	53	Amend Ch. I, Sec. III; excluding all multi-family development except owner-occupied duplexes
	55	Rezone Commercial and Industrial, lot 23, Map 16
	56	Rezone to Commercial and Industrial 150 acres on Auburn and Old Derry Roads
3/2/76	57	Rezone land one parcel east of Rt. 28 on 128 opposite junction North of Stokes Rd. bordering Rt. 28
	58	Rezone to Commercial, lot 39, Map 7
	100	Lot sizes
	101	Commercial setbacks
3/2/76	102	Maximum Commercial lot coverage (2/3)
	103	Defining frontage
	105	Rezoning to Commercial, a portion of lot 65A, Map 6
	106	Rezoning to Commercial, lot 49, Map 6
	107	Update to 1975 Edition of BOCA code
	108	Adopting BOCA Plumbing Code
	109	Adopting National Electrical Code/1975
	110	Establishing buffering between Commercial and Residential/Agricultural zones
	111	Adding Scobie Pond to Conservation Dist.
	112	Allowing ZBA to permit offices or banks in the Industrial District by special exception
3/8/77	120	Rezone to Commercial lots 86, 86-1, & 87 on Map 10
	121	Rezone to Commercial-Industrial, lot 187 on Map 15
	100	Deleting Sign Ordinance & replacing
	101	Minimum lot size
3/14/78	102	Establishing buffering between Industrial and Res/Ag Districts
	103	Limiting residential building permits to 190 for the next year
	108	Rezone to Commercial, lot 32, Map 6
	100	Amend Ch. I, Sec. III, B3: minimum lot size
	101	Revise Ch. I, Sec. III, B4; when the Town no longer restricts multi-family housing, lot size shall be based on soil capability
	102	Revise Ch. I, Sec. III, B9; to further restrict use of residences for home occupations
	104	Allowing livestock, etc. on lots of 2 acres or more

3/13/79	105	Limiting mobile homes to 4 per acre - 8 per acre with Town sewer
	106	Allowing support-type businesses in the Industrial District by special exception
	107	Requiring Planning Board and Selectmen's approval for garages, service stations and used car lots in Commercial Zone
	108	Limiting sign size in the Industrial Zone
	109	Restricting annual building permits to 5.4% of school enrollment
	112	Rezone to Commercial, lot 40, Map 6
	113	Rezone to Commercial, lot 43, Map A6
	114	Rezone to Commercial, lot 53, Map 6 to a depth of 500 feet from Rt. 102
	116	Rezone to Commercial, lot 128, Map 7
	117	Rezone to Commercial, lot 131, Map 7
	118	Rezone to Commercial, portions of lots 66, 67 & 104 on Map 13
	119	Rezone to Commercial, lot 60, Map 13
	120	Rezone to Commercial, lot 9, Map 17
	121	Rezone to Commercial/Industrial, lots 25, 26 & 27 on Map 17 and lot 235, Map 15
	100	Minimum lot area above 100 year flood level (22,000 SF)
	101	Soil types, depths, and areas on non-sewered lots
	102	Duplex lots to be sized by soils - min. 60,000 SF and 200' of frontage
	103	Eliminating class 5 & 6 soils from lot size calculations for non-sewered multi-family lots
	104	Churches in res. zones must have 2 acres and buffers
	105	Res. zoned land in 100 year flood zone of Beaver Brook to be Conservation District
	106	ZBA fee
3/11/80	107	Special Exceptions or variances will expire after 12 months if a building permit has not been obtained
	108	Selectmen shall authorize the Building Inspector to enforce the Zoning Ordinance
	109	Revising the gravel ordinance
	110	Setting fees for Building Permits
	112	Creating Commercial Subdistricts; Limited Com., Office Com., & Highway Com.
	114	Creating Industrial Subdistricts: Limited Industry & General Industry
	117	Rezoning to Commercial, lot 44, Map 6
	119	Rezoning to Commercial, lots 28 & 50 Map 10
	126	Rezoning to Commercial, lots 150-1 & 150-2, Map 3
	100-105	Amendments needed for Flood Insurance
	106	All new dwelling to connect to public water. If not available, private source is required to meet Board of Health regulations
	112	To include Elderly Housing as a special exception use in Office-Com. zone
	113	Including in Limited Com. zone, professional offices & medical & dental
	114	Rezone to Limited Com., lot 126, Map 15
	116	Rezone to Limited Com., lot 119-1, Map 7
	118	Rezone to Office/Com., lot 215, Map 15
	121	Establishing 40' building setback from all right of ways
	122	Enabling Planning Board to allow larger signs on industrial buildings
	123	Requiring repair or dangerous or defective signs
	124	Prohibiting abandoned signs
	125	Allowing the Building Inspector to remove dangerous signs
	126	Defining "Structure"
	127	Rezone to Limited Com., lot 7, Map 2
	128	Rezone to Limited Com., lot 22, Map 2

	129	Rezone to Limited Com., lot 131-1, Map 7
	130	Rezone to Limited Com., lot 130, Map 7
	132	Rezone to Limited Com., lot 129, Map 7
	133	Rezone to Limited Com., lot 22, Map 15
	134	Rezone to Limited Com., lot 157, Map 15
	135	Rezone to Office/Com., lot 122, Map 10
	136	Rezone to Highway Com., lot 54, Map 13
	137	Rezone to Highway Com., lot 13, Map 17
	138	Rezone to Limited Ind., lot 131, Map 3
	139	Rezone to Limited Ind., lot 148, Map 10
	140	Rezone to General Ind., lot 132B, Map 3
	142	Rezone to General Ind., lot 8, Map 16
12/8/81	101	Creating & defining R-II zone, & adding a new definition for Manufactured Housing
3/9/82	101	Removing existing Residential Civic Agricultural and Industrial Districts with Residential with AR-I and R-II subdistricts and Industrial with IND-I and IND-II subdistricts
	102	Expanding Section XVII Definitions
	103	Adding to Sec. XIX, Signs, and Sec. XX, General dealing with sign area requirements, removal of burned building, unregistered vehicles and boats, and temporary house trailers.
	104	Rezone to C-I, lot 23, Map 2 and Rezone to C-II, lots 22B, 25, 26, 27A, 27, 37-1, 37, 27A-1, 35-1, 35, 34, & 33 Map 2
	105	Rezone to IND-I and IND-II lot 36, Map 2
	106	Rezone to R-II, lot 80, Map 15
	107	Rezone to C-III, lot 126, Map 7
	109	Rezone to C-I lot 130, Map 3
3/8/83	110	Rezone to Industrial, lot 65, Map 16
	101	New sign regulations including subsections on type, size, number, construction, illumination, location, permits, and definitions
	102	Eliminating description of Planning Board report required to be submitted to ZBA under Special Exception review section
	103	Rezone to entirely Ag/Res. lot 10, Map 11
5/8/84	109	Rezone to AR-I, lots 13A, P/O (part of) 9, PO 12 on Map 11, lots 35, P/O 39, P/O 39-1, P/O 44-3
	112	Amend Ch. II, Sec. IV, Par. H: requiring submittal of a certified plot plan to the Building Inspector upon completion of foundations and before framing
	114	Increase the fine for zoning violations from \$10/day to \$100/day
5/08/84	115	Rezone lot 75-7, Map 6 to entirely C-III
	116	Rezone lot 153, Map 15 to C-I
	117	Rezone lot 12, Map 11 and lot 11-12, Map 14 to Residential/Agricultural
5/14/85	102	Add to Ch. I, Sec. III, Part B-8A-D: criterion for classification of Day Care Center, etc. as Home Occupations
	103	Replace BOCA code, 1975, with 1984 edition
	104	Amend Sec. VII, Par. C.3.a to include subparagraph: "5. Funeral Homes:
	108	Rezone to C-III lots 135 & 136, Map 3
	111	Rezone to C-II lots 7, 10, 11, & 12, Map 28
	113	Rezone to C-II, part of lot 36, Map 7
	118	Rezone to C-II, lot 32, Map 2
3/11/86	101	Amend Planned Residential Development Regulations (substantially)
	102	Amend Sec. III, B: General Regulations, Sec. IIIC: Subdistricts, Sec. III, Part C: further controls on multi-family dev.
	103	Rezone to Multi Dwelling Residential lot 153, Map 15

3/10/87	105	Rezone to C-II, lot 34-A, Map 2
	114	Rezone to C-II, lot 73-4, Map 7
	101	Amend AR-I and R-II regulations to incorporate HIS Mapping for lot sizing and to add presite housing and cemeteries as allowed uses (extensive criteria)
	102	Amend R-III zone regarding lot sizing, frontage and number of bedrooms per unit
	103	Add the following paragraphs: Sec. I, par. 101, "Short Title" Sec. I, par. 102 "Authority" Sec. I, par. 103 "Purpose" Sec. I, par. 104 "Rules of Construction" Sec. II, par. 201 "Definitions: Sec. III, par. 302 "District, Boundaries and Zoning Maps" Sec. VII, par. 703, K.&a. Industrial Pretreatment Req. Sec. VIII, par. 802, A.1.K Nursing Home as permitted use in C-I Sec. VIII, par. 802 C.1.f. Nursing Home as permitted use in C-III Sec. VIII, par. 803 E Com. building renderings to be approved by the PB Sec. X par. 1002 F Change the escrow procedures regarding gravel pits Sec. XI par. 1105 H Eliminate the requirement for the PB to review site plans prior to granting of a special exception by the ZBA
3/10/87	104	Make reorganizing changes as follows: 1. Standardize formatting 2. Organize material to improve the effectiveness of the regulation 3. Combine Sec. IX and Sec. X 4. Establish Sec. XIII to regulate Home Occupations 5. Move Airport Zoning Regulation and the Public Dump Ord. from the Building Code to the Zoning Ordinance
3/8/88	105	Delete existing Building Permit Control Ordinance
	116	Rezone to R-III, lots 17, 17-1, & 17-A on Map 17
	117	Rezone to C-I, lot 53, Map 6
	118	Rezone to R-III, lot 16 Map 28 & lot 49 Map 14
	119	Rezone to C-I, lot 38, Map 6
	121	Align the southerly boundaries of lots 7-119-7-112 & 7-112-1 and to rezone to R-III, lots 7-112, 7-118, & 7-124
	101	Adopt "Growth Management and Innovative Land Use Control" section
	102	Lot sizing and frontage for residential lots with water and sewer
	103	Rezone to C-I, lot 47 and P/O 7, Map 10
	104	Rezone to AR-I lots 132-53, 132-54, 132-55, 132-56, 132-57, 132-58, 132-59, 132-23, 132-24, 132-25, 132-26, 132-27, 132-21, 132-22, 132-29, 132-66, & 132-30 on Map 7
3/14/89	105	Rezone to R-III, lot 87, Map 15
	107	Rezone to R-III, lot 64, Map 15
	108	Rezone to R-III, lots 131, & P/O 17, Map 15
	109	Rezone to R-III, lot 51, Map 15
	111	Rezone to R-II and C-II, lot 27A, Map 2
	112	Rezone to IND-I, lots 98 & 99, Map 15
	115	Rezone to R-III, lots 83, 84, & 85, Map 15
	117	Rezone to IND-I, lots 46, 47, 48, 49 & 50, Map 10
3/14/89	101	Typographical corrections to Sec. IV subsec. 403 & Sec. VIII, subsec. 803

102 Delete Sec. III, Subs. 302 A.5 "If no subdivision is sought or obtained,
the entire lot shall be deemed to be in the more restrictive zone."
103 Remove Sec. VIII, Subs. 802 C.1 "b. Single-family detached and two-
family dwellings"
104 Delete Sec. XI, Subs. 1102C "Permit a non-conforming temporary use
for an initial period of not more than 2 years. Permits may be renewed
by the ZBA for successive periods of not more than 1 year each."
105 Delete Ch. 2, Sec. 3 B.2: Eliminate the requirement for a fee based on
the estimated value per building
106 Remove the following paragraphs to avoid conflict with the BOCA
codes: Ch. 2, IV A through E, also I & J
107 Amend Ch. 2, IV F & G to require plumbing & wiring to conform to
BOCA plumbing code and National Electrical Code
108 Amend Sec. III Subs. 303 H to allow two unregistered vehicles per lot,
the same as State law
109 Amend Sec. III, Subs. 303 I: To increase the time allowed for having a
mobile home on a property damaged by fire, etc. from 90 to 120 days
with an additional 60 days allowable as determined by the Building
Inspector.
111 Add a new paragraph: Sec. VIII, Subs. 802 C,2 "2. Special exception
Single family detached and two-family owner-occupied dwellings."
112 Amend Sec. VIII Subs. 803 B to make lot size and dimensions in
commercial districts subject to State as well as BP approval
113 Amend Sec. C Subs. 1001, & 1002 C to add "construction aggregate"
to the definition of materials which will be regulated by the Town, and
to include hours of operation and hours of blasting as necessary items
for application submittal
114 Amend Sec. XVII by changing the title from "Trailers" to "Manufactured
Housing" to comply with State law
115 Amend Sec. VII Subs. 1702 E to read "Manufactured housing entering
or leaving courts shall be registered by the owner at the Town
Assessor's Office."
116 Amend Sec. XIX and Sec. II D; regarding enforcement, and penalties
117 Amend Sec. XIV Subs. 1401: Home Occupations
118 Add new paragraphs to Sec. VI Subs. 603 and Sec. VII Subs. 703 and
Sec. 803 regarding Curb and Gutter, and Sidewalks
119 Add a paragraph to Sec. VII Subs., 703 F.9.A. enabling PB to allow
space "reserved for future parking" in lieu or parking spaces
120 Amend Sec. VII Subs. 703 F.13. Table 1 and Sec. VIII Subs. 803 G
Table 1 to reduce the parking space requirements for commercial and
industrial office space from 5.5 spaces/1000 SF or gross floor area to
4.5/1000 SF
121 Add Sec. VII Subs. 703 F. 16 a-d: Handicapped Parking Spaces
122 Add Sec. VII Subs. 703 F.17 a-d: Minimum Stacking Space
Requirements
123 Add Sec. IX Subs. 902 D. regarding wetlands
124 Amend Sec. XVIII Subs. 1803 E.4 to read, "No freestanding sign or
any part thereof, shall be located nearer than ten (10) feet to a property
line."
3/14/89 125 Amend Ch. 2 Sec. III Par. B Subs. 1: "All fees for a building application
and building permit shall be determined by the Board of Selectmen."
127 Amend Ch. 2 Sec. IV Par. H First sentence; Foundations
129 Rezone to IND-I, lot 9, Map 14
130 Rezone to C-I, lot 37, Map 6
133 Rezone to C-III, lot 124-1, Map 7
138 Rezone to C-I, lot 167, Map 15

	139	Rezone to C-III, lot 137, Map 3
	140	Rezone to IND-I, lot 57, Map 10
	141	Rezone to C-II, lot 71, Map 10
	142	Rezone to C-II, lot 51, Maps 7 & 10
	143	Rezone to C-I, lot 64, Map 6
	144	Rezone to R-III, lot 85, Map 9
	145	Rezone to R-III, lot 57-10, Map 9
	151	Rezone to C-II, p/o 51, p/o 64, 60, 60-2, 60-1, 59, 51-4, Map 15
	152	Rezone to IND-I, lot 103, Map 15
	154	Rezone to R-III, lot 38, Map 7
	156	Rezone to IND-I, lot 5, Map 17
	157	Rezone to C-II, lot 5-2, Map 17
3/13/90	101	Add "The area of any PRD not used for individual lots, construction of buildings, roads and other areas for vehicular traffic shall be permanently maintained as common land for the purposes of agriculture, recreation and/or conservation."
	102	Add a new permitted use in C-I zone, "f. Child Day Care Facilities"
	103	Change Sec. XIII Non Conforming Use from "3. Extended" to "3. Expanded:
	104	Change requirements of the Elevation of Footings
	105	Add a new Section titled "Elderly Housing Development Ordinance" to allow elderly housing in any res. or com. zone & at increased densities
	106	Flood Hazard Areas: if non-local as well as Town regulations apply, the more stringent standard applies. Also incorporates the 1980 Flood Insurance Rate Maps in the ordinance
	107	Rezone to C-II, lot 28, Map 2
	108	Rezone to AR-I, lot 21, Map 14
	109	Rezone to I-I, lot 9-1, Map 16
	110	Rezone to I-I, lot 9-2, Map 16
	111	Rezone to I-I, lot 10, Map 16
	112	Rezone to I-I, lot 11, Map 16
3/13/90	113	Rezone to I-I, lot 11A, Map 16
	115	Rezone to I-I, lot 12, Map 17
	116	Rezone to C-II, lots 28, 27, 23-2, 22-1, 22, 124, 125, 126, 25, 24, 21, 21-1, 146, 149, 127 & 128, Map 15
	120	Rezone to C-I, lots 124-2, 123, 124-4, 124-5, 124-6, 124-46, 124-45, 124-44, 124-43, 124-42, 124-41, 124-40, 124-39, 127-2, 125, 124-1, Map 7
3/12/91	101	Add a paragraph to Sec. V Article 408 to allow one bedroom apartments in a residential district as a secondary use to a home with certain restrictions
	102	Add to the definition Section of Article I, Sec. 201; "Farm," "Agriculture," "Building Coverage," and "Lot Size"
	103	Delete from the definition Section of Article I, Sec. 201 "Lot coverage," "Ground Area of a Structure," "Country Inn," "Home Care," "Greenhouse Farm," "Greenhouse Retail," "Greenhouse Wholesale," and "Farming
	104	Amend Sec. XX Article 2003.F.7 to read "... on one occasion per calendar year for a total period not to exceed thirty consecutive days unless otherwise permitted by the Building Inspector."
	105	Add to Ch. 1, Sec. XX Article 2003.C.2: a.1.&2, b.1.&2., and c. regarding signs
	106	Deleting Sec. IV: PRD sections 407.D.7. C&D and adding a new Section C. regarding setback distances
	107	Deleting Sec. VI: Multi-Family Residential Sections 603.C.1-4 and adding a new Sec.603.C.1. regarding setback distances

	108	Deleting Industrial Sec. 703.A.1-4 and adding a new Sec.703.A.1 regarding setback distances
	109	Replacing Commercial Sec. VIII sec. 803.A with new setback distance requirements
	110	Enabling the ZBA to grant special exceptions for the retail sale of non-farm grown products with restrictions
	112	Amend Flood Plain Ordinance RSA reference, Sec. 1408-from RSASA-A; 1-b to RSAS-A:3.
	113	Changing district references in Sec.302.B
	114	Revising the Growth Management Ordinance to read, "This Ordinance shall expire at the Annual Town Meeting in 1994 unless readopted at that meeting. The Planning Board shall make recommendations as to the necessity and desirability of readopting this Ordinance prior to said Annual Town Meeting.
	115	Rezone to C-III, lot 148, Map 3
	116	Rezone to C-I, lots 215-1, & 215-2, Map 15
	117	Rezone to C-II, lot 65-2, Map 15
	119	Rezone to IND-I, lot 80-2, Map 15
3/10/92	101	Add to Sec. 702, par. A, Subs.2 - Day Care - to allow day care as a special exception in the IND-I subdistrict
	102	Amend Sec. 1002: To allow excavation incidental to construction or grading on the same lot which is not subject to a special exception; and to establish criteria which the ZBA will use to determine whether a special exception is appropriate for a proposed excavation; and to allow the ZBA to require surety for the cost of site restoration, highway and bridge repair and other items.
	103	To include a new Section titled "Noise Overlay Zoning Provision"
	104	Authorizing the PB to establish a special site review committee for the review of minor site plans in accordance with RSA 674:43, Sec. III.
	105	Change Sec. 302: To renumber Sec. 302 Par. B to Sec. 302,Par. A, Subs. 6; and remove the conservation district from the order of most restrictive to least restrictive. and Add a new subsection as follows: If a zoning district boundary line runs through a lot and one of the zoning districts within the lot is the conservation district, Sec. IX applies. and Eliminate Sec. 903, Par G Subs. 5 and eliminate all references. And add Sec. 904, "District Boundaries and Zoning Maps." This Section outlines the procedures regarding the subdivision of lots which have a portion zoned CO.
	106	Rezone to I-II, lots 103 & 128, Map 13 and rezone to I-I part of lot 110, Map 16
	107	Rezone to I-II, part of lot 38, Map 16
	108	Rezone to I-I, part of lot 9, Map 16
	109	Rezone to I-I, lot 1, Map 18
	110	Repeal current building codes and adopt 1990 BOCA (11th edition)with various deletions and additions as submitted by the Planning Board
3/12/93	101	Section XIV-Amended "Flood Plain Development" as shown
	102	Section XX -Changed Article 2003,C.1.c., C.2, C.2.a as shown
	103	Section XX -Amended Article 2002, A. "Definitions"
	103	Section II- Deleted Under Section II "Definitions: Signs"
	104	Section XX-Amended Section 2003 D.1, D.1.b, as shown
	105	Section XIII -Amended Section 1303 B. "Elderly Housing" as shown
	106	Rezone to C-II, Lot 73-1, Map 7
3/10/94	101	Extend Growth Management and Innovative Land Use Controls until 1999 and amend findings of Section 1203
	102	Amend 803-M lighting standards
	103	Format change to capitalize all defined terms

	104	Amend 1303 Elderly Housing by adding definitions of open space and uplands
	105	Add new definitions of Drive-In Establishment and Drive-In Windows& change Section 802.B.1.d by deleting drive-in restaurant and replacing it with Drive-In Establishment and allow Drive-In Windows as accessory use in C-I for retail, banks, and restaurants.
	106	Delete Section XVIII (Public and Private Dumps) and add 303E stating dumps not allowed.
	107	Amend Section XIV to deal with Recreational Vehicles
	108	Delete Section X Mining & Excavation, add definitions of Excavation, Permanent and Temporary Manufacturing Plants, Earth, Loam, and Soil; allow Excavation, Permanent and Temporary Manufacturing Plants in the C-I, C-II, I-I and I-II zones and allow Excavation and Temporary Manufacturing Plants in the AR-I, R-II, R-III and C-II Zones. Add new sections 303.I.1 Minimum and Express Operational Standards for Excavation and 303.I.2 Minimum and Express Reclamation Standards for Excavation.
	109	Add new Section 402.12 "Manufactured Housing." Delete Section V(R-II) in its entirety, amend zoning Map to change R-II to AR-I, and delete any references to R-II in the ordinance and add manufactured housing to 407.C.3.
	110	Add a new Section X Impact Fees.
	111	Rezone Map 16, lots 72 and 74 from AR-I to C-II
	112	Add new sections 703-M Utilities and 803-N Utilities requiring underground utilities
	113	Add new definitions of Berm, Buffer, Deciduous, Evergreen, Ornamental Tree, Screen, Shade Tree, Shrub, Specimen Tree, Woodlands Existing, Tree.
3/14/95	114	Add a new definition of Frontage
	101	Rezone to C-II Lots 75 & 76, Map 16
	103	Rezone to C-I Lot 131-2, Map 3
	104	Delete Section 603.E.6. (Design of Curb Cuts and associated driveways at intersection in IND. District).
	105	Delete existing R.O.W. in Section 201 and replace with new definition
	106	Delete Section 603.G.4 (Loading Bays in IND. District) and replace with new Section 603.G.4.
	107	Delete existing Section 1903.F.6. (Political Signs) and replace with new Section 1903.F.6.
	108	Amend Sections 603.H.2. and 703.I.2. (Buffer Zones in IND. and COMMERCIAL Districts).
3/14/95	109	Amend Section 603.F. (Parking Standards in IND. District) and add new Sections 603.F.18 (Parking Lot Landscaping); 603.F.19. (Paving Materials); 603.F.20. (Walls and Fences); 603.F.21. (Street Furniture).
	110	Amend Section 402.A. by adding new use Section 402.A.14 "Bed and Breakfast Homestay". Amend Sections 201 and 409 with new definitions.
	111	Amend Section 201 by adding new definitions of Sexual Conduct", "Sexually Oriented Businesses" and "Substantial Portion of the Presentation Time". Amend Sections 702.A.1. and Section 702.A.1.i.
	112	Amend Section 1201 "Elderly Housing".
	113	Amend Sections 407.D.2.a. and 407.D.3. "PRD".
3/12/96	101	Rezoned to AR-I Lot 11, Map 16
	102	Amend Section XXIII Notice for Properties -Overlay Districts
	103	New Section 402.C - Special Use Permit for Back Lot Development, Section 410 establishing criteria for Back Lot Development

	104	Amend Sections 603.A.1, 603.H.1, 603.K.2, 1903.E.1 and 1903.E.4, addressing setbacks, landscaping, noise performance standards, and signs for airport related uses, and Section 201 - Definitions.
	105	Amend Section 403.A, revised soils based min. lots sizes in AR-I District, and Section 503.H, revising min. lots sizes in the R-III District.
	106	Amend Section 408.E adding a reference to soils based min. lot sizes for accessory apartments
12/09/96	97-2	Amend Definitions: "Wireless Communications Facility", and Section III - 303, K and adding Section III - 304, A-E.
06/02/97	97-4	Amend Definitions "Elderly", "Housing for the Elderly", and Section 1204 G, K, and N.2.a.1
06/16/97	97-6	Amend Section VII-Commercial District, Section K-Performance Standards
10/20/97	97-8	Amend the Zoning Maps to change the zoning of property Tax Map 16, Lots 79,82, 85, 86, 90 from AR-I to C-II.
12/22/97	97-9	Amend the Zoning Maps to change the zoning of property Tax Map 15, Lot 65 from AR-I to C-II.
12/22/97	97-10	Amend the Zoning Maps to change the zoning of property Tax Map 17, Lots 40, 43, 39 and a portion of Map 17, Lot 45, and Tax Map 18, Lots 1 and 3 all from AR-I to IND-I; and Tax Map 15, Lot 81 and the first 400' North of Sanborn Road on Tax Map 17 Lot 45 from AR-I to R-III.
02/23/98	98-01	Amend the Zoning Ordinance Section XI - Growth Management and Innovative Land Use Control by completely replacing the section.
10/19/98	98-02	Amend the Zoning Ordinance by adding Section X - Historic District and renumbering the following sections accordingly.
Postponed	98-03	An Amendment to the Zoning Ordinance Relating to Energy Generating Facilities
10/19/98	98-4	An Amendment to the Zoning Ordinance Relating to a Procedure for Amendments to the Ordinance (Pending - Not adopted)
12/21/98	98-5	An Amendment to the Zoning Ordinance Relating to Changes to the Zoning Map (Map 10 Lot 54)
Postponed	98-6	An Amendment to the Zoning Ordinance Relating to Changes to the Zoning Map (Nutfield Country Store)
03/29/99	99-02	Amend Zone Ordinance - Section II - Definitions (Add Airport District)
03/29/99	99-03	Amend Zone Ordinance - Section II - Districts (Add Airport District)
03/29/99	99-04	Amend Zone Ordinance - Add Section IX (Airport - renumber subsequent sections)
03/29/99	99-05	Amend Zone Ordinance - Section XXI (renumbered) - Signs (Airport signs)
03/29/99	99-06	Amend Zone Ordinance - Impact Fees (Elderly Waiver)
08/02/99	99-07	Amend Zone Ordinance - Wireless Facilities (revise Section 304 language)
08/02/99	99-08	Amend Zone Ordinance - Growth Mgmt. Ordinance (revised Section 1305)
08/30/99	99-09	Amend Zone Ordinance - Rezone Map 6, Lot 45
08/30/99	99-10	Amend Zone Ordinance-Rezone Map 15, Lot 80-1
08/30/99	99-11	Amend Zone Ordinance -Rezone M 15, L 93-A, and M 15, L 91-B
09/13/99	99-12	Amend Zoning Ordinance Section XII - Subsection 1214 - Review
09/13/99	99-13	Amend Zoning Ordinance Section XII - Subsection 1206-Comp. of Fees
09/13/99	99-14	Amend Zoning Ordinance Section XII - Subsection 1211-Credits
09/13/99	99-15	Amend Zoning Ordinance Section XII - Subsection 1208-Appeals
01/24/00	00-01	Amend Zoning Ordinance-(Map 10, Lot 55)
01/24/00	00-02	Amend Zoning Ordinance - Section XI -Subsection 1103
06/19/00	00-04	Amend Zoning Ordinance - R-III Districts

08/14/00	00-05	Amend Zoning Map (Map 2, Lots 34-3 and 34-4 to Industrial II)
00-06		Amend Zoning Ordinance -Section XXV - Amendments
01/26/01	01-01	Amend Zoning Ordinance- Section XIII-GMO (Section.1301-1305)
04/23/01	01-02	Zoning Ordinance- Section VIII-Conservation Overlay District (replacing old Conservation District)
09/10/01	01-05	Zoning Ordinance-Section XII - Impact Fees (Change age to 55)
02/04/02	02-01	Amend Zoning Ordinance - Section VII-Commercial District to Add C-IV
02/04/02	02-02	Amend Zoning Ordinance - Section VII - Add Subsection 705
02/04/02	02-03	Amend Zoning Map 7(Lots132-28, 9-17-1) to C-IV
02/04/02	02-04	Amend Zoning Ordinance - Section XXI-Signs, Subs.2103 and 2104
07/15/02	02-09	Amend Zoning Ordinance - Add New Section XIV-Residential Phasing (Renumber all subsequent sections)
07/15/02	02-10	Amend Zoning Ordinance - Add New Section XVI-Growth Mgt. and Innovative Land Use Control
08/12/02	02-11	Amend Zoning Ordinance - New Section VIII- Performance Overlay District
8/26/02	02-12	Amend Zoning Ordinance - Section III- Districts, To add Commercial IV, and Performance Overlay Districts to section
11/18/02	02-15	Amend Zoning Ordinance Section IV - Agricultural/Residential; Section VII - Commercial District and Section XXIII - Signs
12/16/02	02-16	Amend Zoning Ordinance - Title III - Land Use Codes, Chptr. I- Zoning Ordinance, Section XIII - Impact Fees
02/10/03	03-02	Amend Zoning Ordinance, Section IX - Conservation District, Subsection 907.c
02/10/03	03-03	Amend Zoning Ordinance, Section VIII - Performance Overlay District (various amendments)
04/14/03	03-04	Amend Zoning Ordinance, Fire Prevention Code
02/09/04	04-01	Amend Zoning Ordinance, Section VIII, Clarify Existing POD, add Tax Map 6, Lot 54
02/09/04	04-02	Amend Zoning Ordinance, Add New Section VIII-A, NH Rte. 28 Corridor to POD
03/08/04	04-04	Amend Zoning Ordinance, Chapter II - Bldg. Code Amendments
03/08/04	04-05	Amend Zoning Ordinance, Re-Zoning Map18, Lot 2, to I-1
07/22/04	04-06	Amend Zoning Ordinance, Add definitions to Section II, add Conditional Uses to Industrial District.
07/22/04	04-07	Amend Zoning Ordinance, Re-Zoning a portion of Map 6, Lot 51 (Not effective until lot line adjustment with Lot 52 is approved by Planning Board)
09/27/04	04-12	Amend Zoning Ordinance, Re-Zoning Map 7 Lot 75 from AR-I to C-I
11/08/04	04-13	Amend Section 303.G relating to storage of unregistered motor vehicles.
11/08/04	04-14	Amend Section XI, adding new Section 1106 relating to special exceptions for residential garage setbacks
11/08/04	04-15	Amend Section XIX, clarifying readability and clarification of uses not to be considered Home Occupations.
11/08/04	04-16	Amend Section XXIII, Section 2303A relating to the issuance of sign permits.
3/28/05	05-03	Amend Section XVII, Flood Zone, relating to new FEMA Flood Insurance Maps.
3/28/05	05-04	Amend Section II, Definitions, adding definitions relating to electronic signage.
3/28/05	05-03	Amend Section XXIII, Signs, relative to the regulation of electronic signage.
6/6/05	05-07	Rezoning of 2 parcels - removal of the Rt. 28 Performance Overlay District from Map 15, Lot 128 and rezoning from C-2 to AR-I; and

		removal of the Rt. 102 Performance Overlay District from a portion of Map 2, Lot 27.
8/18/05	05-08	Comprehensive Reorganization/Reformat of the Zoning Ordinance, minor clarifications, definitions added & removed, amendment procedure.
3/6/06	06-01	Amend Section 2.3.1.7, removing the sections dealing with variances and "spirit of the ordinance." Also added language clarifying that accessory apartments are not permitted as part of back lot subdivisions. Amend Section 3.6.4.11 clarifying intent of section. Amend Section 3.12.1 regarding general home occupations, added new sections 3.12.2 and 3.12.3 dealing with child care and adult day care as home occupations. Amend Section 3.11.2.6.8.1 added new language regarding off-premise open house signs and signs for a "developed parcel" (Section 3.11.2.4.1.1.), fixed the discrepancy on signs for home occupations (Section 3.11.3.7.4.), added new language regarding wall signage for office buildings (Section 3.11.2.4.1.2.1.). Amend Section 4.1.5.12, Special Exceptions, adding clarifying language regarding SE's for commercial wireless communication facilities. Removed Section 4.4.3, not requiring permits for remodeling, which is inconsistent with actual Town requirements. Amend Section 4.7 - Moved day care definitions to home occupation section. Removed the "To Develop" portion of the definition of "development." Updated incorrect Section Reference in the definition of "variance."
5/1/06	06-03	Rezoning of Map 15, Lot 68 from AR-I to C-III and Historic District effective upon the following conditions being met: <ol style="list-style-type: none"> 1. The Town shall receive a historic preservation easement and historic preservation façade easement from the property owner requiring that the exterior of the historic structures be maintained in their current state, not to altered, demolished or added to; 2. That the specific use of the property be restricted to residential and office space; 3. That no additional structures be placed upon the property unless required by the site plan regulations (i.e. drainage structures, etc...) or to accommodate utilities, all not in detriment to the historic character of the building; 4. That no retail operations are allowed at that location; 5. A site plan be submitted to the Londonderry Planning Board for review and approval in accordance with the Londonderry Site Plan Regulations and Zoning Ordinance
5/15/06	06-04	Remove the elevator requirement for elderly housing developments as previously required in Section 3.6.4.6
5/15/06	06-05	Rezoning of the southerly portion of current Map 15, Lot from AR-1 to I-1, to become effective when the Planning Board approves the subdivision plan creating a new lot consisting of the southerly portion of current Map 15, Lot 97.
9/17/07	07-05	Rezoning of the southerly portion of current Map 15, Lots 93, 93-1, & 93-2 from AR-1 to I-I, to become effective when the Planning Board approves the re-subdivision plan and voluntary merger of the re-subdivided lots with Map 15, Lot 98.

11/5/07	07-11	Amend Sections 5.1 and 5.2 to reflect 2006 updates to State Building Code
01/21/08	08-01	Amend Section 3.1.2 (Excavation Standards) and Section 3.11.6.3 (Signs)
04/21/08	08-04	Rezoning of Map 7, Lots 132-1 through 132-20 by removing the Rt. 102 Performance Overlay District, effective upon approval of site plan for commercial development consistent with conceptual plans presented to the Planning Board.
05/05/08	08-05	Rezoning of the easterly portion of current Map 15, Lot 96 from AR-1 to I-1, to become effective when the Planning Board approves the subdivision plan creating a new lot consisting of the easterly portion of current Map 15, Lot 96.
05/05/08	08-06	Amend Sections 2.3.1.2.2 which revises the time period one is allowed to occupy a temporary manufactured housing unit on a lot while replacing a primary structure due to fire damage (consistent with RSA 674:32 II) and Section 2.3.1.3.1, Table 2 (Minimum Lot Size), to be consistent with the updated soil-based lot sizing standards of the Society of Soil Scientists of Northern New England.
06/12/08	08-09	Amend Sections 2.3.1.9; 2.4.2.12; 2.5.1.3.12 and 4.7 to establish standards for the use of Portable Storage Structures.
10/06/08	08-11	Add new Section 4.1.7 for Special Exceptions for Historic Structures, renumber remainder of section accordingly.
10/06/08	08-12	Re-write Section 3.3, Planned Residential Development, replacing in its entirety with new Section 3.3 Conservation Subdivisions. Amend Section 4.7 to remove all definitions that related to deleted Planned Residential Development section.
04/07/09	09-01	Create new section 3.14, Fences. Amend Section 4.7 (Definitions) with new definition of "fence".
08/17/09	09-01	Create new section 3.14, Small Wind Energy Systems.
12/21/09	09-05	Create new section 2.7, Gateway Business District, rezone the following parcels to Gateway Business District: On Map 14: Lots 35 (I-II portion only), 36 (I-II portion only), 38, 39, 45, 45-1, 45-2, 45-4, 46, 47, 49, and 49-1. On Map 28: Lots 15, 16, 17, 17-2, 17-4, 17-5, 17-6, 18, 18-3, 18-4, 18-5, 18-6, 18-7, 20-5, and 34.
01/04/10	09-06	Create new section 2.8, Planned Unit Development.
01/04/10	09-07	Amend Section 2.11, Districts, Section 2.2 Permitted Use Table, Section 2.5.2.5, Planning Board Site Plan Review in Airport District.
02/01/10	09-04A	Amend Section 1.2 Impact Fees; Section 1.3 Residential Development Phasing; Section 1.4 Growth Management; Section 2.2 Use Table; Section 2.3.2 R-III District; Create New Section 2.3.3 Inclusionary Housing; Create New Section 2.3.4 Retention of Housing Affordability; all in response to new state workforce housing statutes.
06/21/10	10-01	Amend Section 2.1.1 Districts; Section 2.2 Use Table; Section 2.4 Commercial District; Section 2.6.2.3.1 Rt. 28 Performance Overlay District; Section 4.7 Definitions; Amend Zoning Map to rezone from Rt. 28 POD to MUC Map 15, Lots 51, 54, 55, 56, 58, 59, 60, 61-1, 62, and 64; all to reorganize Commercial District and establish new Mixed Use Commercial sub-district.
07/15/10	10-02	Rezone Map 15, Lot 87 from C-I to AR-I
07/15/10	10-03	Rezone Map 16, Lot 38 from split AR-I/I-II to AR-I, effective upon the following: <ul style="list-style-type: none"> 1. Planning Board approval of a lot line adjustment with the Waste Management Parcel to the west, and that the zoning of the land transferred to Waste Management remain zoned I-II

		2. Planning Board approval for a conservation subdivision of the parcel reasonable consistent with that which was presented conceptually to the Planning Board on May 12, 2010
07/15/10	10-04	Amend Sections 5.1 and 5.2 to reflect 2009 updates to State Building Code
10/04/10	10-05	Amend Sections 1.3, 2.3.2, 2.3.3, and 3.6 relative to the number of units allowed in multi-unit residential structures.
01/03/11	10-06	Amend Sections 3.11.6.3.8, and 3.11.6.4.3 relative to temporary signs and the signage requirements for the MUC sub-district.
03/07/11	11-01	Rezone Map 15, Lots 24 & 122 from split C-II/POD to I-I, effective upon the following: <ul style="list-style-type: none"> 1. Planning Board approval of a voluntary merger or lot consolidation of the two parcels; 2. Planning Board approval for a site plan for the expansion of the facility that is reasonably consistent with that which was presented conceptually to the Planning Board on December 8, 2010.
04/04/11	11-02	Amend Section 1.2.6.1, updating references to impact fee methodologies (Rt. 28 Western Segment Traffic).

ZONING ORDINANCE AMENDMENTS

(Article No. 22, adopted March 12, 1963, as amended by Article Nos. 19, 20, 21 March 10, 1964; and Special Town Meeting September 13, 1966;
Article Nos. 20, 21, 23 and 24 March 11, 1969;
Article No. 22 March 9, 1971; Special Town Meeting June 14, 1971;
Article No. 23 March 7, 1972;
Article Nos. 21, 22, 23, 25, 26, 27 and 32 March 6, 1973;
Article Nos. 27, 28, 29,30, 31, 32, 33, 37, 38 March 5, 1974;
Article Nos. 38, 39, 40, 42, 43, 44, 45, 52, 53 March 4, 1975;
Article Nos. 103, 111, 112 March 2, 1976;
Article Nos. 100, 103 March 8, 1977;
Article Nos. 100, 101, 102, 104, 105, 106, 107, 108, 112, 113,114, 116,117, 118, 119, 120, 121 (3/14/78)
Article Nos.100, 101, 102,103, 104, 105, 106, 107, 108, 109 March 13, 1979;
Article Nos. 100, 101, 102, 103, 104,105, 106, 112, 113, 114, 116, 118, 121, 122, 123, 124, 125, 126, 127, 128,129, 130, 132, 133, 134, 135, 136, 138, 139, 140, 142 March 11, 1980;
Article Nos. 101, 102, 103, 104, 105, 106 March 10, 1981;
Article Nos. 101 and 102 March 11, 1986;
Article Nos. 101, 102, 103, 104, 105, 116, 117, 118, 119 and 121 March 10, 1987;
Article Nos. 101 and 102 March 8, 1988,
Article Nos. 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126 and 127 March 14, 1989;
Article Nos. 101, 102, 103, 104, 105 and 106 March 16, 1990;
Article Nos. 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116 and 117 (3/12/91);
Article Nos. 101, 102, 103, 104, 105, 106, 107,108,109,110 and 111 March 10, 1992;
Article Nos. 101, 102, 103, 104, 105 and 106 March 9, 1993;
Article Nos. 101, 102, 103, 104, 105, 106, 107, 108, 109,110,111, 112, 113, and 114 March 8, 1994.
Article Nos. 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, and 113 March 14, 1995.
Article Nos. 101, 102, 103, 104, 105, and 106 March 12, 1996.
Ordinance 97-2 Dec. 9, 1996 - Wireless Telecommunications Towers
Ordinance 97-4 June 2, 1997 - Amend Section II - Definitions, Amend Section XII - Elderly Housing
Ordinance 97-6 June 16, 1997 - Amend Tax Map7, Lots 73 and 73-5 from C-I to C-II
Ordinance 97-8 Oct. 20, 1997 Amend the Zoning Maps to change the zoning of property Tax Map 16, Lots 79,82, 85, 86, 90 from AR-I to C-II.
Ordinance 97-9 Dec 22, 1997- Amend the Zoning Maps to change the zoning of property Tax Map 15, Lot 65 from AR-I to C-II.
Ordinance 97-10 Dec.22,1997- Amend the Zoning Maps to change the zoning of property Tax Map 17, Lots 40, 43, 39 and a portion of Map 17, Lot 45, and Tax Map 18, Lots 1 and 3 all from AR-I to IND-I; and Tax Map 15, Lot 81 and the first 400' North of Sanborn Road on Tax Map 17 Lot 45 from AR-I to R-III.
Ordinance 98-01 Feb. 23, 1998 Amend the Zoning Ordinance Section XI - Growth Management and Innovative Land Use Control by completely replacing the section.
Ordinance 98-02 Oct.19, 1998 Amend the Zoning Ordinance by adding Section X - Historic District and renumbering the following sections accordingly.

98-03	Postponed	An Amendment to the Zoning Ordinance Relating to Energy Generating Facilities
98-04	10/19/98	An Amendment to the Zoning Ordinance Relating to a Procedure for Amendments to the Ordinance (Pending - Not adopted)
98-05	12/21/98	An Amendment to the Zoning Ordinance Relating to Changes to the Zoning Map (Map 10 Lot 54)
98-06	Postponed	An Amendment to the Zoning Ordinance Relating to Changes to the Zoning Map (Nutfield Country Store)
99-02	03/29/99	Amend Zone Ordinance - Section II - Definitions (Add Airport District)
99-03	03/29/99	Amend Zone Ordinance - Section II - Districts (Add Airport District)
99-04	03/29/99	Amend Zone Ordinance - Add Section IX (Airport - renumber subsequent sections)
99-05	03/29/99	Amend Zone Ordinance - Section XXI (renumbered) - Signs (Airport signs)
99-06	03/29/99	Amend Zone Ordinance - Impact Fees (Elderly Waiver)
99-07	08/02/99	Amend Zone Ordinance - Wireless Facilities (revise Section 304 language)
99-08	08/02/99	Amend Zone Ordinance - Growth Mgmt. Ordinance (revised Section 1305)
99-09	08/30/99	Amend Zone Ordinance - Rezone Map 6, Lot 45 (from Agricultural Residential I (AR-I) to Commercial I (C-I).)
99-10	8/30/99	Amend Zone Ordinance-Rezone Map 15,Lot 80-1 (from Agricultural/Residential I (AR-I) to Industrial I (IND-I).)
99-11	8/30/99	Amend Zone Ordinance -Rezone Tax Map 15, Lot 93-A, and Tax Map 15, Parcel 91-B (from Agricultural/Residential I (AR-I) to Industrial-I (IND-I).)
99-12	09/13/99	Amend Zoning Ordinance Section XII - Subsection 1214 - Review
99-13	09/13/99	Amend Zoning Ordinance Section XII - Subsection 1206-Comp. of Fees
99-14	09/13/99	Amend Zoning Ordinance Section XII - Subsection 1211-Credits-Revise "D", Add "E"
99-15	09/13/99	Amend Zoning Ordinance Section XII - Subsection 1208-Appeals - Chg. " ZBA" to "Planning Board"
99-16	10/18/99	Amend Zoning Ordinance-Londonderry Tax Map 6 Lot 65 (Robie House Property C-I to C-III)
99-17	11/01/99	Amend Zoning Ordinance-BOCA Building Code
99-18	12/13/99	Amend Zoning Ordinance-National Fire Prevention Code
00-01	01/24/00	Amend Zoning Ordinance - (Map 10, Lot 55)
00-02	01/24/00	Amend Zoning Ordinance - Section XI -Subsection 1103
00-04	06/19/00	Amend Zoning Ordinance - Section V - R-III Districts
00-05	08/14/00	Amend Zoning Map (Map 2, Lots 34-3 and 34-4 to Industrial II)
00-06	Amend Zoning Ordinance - Revise Section XXV - Amendments	
01-01	02/26/01	Amend Zoning Ordinance - Revise Section XIII-GMO (Sect.1301-1305)
01-02	04/23/01	Amend Zoning Ordinance- Revise Section VIII-Conservation Overlay District
01-05	09/10/01	Amend Zoning Ordinance-Revise Section XII-Impact Fees (change age)
02-01	02/04/02	Amend Zoning Ordinance - Section VII-Commercial District to Add C-IV

02-02	02/04/02	Amend Zoning Ordinance - Section VII - Add Subsection 705
02-03	02/04/02	Amend Zoning Map (&-132-28, 9-17-1) to C-IV
02-04	02/04/02	Amend Zoning Ordinance - Section XXI-Signs, Subs.2103 and 2104
02-09	07/15/02	Amend Zoning Ordinance - Add New Section XIV- Residential Phasing (Renumber all subsequent sections)
02-10	07/15/02	Amend Zoning Ordinance - Add New Section XVI-Growth Mgt. and Innovative Land Use Control
02-11	08/12/02	Amend Zoning Ordinance - New Section VIII- Performance Overlay District
02-12	08/26/02	Amend Zoning Ordinance - Section III- Districts, To add Commercial IV, and Performance Overlay Districts to section
02-15	11/18/02	Amend Zoning Ordinance Section IV - Agricultural/Residential; Section VII - Commercial District and Section XXIII - Signs
02-16	12/16/02	Amend Zoning Ordinance - Title III - Land Use Codes, Chptr. I- Zoning Ordinance, Section XIII - Impact Fees
03-02	02/10/03	Amend Zoning Ordinance, Section IX - Conservation District, Subsection 907.c
03-03	02/10/03	Amend Zoning Ordinance, Section VIII - Performance Overlay District (various amendments)
03-04	04/14/03	Amend Zoning Ordinance, Fire Prevention Code
04-01	02/09/04	Amend Performance Overlay District (Add Map 6, Lot 54, Clarify applicability to NH Route 102)
04-02	02/09/04	Amend Performance Overlay District (Add Section VIII-A - NH Route 28 Corridor)
04-04	03/08/04	Amend Zoning Ordinance, Chapter II - Bldg. Code Amendments
04-05	03/08/04	Amend Zoning Ordinance, Re-Zoning Map18, Lot 2, to I-1
04-06	07/22/04	Amend Zoning Ordinance, Add definitions to Section II, add Conditional Uses to Industrial District.
04-07	07/22/04	Amend Zoning Ordinance, Re-Zoning a portion of Map 6, Lot 51 from AR-I to C-I/POD (Not effective until lot line adjustment with Lot 52 is approved by Planning Board)
04-12	09/27/04	Amend Zoning Ordinance, Re-Zoning Map 7 Lot 75 from AR-I to C-I
04-13	11/08/04	Amend Section 303.G relating to storage of unregistered motor vehicles.
04-14	11/08/04	Amend Section XI, adding new Section 1106 relating to special exceptions for residential garage setbacks
04-15	11/08/04	Amend Section XIX, clarifying readability and clarification of uses not to be considered Home Occupations.
04-16	11/08/04	Amend Section XXIII, Section 2303A relating to the issuance of sign permits.
05-03	3/28/05	Amend Section XVII, Flood Zone, relating to new FEMA Flood Insurance Maps.
05-04	3/28/05	Amend Section II, Definitions, adding definitions relating to electronic signage.
05-03	3/28/05	Amend Section XXIII, Signs, relative to the regulation of electronic signage.
05-07	6/6/05	Rezoning of 2 parcels - removal of the Rt. 28 Performance Overlay District from Map 15, Lot 128 and rezoning from C-2 to AR-I; and removal of the Rt. 102 Performance Overlay District from a portion of Map 2, Lot 27.

05-08	8/18/05	Comprehensive Reorganization/Reformat of the Zoning Ordinance, minor clarifications, definitions added & removed, amendment procedure.
06-01	3/6/06	Amend Section 2.3.1.7, removing the sections dealing with variances and "spirit of the ordinance." Also added language clarifying that accessory apartments are not permitted as part of back lot subdivisions. Amend Section 3.6.4.11 clarifying intent of section. Amend Section 3.12.1 regarding general home occupations, added new sections 3.12.2 and 3.12.3 dealing with child care and adult day care as home occupations. Amend Section 3.11.2.6.8.1 added new language regarding off-premise open house signs and signs for a "developed parcel" (Section 3.11.2.4.1.1.), fixed the discrepancy on signs for home occupations (Section 3.11.3.7.4.), added new language regarding wall signage for office buildings (Section 3.11.2.4.1.2.1.). Amend Section 4.1.5.12, Special Exceptions, adding clarifying language regarding SE's for commercial wireless communication facilities. Removed Section 4.4.3, not requiring permits for remodeling, which is inconsistent with actual Town requirements. Amend Section 4.7 - Moved day care definitions to home occupation section. Removed the "To Develop" portion of the definition of "development." Updated incorrect Section Reference in the definition of "variance."
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06-05	5/15/06	Rezoning of the southerly portion of current Map 15, Lot from AR-1 to I-1, to become effective when the Planning Board approves the subdivision plan creating a new lot consisting of the southerly portion of current Map 15, Lot 97.
07-05	9/17/07	Rezoning of the southerly portion of current Map 15, Lots 93, 93-1, & 93-2 from AR-1 to I-I, to become effective when the Planning Board approves the re-subdivision plan

		and voluntary merger of the re-subdivided lots with Map 15, Lot 98.
07-11	11/5/07	Amend Sections 5.1 and 5.2 to reflect 2006 updates to State Building Code
08-01	01/21/08	Amend Section 3.1.2 (Excavation Standards) and Section 3.11.6.3 (Signs)
08-04	04/21/08	Rezoning of Map 7, Lots 132-1 through 132-20 by removing the Rt. 102 Performance Overlay District, effective upon approval of site plan for commercial development consistent with conceptual plans presented to the Planning Board
08-05	05/05/08	Rezoning of the easterly portion of current Map 15, Lot 96 from AR-1 to I-1, to become effective when the Planning Board approves the subdivision plan creating a new lot consisting of the easterly portion of current Map 15, Lot 96.
08-06	05/05/08	Amend Sections 2.3.1.2.2 which revises the time period one is allowed to occupy a temporary manufactured housing unit on a lot while replacing a primary structure due to fire damage (consistent with RSA 674:32 II) and Section 2.3.1.3.1, Table 2 (Minimum Lot Size), to be consistent with the updated soil-based lot sizing standards of the Society of Soil Scientists of Northern New England.
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09-06	01/04/10	Create new Section 2.8, Planned Unit Development.
09-07	01/04/10	Amend Section 2.11, Districts, Section 2.2 Permitted Use Table, Section 2.5.2.5, Planning Board Site Plan Review in Airport District.
09-04A	02/01/10	Amend Section 1.2 Impact Fees; Section 1.3 Residential Development Phasing; Section 1.4 Growth Management; Section 2.2 Use Table; Section 2.3.2 R-III District; Create New Section 2.3.3 Inclusionary Housing; Create New Section 2.3.4 Retention of Housing Affordability; all in response to new state workforce housing statutes.

10-01	06/21/10	Amend Section 2.1.1 Districts; Section 2.2 Use Table; Section 2.4 Commercial District; Section 2.6.2.3.1 Rt. 28 Performance Overlay District; Section 4.7 Definitions; Amend Zoning Map to rezone from Rt. 28 POD to MUC Map 15, Lots 51, 54, 55, 56, 58, 59, 60, 61-1, 62, and 64; all to reorganize Commercial District and establish new Mixed Use Commercial sub-district.
10-02	0715/10	Rezone Map 15, Lot 87 from C-I to AR-I
10-03	0715/10	Rezone Map 16, Lot 38 from split AR-I/I-II to AR-I, effective upon the following: <ul style="list-style-type: none"> 1. Planning Board approval of a lot line adjustment with the Waste Management Parcel to the west, and that the zoning of the land transferred to Waste Management remain zoned I-II 2. Planning Board approval for a conservation subdivision of the parcel reasonable consistent with that which was presented conceptually to the Planning Board on May 12, 2010
10-04	07/15/10	Amend Sections 5.1 and 5.2 to reflect 2009 updates to State Building Code
10-05	10/04/10	Amend Sections 1.3, 2.3.2, 2.3.3, and 3.6 relative to the number of units allowed in multi-unit residential structures.
10-06	01/03/11	Amend Sections 3.11.6.3.8, and 3.11.6.4.3 relative to temporary signs and the signage requirements for the MUC sub-district.
11-01	03/07/11	Rezone Map 15, Lots 24 & 122 from split C-II/POD to I-I, effective upon the following: <ul style="list-style-type: none"> 1. Planning Board approval of a voluntary merger or lot consolidation of the two parcels; 2. Planning Board approval for a site plan for the expansion of the facility that is reasonably consistent with that which was presented conceptually to the Planning Board on December 8, 2010.
11-02	04/04/11	Amend Section 1.2.6.1, updating references to impact fee methodologies (Rt. 28 Western Segment Traffic).
11-09	09/12/11	Rezone Tax Map 15, Lots 183, 184, & 185 from C-I to C-II
11-09	09/12/11	Rezone Tax Map 13, Lot 96B from AR-I to C-II.
11-12	12/05/11	Amend Section 5.3.2 to reflect an update to the Demolition Delay Ordinance



4.9 Subdivision Regulations, June 10, 2009

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN

SEPTEMBER 2013

Subdivision Regulations

June 10, 2009



Planning Board
Town of Londonderry
268B Mammoth Road
Londonderry, New Hampshire 03053

Subdivision Regulations

Adopted at Town of Londonderry Meeting on March 8, 1966

<u>DATE</u>	<u>AMENDMENT</u>
1. JANUARY 9, 1970	
2. DECEMBER 12, 1973	
3. DECEMBER 1, 1976	
4. DECEMBER 11, 1985	S - 4a
5. MARCH 28, 1988	S - 4a
6. JUNE 22, 1988	S - 6, 8, 16, 17, 24
7. JUNE 26, 1989	Articles 3:4, 4:2, and 4:3
8. AUGUST 23, 1989	Articles 1:4, 3:2, 3:4 Exhibit 2
9. JUNE 13, 1990	REVISED
10. SEPTEMBER 19, 1990 Special	Flood Hazard Areas
11. JUNE 23, 1993	Section 1, Part 1.05 Section 5, Part 5.08 Section 7, Part 7.04
12. March 1, 2000	REVISED
13. October 11, 2001	Amendments to Sections: 2.02, 2.04, 2.06, 3.08, 3.09, 4.11, 5.01, 5.02, Exhibit 1, Exhibit 5
14. February 12, 2003	Add Section 2.06.P, Create new Appendices 5-A & 5-B
15. January 12, 2005	Revised Section 2.06.N for requirements for digital submission requirements. Revised Exhibit 1 for administrative fee for recording plans at the registry of deeds.
16. May 11, 2005	Added new Section 2.06.Q, clarifying the amount of development needed for "active and substantial development" under RSA 674:39
17. November 9, 2005	Amend Section 1.05 to update required FEMA Flood Insurance Study references & add new Section 3.02.C to specify the requirements for signing the CO District Boundaries on new site plans.
18. September 13, 2006	Fee Schedule Amended
19. June 13, 2007	Fee Schedule Amended
20. April 9, 2008	Amend Section 3.09.A relative to stonewall preservation and reconstruction
21. September 10, 2008	Amend Section 3.01.C (updating reference documents), Amend Section 3.09, various subsections to add standards for "Minor Streets."
22. June 10, 2009	Amend Sections 2.04.B, 2.04.D, 2.06.A, 3.01.C, 3.09.A.1, 4.14, 5.01.A, and Exhibits 2, 3, 5, 5-A, and 5-B for process improvements and addition of stonewall reconstruction detail.

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SECTION 1 GENERAL PROVISIONS

- 1.01 AUTHORITY:** These regulations have been prepared in accordance with the provisions of Chapter 674, Section 35 inclusive of the New Hampshire Revised Statutes.
- 1.02 TITLE:** These regulations shall be known and may be cited as "Subdivision Regulations," Town of Londonderry, New Hampshire.
- 1.03 PURPOSE:** The purpose of these regulations shall be to:
- A.** Provide against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services.
 - B.** Provide for the harmonious development of the municipality and its environs.
 - C.** Require the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with features of the official map of the municipality.
 - D.** Provide for open spaces of adequate proportions.
 - E.** Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for emergency equipment, fire fighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system.
 - F.** Require, in proper cases, that boundary plans showing new streets or narrowing or widening of such streets submitted to the Planning Board for approval, shall show a park or parks suitably located for playground or other recreational purposes.
 - G.** Require that proposed parks shall be of reasonable size for neighborhood playgrounds or other recreational uses.
 - H.** Require that the land indicated on boundary plans submitted to the planning board shall be of such character that it can be used for building purposes without danger and hazards to the public.
 - I.** Prescribe minimum areas of lots so as to assure conformance with local zoning ordinances and to assure such additional areas as may be needed for each lot for on-site sanitary facilities.
 - J.** Include provisions which will tend to create conditions favorable to health, safety, convenience, or prosperity.

- 1.04 DEFINITIONS:** For the purpose of these regulations certain terms used herein are defined as follows:

ABUTTER - shall mean any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association as defined in RSA 356-B:3, XXIII.

APPLICANT - the owner of land to be subdivided or developed or his agent or representative as he may authorize by a signed notarized statement.

APPROVED STREET - a Class V or better highway, or a street that corresponds in lines and location with a street shown on a subdivision plan approved by the Planning Board.

BOARD - the Planning Board of the Town of Londonderry, New Hampshire.

BUFFER - a strip of land along a property line or zone district boundary line which shall be free of any building or use other than natural woody growth, landscaping, or screening.

BUILDING - any structure built for the purpose of support, shelter, or enclosure of persons, animals, or movable property of any kind.

CERTIFIED SOIL SCIENTIST - a person qualified in soil classification and mapping, who is certified by the State of New Hampshire.

CERTIFIED WETLAND SCIENTIST - a person qualified in wetland classification and mapping, who is certified by the State of New Hampshire.

DESIGN REVIEW COMMITTEE - a committee established by the Planning Board to provide technical advisory services.

EASEMENT - recorded authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

FRONTAGE - the distance along a lot line dividing a lot from an approved street.

LICENSED LAND SURVEYOR - a land surveyor properly licensed in the State of New Hampshire.

LOT - a distinct tract of land recorded in a deed, Court decree, or subdivision plan filed in Rockingham County Registry of Deeds.

MASTER PLAN - a comprehensive plan consisting of documents, maps, and reports for development of the Town of Londonderry, prepared and adopted by the Board, pursuant to New Hampshire RSA 674 and including any part of such plan separately adopted and any amendment or parts to such a plan.

OFF-SITE - any premises not located within the area of the property to be subdivided.

OWNER - any person, group of persons, firm or firms, corporation or corporations, or other legal entity having title to the land sought to be subdivided or developed.

PROFESSIONAL ENGINEER - an engineer properly licensed in the State of New Hampshire.

RIGHT-OF-WAY (R.O.W.) - a strip of land that is used for the location of a street, that is separate and distinct from the lots and parcels adjoining such R.O.W. and not included within the dimensions or areas of such other lots or parcels.

STREET - means, relates to, and includes street, avenue, boulevard, road, lane, alley, viaduct, highway, freeway, and other ways.

SUBDIVISION -

- A. the division of the lot, tract, or parcel of land into two or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance, or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
- B. the division of a parcel of land held in common and subsequently divided into parts

among the several owners shall be deemed a subdivision.

WETLAND - means an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs, and similar areas, as defined in the New Hampshire Department of Environmental Services, Wt 100-800: Rules Governing Wetlands.

ZONING - refers to the Zoning Ordinance of the Town of Londonderry.

1.05 SPECIAL FLOOD HAZARD AREAS: All development proposals governed by these Regulations having lands designated as special flood hazard areas in the "Flood Insurance Study: Town of Londonderry, New Hampshire" shall meet the following requirements:

- A.** The Planning Board shall review the proposed development to assure that all necessary permits have been obtained from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, U.S.C. 1334.
- B.** The Planning Board shall require that all proposals for development greater than fifty (50) lots or five (5) acres, whichever is lesser, include Base Flood Elevation (BFE) data within such proposals (ie. flood plain boundary and 100-year flood elevation).
- C.** Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow a determination that:
 - 1. all such proposals are consistent with the need to minimize flood damage;
 - 2. all public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - 3. adequate drainage is provided so as to reduce exposure to flood hazards.

2.01 INITIAL INQUIRY (OPTIONAL): An Applicant preparing to create a subdivision is encouraged to make an initial inquiry to the Planning Department to discuss the merits of the proposed subdivision and its conformance with the Town of Londonderry Zoning and Subdivision Regulations.

A. Application procedure: There are two stages allowed for in the process used by the Town of Londonderry consisting of the following:

1. Pre-Application Reviews (optional); and
2. Formal Application

B. Notice to Abutters and General Public: For any meeting on any application for which notice is required, pursuant to RSA § 676:4 I(d), the Board shall notify the applicant; abutters; professionals whose seals appear on the plat; and holders of restrictions under RSA § 477:45 by certified mail at least ten (10) days prior to the meeting and notice shall be published in a newspaper of general circulation at least ten (10) days prior to the meeting. The notice shall include a general description of the proposal and shall identify the applicant and location of the land.

C. Specific studies: The Board or its designees, at its discretion, may either request the Applicant to prepare specific studies related to the project, or contract with a consultant to perform these studies at the Applicant's expense.

D. Review of application:

1. The Board may contract with consultants to review all or portions of any application, including design review and formal applications, or any requested studies. This review shall be at the Applicant's expense. The Applicant shall provide escrow for the review cost in sufficient amount estimated by the Planning Department. The escrow account shall be reviewed periodically to assure that sufficient funds are available to cover all review costs and additional escrow provided as needed.
2. Professional Legal services: The applicant shall be responsible for the cost of all professional legal services retained by the town as part of a project. The applicant shall sign the Agreement for Professional Legal Services form at the time of application. This form is available at the Planning Department.

E. Board's hearing schedule: A monthly calendar cycle shall be used by the Board as follows:

1. 1st week: Regular Meeting/New Applications;
2. 2nd week: Continuation of Applications /Discussions/Boardwork;
3. 3rd, 4th (and 5th) week: No meeting.

F. Design Review Committee (DRC): The DRC consists of a representative from the following:

1. Assessor's Office;
2. Building Department;
3. Fire Department;
4. Planning and Economic Development Department
5. Police Department;
6. Department of Public Works;
7. Tax Collector's Office;
8. Zoning Board of Adjustment;
9. Conservation Commission;
10. Heritage/Historic District Commission;
11. Planning Board's designated engineering review consultant; and

12. Any other appropriate agency or board.

2.03 PRE-APPLICATION REVIEWS - DISCUSSION OF CONCEPTUAL DESIGN INFORMATION

(OPTIONAL): An Applicant may make a written letter request for discussion of conceptual design information, with two (2) copies of conceptual information (no surveying or engineering required) to be scheduled for discussion of the proposal in conceptual form, in accordance with RSA § 676:4 II, only with members of the Planning Board at a public meeting.

- A. The Applicant may discuss with the Board the procedure for subdivision including the requirements as to general layout of streets, reservation of lands, street improvements, drainage, utilities, and similar activities, as well as availability of existing services.
- B. The Applicant may seek advice of the Board only at a scheduled Boardwork meeting. A discussion may be sought for the purpose of discussing Board policies and standards and conclusions derived from the Master Plan, so that they may evaluate whether his/her concept is consistent with the Master Plan prior to submittal of an application.
- C. The Board and Applicant may discuss proposals in conceptual form only, and in general terms, such as the desirability of types of development.
- D. A discussion shall not bind either the Board or the Applicant.

2.04 PRE-APPLICATION SUBMISSIONS - DESIGN REVIEW (OPTIONAL):

A. **Design Review:** The design review submission is a tool to assist the Applicant in providing complete information for the project. The Applicant shall submit complete drawings and supporting information to address the requirements of the regulations. A complete checklist shall be provided to assist design review. The submittal package shall be checked for completeness. If all the required items are not submitted, the submittal will be returned to the Applicant.

B. **Submission items:** The Applicant shall file a completed design review request form and checklist for design review. A complete application is one which shall:

1. Include a design review request form available at the Planning Department (Exhibit 3);
2. Include a completed subdivision application checklist marked design review available at the Planning Department (Exhibit 5);
3. Be accompanied by an application fee (Exhibit 1);
4. The application form shall be signed by the property owner or the owner's agent. If an agent signs the application, an affidavit authorizing the agent to act on the owners behalf shall be submitted as well
5. Include a list of names and addresses of all abutters provided in RSA 676:4, I(b);
6. Include four (4) sets of plans and an electronic submission of the plans in "portable document format" (.pdf format) on a CD_ROM, as required per Section 4 and in accordance with the requirements for design standards and improvements as outlined in Section 3. Alternatively, for those applicants that cannot provide an electronic submission, twelve (12) sets of plans (six full sets and six sets of only the sheets the Planning Board would sign).
7. Include escrow for review cost in sufficient amount estimated by the Planning Department. Escrow account shall be periodically reviewed to ensure that sufficient funds are available to cover all review costs and additional escrow provided as needed..

C. **Notification of Design Review:** Abutters and the general public shall be promptly notified in accordance with Section 2.02.B that the Town of Londonderry is conducting DESIGN REVIEW of the project and plans for the project are available for review by the general public at the Planning Department.

- D. Schedule:** The DRC shall review the submitted plans within thirty (30) calendar days of the submittal date of the complete Design Review Application, including all items specified in Section 2.04.B.
- E. DRC Comments:** During the DESIGN REVIEW phase, comments which are generated during DRC review are forwarded to the Applicant for their use. The Applicant shall address the DRC comments as follows:
1. The Applicant is responsible to address the DRC comments in writing, explaining how each comment is addressed and providing two (2) sets of revised drawings (with changes highlighted in yellow) to the Planning Department with the revision block appropriately noted and dated on the drawings;
 2. If the Applicant elects to have a design review meeting with the Planning Board, revised plans shall be submitted not later than ten (10) working days prior to the scheduled design review meeting with the Planning Board; and
 3. If the Applicant elects to not have a design review meeting with the Planning Board, the DRC comments shall be addressed, and comments incorporated into the design prior to Formal Application..

2.05 DESIGN REVIEW MEETING (OPTIONAL):

- A. Submission Items:** An Applicant may make a written letter request for a public meeting with the Planning Board.
- B. Notification:** The Board shall notify the abutters and the Applicant by certified mail, return receipt requested, of the date of the meeting. Notice will be mailed at least ten (10) days prior to the date of the meeting. Notice to the general public shall also be given at the same time. A notice shall be posted at two (2) public locations and in a general circulating publication.
- C. Public Meeting:** The public meeting shall be held after receipt of comments from the DRC so that they are available for discussion. Any abutter or person with a direct interest in the matter may discuss the proposal in person or in writing. All discussion and comment by Board members shall be non-binding.

2.06 FORMAL APPLICATION SUBMISSIONS AND PROCEDURES:

- A. Submission Items:** The Applicant shall file a completed Formal Application for consideration. A complete application is one which shall:
1. If pre-application design review was pursued, include a letter from the Applicant stating whether or not the Formal Application incorporates all changes called for by design review comments. If not, the letter shall explain fully;
 2. Be made on application form available at the Planning Department (Exhibit 2);
 3. Include a completed checklist available at the Planning Department (Exhibit 5);
 4. The application form shall be signed by the property owner or the owner's agent. If an agent signs the application, an affidavit authorizing the agent to act on the owners behalf shall be submitted as well.
 5. Be accompanied by the correct application fee (Exhibit 1), if not already paid under pre-application design review submittal;
 6. Include a list of the names and addresses of all abutters, as provided in RSA 676:4, I(b);
 7. Include twelve (12) sets of plans (six full sets and six sets of only the sheets the Planning Board would sign) as required per Section 4 and in accordance with the requirements for design standards and improvements as outlined in Section 3. Projects that have undergone pre-application Design Review shall need only provide four (4) sets of plans;
 8. Include an electronic submission of the complete plan set in "portable document format" (.pdf format) for use by the Planning Board at the public hearing;

9. Include applicable documents listed in Section 4.18;
 10. Include a materials quantity list on Town of Londonderry Department of Public Works forms and a summary total for bond estimate for the project; and
 11. Include escrow for review cost in sufficient amount estimated by the Planning Department, if not already provided under pre-application design review submittal. Escrow account shall be periodically reviewed to assure that sufficient funds are available to cover all review costs and additional escrow provided as needed.
- B. Submittal date of Formal Application:** The date of delivery of a Formal Application to the Planning Department and issue of a receipt of acceptance by the Planning Director. The Applicant shall indicate the items delivered on Exhibit 2
- C. Acceptance process:** The Formal Application must be delivered at least fifteen (15) days prior to the Planning Board meeting at which the Application is considered for acceptance. The Board shall, at the next regular meeting for which notice can be given, or within thirty (30) days following the submittal date of the Formal Application, determine if the submitted application is accepted as complete.
- D. Formal acceptance date:** For the purpose of these regulations, the date of the meeting of the Board at which the Formal Application is accepted as complete shall constitute the formal acceptance date of the application.
- E. Time of consideration:** The Board shall have sixty-five (65) days in which to consider and act on the application, subject to extension or waiver as provided in NH RSA § 676:4, as most recently amended. The sixty-five (65) days shall begin at the formal acceptance date.
- F. Design Review Committee (DRC) Review:** Should the Applicant elect to submit a Formal Application without using the pre-application design review process, DRC comments will be forwarded to the Planning Board for consideration at the public hearing.
- G. Notification of Submission:** The Board shall notify the abutters and the Applicant in accordance with Section 2.02.B.
- H. Determination of Completeness of Application:** At the meeting to consider acceptance of an application, the Board shall determine whether or not the application is complete and vote formal acceptance or rejection of the application accordingly. If the application is incomplete, the Board shall notify the Applicant under RSA 676:3 and shall specify what would be required to make the application complete. If the application is complete, the Board may, but need not, begin formal consideration of the application at the same meeting.
- I. Public Hearing:** The Board shall hold a public hearing on an accepted application with notice as required by Section 2.02.B. Notice of the public hearing may be included in the notice for the meeting to consider Formal Acceptance as scheduling permits. A public hearing may be continued from meeting to meeting as needed.
- J. Special Studies or Reviews:** If, during the Board's consideration of the application, the Board determines that certain additional information is necessary for a fully informed decision, it may request the Applicant to provide the information or may hire a professional consultant itself with expenses charged as per Section 2.02.C and D.
- K. Board Action:** The Board shall act to approve, conditionally approve, or disapprove an application within the timeframe consistent with NH RSA § 676:4, as most recently amended, unless it deems more time necessary, in which case the Board must either obtain a written consent from the Applicant for an extension of a specified period or obtain in writing from the Town Council an extension of time not to exceed ninety (90) days. The Board shall take action as follows:

1. If the Board grants approval of an application as submitted, the plan shall be signed and dated by the Chairman and Secretary; and the plan is made available for recording in the Registry of Deeds;
2. If the Board disapproves of an application, the Board shall state the grounds for disapproval in writing; and
3. If the Board grants conditional approval of an application, the conditions shall be stated in writing and the plan shall not be signed and released for recording until fulfillment of such conditions, except such conditions as relate to the use of the property after subdivision and/or development of the property.

L. Compliance with Conditions of Approval. In order to determine fulfillment of conditions of approval, the Board shall hold a public hearing with notice as required in Section 2.02 B to receive evidence of compliance or non-compliance. No public hearing is required for conditions which are: (a) minor plan changes compliance with which is administrative and does not involve discretionary judgment; (b) conditions which are in themselves administrative and which involve no discretionary judgment on the part of the Board; or (c) conditions with regard to the Applicant's possession of permits and approval granted by other Boards or agencies.

M. Time Limits for Fulfilling Conditions: Conditional approval shall be null and void unless all conditions necessary for release and recording of the plan are fulfilled within twenty-four (24) months of conditional approval. The Board may grant an extension, upon written request filed with the Board at least fourteen (14) days prior to expiration of conditional approval, stating the extenuating circumstances justifying an extension.

N. Board Signature: Prior to obtaining Board signature, the Applicant shall submit two (2) complete paper print plan sets and supporting documents as required in Section 4.19 with a letter explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Londonderry's file. The Chairman and Secretary of the Board shall endorse a reproducible mylar, and four (4) paper copies of the approved plan(s) meeting the conditions of approval upon receipt of an executed bond for all improvements, excluding buildings. The Planning Department shall retain a reproducible and four (4) paper copies with supporting documents for Town of Londonderry records.

In addition, complete electronic files of all of the drawings in the plan set shall be provided for the Town of Londonderry's records, in accordance with the following:

1. All submitted plans shall also be submitted to the GIS Manager in .dxf (Drawing Exchange File) format, AutoCAD drawing (.dwg) format, ESRI Geodatabase format (.mdb), ESRI Export file format (.E00), or ArcView Shapefile format (.shp).
2. Where digital files are not projected in NH State Plane feet, NAD83, the applicant shall submit a brief explanation of how the coordinate system was established if it is not indicated on the submitted plans.
3. All digital Files shall be submitted on a CD-ROM or 3.5" floppy disk (note that files compressed and spanned with multiple floppy disks will not be accepted). Arrangements may be made to send digital data via FTP, email, or on other media on a case-by-case basis by approval of the GIS Manager;
4. If submitted via disk the following information shall be labeled on the disk: file name; property owner name; parcel identification number (tax map and lot number); and name of submitting consultant;
5. Horizontal control points shall have an adjusted accuracy of 1:10,000 (Third Order, Class I);
6. Entities and their data layer properties shall correspond to the following:
 - i. Property lines entities shall be created on a "Lot Line" layer.
 - ii. Parking lots shall be created on a "Plot" layer.
 - iii. Driveways shall be created on a "Driveway" layer.

- iv. Building outlines shall be created on a "Structure" layer.
 - v. Distance and bearing annotation shall be created on a "Dimtxt" layer.
 - vi. The digital file shall have a layer named "NHSPCS". NH State Plane NAD83 referenced points and the easting, northing and vertical descriptions of at least 2 referenced points shall be annotated on this layer.
7. All lines representing property lines shall consist of continuous line work snapped to endpoints. Stonewall representations, unless created using a line type will not be accepted.

O. Recording: The Town of Londonderry shall record the approved boundary plan(s) with the Rockingham County Registry of Deeds Office within seven (7) working days of the date of signature by the Board. The Applicant shall be responsible for all fees and expenses related to recording. At the same time the Applicant shall provide such legal documents as shall be required to be recorded by the Town Attorney.

P. Lot Line Adjustments and Condominium Conversions: For lot line adjustments and condominium conversion projects that involve no improvements to a site and which do not create new lots, the project shall be submitted using the application form and checklist contained in Exhibit 5-A for condominium conversions, and Exhibit 5-B for lot line adjustments.

Q. Approved subdivisions shall be protected from future changes in regulations and ordinances in accordance with NH RSA § 674:39 as summarized by the following:

1. Every subdivision approved by the planning board shall be exempt from all subsequent changes in subdivision regulations and zoning ordinances adopted by the Town of Londonderry, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 4 years after the date of certification of the subdivision by the Planning Board; provided, however, that once substantial completion of the improvements as shown on the plans have occurred in compliance with the approved plans, or the terms of said approval or unless otherwise stipulated by the planning board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in site plan regulations or zoning ordinances shall operate to affect such improvements; and further provided that:
 - i. Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved plans within 12 months after the date of approval (certification by the Planning Board), or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the Town, at the time of commencement of such development;
 - ii. The development remains in full compliance with the public health regulations and ordinances of the Town of Londonderry; and
 - iii. At the time of approval (certification of the plans by the Planning Board), the subdivision conforms to the subdivision regulations, and zoning ordinances then in effect at the site of such plan.
2. For purposes of these regulations, "active & substantial development" shall be defined as:
 - i. Construction of and/or installation of basic infrastructure to support the development (including all of the following: at least 1 building foundation wall/footing, roadways, access ways, etc. to a minimum of gravel base; and utilities placed in underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans; and
 - ii. Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrain, catch basins, etc.) in accordance with the approved plans; and
 - iii. All erosion control measures (as specified on the approved plans) must be in place and

- maintained on the site; and
- iv. Items i, ii, and iii shall be reviewed and approved by the Town Department of Public Works or designated agent.

Movement of earth, excavation, or logging of a site without completion of items i, ii, iii, & iv, above, shall not be considered “active and substantial development.” Plans approved in phases shall be subject to this definition for the phase currently being developed. The Planning Board may, for good cause, extend the 24-month period set forth in 2.06.M.

SECTION 3 DESIGN STANDARDS AND REQUIREMENTS FOR IMPROVEMENTS

3.01 GENERAL

- A. Approval of Improvements:** All improvements shall be designed and constructed in accordance with the Town of Londonderry regulations and standards, and shall be subject to the approval of the Board.
- B. Installation and Maintenance:** The Applicant is responsible for the satisfactory installation of all required improvements and maintenance of these improvements in a satisfactory condition without cost to the Town of Londonderry until their acceptance by the Town of Londonderry.
- C. Standards and Specifications:** The following standards and specifications shall include but not be limited to the following in the design and construction of all improvements:
1. ZONING ORDINANCE - Town of Londonderry, current edition;
 2. TYPICAL DETAILS FOR SITE AND ROADWAY INFRASTRUCTURE – Town of Londonderry, current edition;
 3. MANUAL ON DRAINAGE DESIGN FOR HIGHWAYS - State of New Hampshire, Department of Public Works and Highways, current edition;
 4. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) - U.S. Department of Transportation, Federal Highway Administration, current edition;
 5. STANDARDS SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION - State of New Hampshire, Department of Transportation, current edition;
 6. HIGHWAY DESIGN MANUAL - State of New Hampshire, Highway Design Division, current edition;
 7. HIGH INTENSITY SOILS MAPS FOR New Hampshire STANDARDS AND ORIGINS - Society of Soil Scientists of Northern New England, Special Publication No. 1 - current edition;
 8. A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS - AASHTO – current edition;
 9. STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE - current edition, prepared by Rockingham County Conservation District (Green Book);
 10. STATE OF NEW HAMPSHIRE STANDARDS OF DESIGN AND CONSTRUCTION FOR SEWERAGE AND WASTEWATER TREATMENT FACILITIES - New Hampshire Department of Environmental Services, Code of Administrative Rules, Env-ws 700, September 1997 (or latest revision);
 11. SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES - New Hampshire Department of Environmental Services, Code of Administrative Rules, Env-ws 1000, August 1999 (or latest revision); and
 12. STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, DESIGN STANDARDS FOR SMALL PUBLIC DRINKING WATER SYSTEMS, Env-ws 372, June 1997 (or latest revision).
 13. Other standards and specifications as approved by the Town of Londonderry.

3.02 MONUMENTS

A. Location:

1. Street right-of-way: Monuments shall be placed at all angle points, points of curvature (PC) and points of tangents (PT) on both sides of the right-of-way. Monuments shall also be placed at any intermediate points, as required by the Town Engineer; and
2. Subdivision and lot: Monuments for the external boundaries of the tract being subdivided and the lots that are being created shall be placed not more than one-thousand (1000) feet apart in any straight line, at all corners, at the beginning and end of all curves and at all angle points.

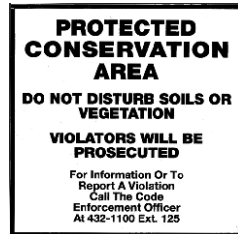
B. Type:

1. Street right-of-way: Shall be marked by a stone or concrete monument 4" x 4" x 36" in size (minimum); and
2. Lots: At least one lot corner at the right-of-way line shall be marked by a stone or concrete monument 4" x 4" x 36" (minimum). All other lot corners shall be marked by either a one (1)-inch diameter iron pipe or five-eighths (5/8)-inch steel rebar at least thirty (30) inches in length or a drill hole set in existing stone walls.

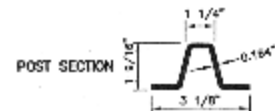
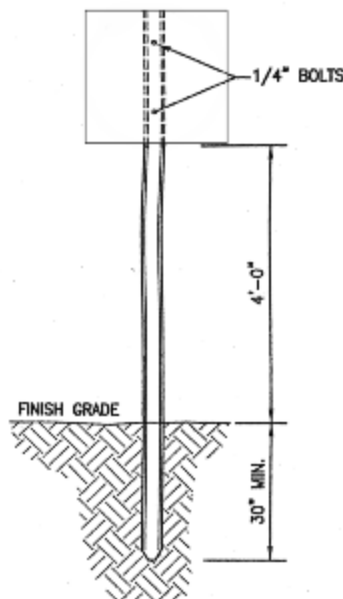
C. CO District Signage Requirements:

1. Any project that has a portion of the property within the Conservation Overlay District (See Zoning Ordinance, Section 2.6.3) shall coordinate with the Conservation Commission as to where "Protected Conservation Area" signs (see details below) will be placed on the site along the CO District Boundary at points indicated on the plans.
2. The maximum spacing between signs shall be 50 feet.
3. Signs shall be placed on trees at the buffer line, or shall be installed on sign posts as shown in the detail below.
4. Signs are available for purchase from the Planning & Economic Development Department at a cost determined by the Planning Department to recover the Town's costs of purchasing the signs to be made available.

5. Sign Detail:



6. Sign Post Detail:



LENGTH: P-12, 12'-0"; P-14, 14'-0"; P-16, 16'-0".
WEIGHT PER LINEAL FOOT: 2.50 LBS. (MIN.)

HOLES: 3/8" DIA. 1" O-C FULL LENGTH

STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR ASTM A-576 (GRADE 1070-1080).

FINISH: SHALL BE PAINTED WITH TWO COATS OF AN APPROVED MEDIUM GREEN, RAYED ON OR AIR DRY, PAINT OF WEATHER RESISTANT QUALITY. ALL FABRICATION SHALL BE COMPLETE BEFORE PAINTING.

POST NOTES

1. POSTS SHALL BE PLUMB. ANY POST BENT OR OTHERWISE DAMAGED SHALL BE REMOVED AND PROPERLY REPLACED. POSTS MAY BE SET OR BROKEN.
2. WHEN POSTS ARE SET, HOLES SHALL BE DUG TO THE PROPER DEPTH. AFTER INSERTING POSTS, THE HOLES SHALL BE BACKFILLED WITH SUITABLE MATERIAL, IN LAYERS NO TO EXCEED 6" DEEP. THOROUGHLY COMPACTED, CARE BEING TAKEN TO PRESERVE THE ALIGNMENT OF THE POST.
3. WHEN POSTS ARE DRIVEN, A SUITABLE DRIVING CAP SHALL BE USED AND AFTER DRIVING THE TOP OF THE POST SHALL HAVE SUBSTANTIALLY THE SAME CROSS-SECTIONAL DIMENSION AS THE BODY OF THE POST. BUTTERED HEADS WILL NOT BE ACCEPTED.
4. POSTS SHALL NOT BE DRIVEN WITH THE SIGN ATTACHED TO THE POST.
5. SIGNS SHALL BE ERECTED IN CONFORMANCE WITH THE REQUIREMENTS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
6. WHEN SIGN IS IN PLACE NO PART OF POST SHALL EXTEND ABOVE THE SIGN.
7. DIMENSIONS SHOWN ARE NOMINAL.
8. ALTERNATE SECTIONS MUST BE APPROVED PRIOR TO USE.

SIGN NOTES

1. SIGNS SHALL BE PLACED IN NEAREST TREE ALONG 50 FOOT WETLANDS BUFFER AS SHOWN. IN AREAS WHERE THERE ARE NO TREES, SIGN POSTS SHALL BE USED AND INSTALLED.

3.03 LOTS:

- A.** Lot dimensions and building setback lines shall meet the requirements of the Zoning Ordinance for the district or districts in which the subdivision is located.
- B.** Corner lots shall conform to the minimum setback line of each street as required by the Zoning Ordinance.
- C.** The subdividing of land shall be such as to provide that all lots shall front upon a Class V or better road, or road shown on a plan approved by the Planning Board.
- D.** If a tract of land is subdivided into larger parcels than ordinary building lots, such parcels shall be so arranged as to allow the opening of future streets and logical future re-subdivisions.
- E.** Side lot lines shall be substantially (within 10 degrees) at right angles or radial to the street lines for a minimum one-hundred (100)-foot distance beginning at the R.O.W. line.
- F.** All required easements, within and/or beyond the limits of the project, shall be provided where necessary and shall be at least twenty (20) feet wide.

3.04 GRADING: Grading shall be shown in the drawings with information including, but not limited to, the following:

- A. Contours:** Existing and proposed contours at two (2)-foot intervals, based on USGS datum.
- B. Spot Elevations:** Spot elevations shall be shown along all drainage facilities and adjacent streets at not more than one-hundred (100)-foot intervals in all directions.
- C. Layout:** The layout of the existing and proposed streets, lots, wetlands (including square foot impact areas), and drainage facilities.
- D. Buildings:** The location of all existing buildings and structures onsite and within fifty (50) feet of the property line.
- E. Erosion control:** The erosion control measures shall be indicated on the plans and be in accordance with best management practices of the STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE. Proper construction details shall be provided in the plan set.

3.05 UTILITIES: The Applicant shall show the location and size of all underground and overhead non-municipal utilities. The location of all manholes, transformer poles and other appurtenant facilities or structures shall be shown. A UTILITY CLEARANCE LETTER shall be submitted for each non-municipal utility stating approval of the proposed improvements by the utility provider. Non-municipal utilities shall include but not be limited to:

- A.** Gas;
- B.** Electric;
- C.** Telephone; and
- D.** Cable Television.

All proposed utilities shall be underground and shall be located a minimum of seventeen (17) feet off the centerline of the roadway pavement. Utilities shall be located so as not to conflict with roadside drainage systems.

3.06 WATER SYSTEM:

- A. Municipal Water System:** When a project is to be served by public water, the Applicant shall show the location of all existing and proposed water lines and all appurtenant structures on the plan. A UTILITY CLEARANCE LETTER shall be submitted from the appropriate water company approving the proposed water plan. The municipal water system shall be designed and constructed in accordance with the appropriate water company standards and the standards of the New Hampshire Department of Environmental Services.
- B. Individual Well:** When a project is to be served by an individual well, the well location and protective radius shall be shown on the plan. The State subdivision approval number shall be shown on the plan. Private individual wells shall be designed and constructed in accordance with the New Hampshire

Department of Environmental Services Regulations and the Town of Londonderry Regulations. Protective well radius shall not encroach on right-of-ways.

- C. **Common Water System:** When a common private water supply is to be utilized, plans similar to those for municipal water supply shall be submitted indicating the source of water, details of any pumping station and other distribution and treatment facilities. Certification from the New Hampshire Department of Environmental Services shall be submitted. The State subdivision approval number shall be shown on the plan. Common water systems shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services Regulations.
- D. **Fire Protection:** Flow rate for fire protection and hydrant locations shall be coordinated with and approved by the Town of Londonderry Fire Department. The Applicant shall provide a written report documenting the required information.

3.07 SANITARY SEWER SYSTEM:

- A. **Municipal Sanitary Sewer System:** When a project is to be served by municipal sanitary sewer, the Applicant shall submit a plan showing the location of all existing and proposed sanitary sewer lines and all appurtenant structures. A permit is required from the Town of Londonderry Department of Public Works and the permit number shall be shown on the plans.

The municipal sanitary sewer system shall be designed and constructed in accordance with the Standards of the New Hampshire Department of Environmental Services, Town of Londonderry Sewer Ordinance, and Town of Londonderry Department of Public Works - Sewer Division requirements. The following design requirements shall apply:

1. Maximum peak flow velocity shall not exceed ten (10) feet per second. Minimum velocity shall not be less than two (2) feet per second;
 2. All drop manholes shall be a minimum of five (5) feet diameter;
 3. All manholes over fifteen (15) feet in depth (rim to bottom of structure) shall be minimum five (5) feet diameter;
 4. All manholes over twenty-five (25) feet in depth (rim to bottom of structure) shall be six (6) feet diameter; and
 5. Trench dams shall be provided for all sewer lines with a slope of seven percent (7%) or greater. The location of the trench dams shall be shown in the sewer profiles and construction details provided in the plan set.
 6. Maximum length between sewer manholes shall be three hundred (300) feet.
- B. **Individual Disposal System:** When a project is to be served by an individual septic system, certification from the Town of Londonderry Health Officer and the New Hampshire Department of Environmental Services shall be submitted. The State subdivision approval number shall be shown on all plans. Individual disposal systems shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services and the Town of Londonderry Regulations.
 - C. **Privately-Owned Common Disposal Systems:** Common disposal systems shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services and the Town of Londonderry Regulations. The design and location of the common disposal system shall be approved by the New Hampshire Department of Environmental Services and the Town of Londonderry. The proposed ownership and operation shall be acceptable to the Town of Londonderry, including all necessary easements, agreements, and licenses.

3.08 STORM DRAIN SYSTEM

- A. **General:** The proposed development shall provide for proper surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm water system and will help reduce flooding, erosion, and sedimentation. The drainage system shall be designed so that the post-development runoff rate does not exceed the pre-development runoff rate. Surface water runoff shall be controlled and directed in a system of catchbasins, pipes, swales, drainageways,

culverts, or channels to a natural watercourse or existing drainage facilities. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided an easement conforming to the lines of such watercourse. When a proposed drainage system will result in water encroaching on land outside the subdivision, appropriate drainage rights must be secured and indicated on the plan. Where the Department of Public Works determines that the existing downstream, offsite drainage system is substandard, the Planning Board may require the Applicant to improve the drainage system.

B. Design Computations: A drainage study/stormwater management report shall be submitted for review and shall include:

1. A table of contents;
2. A narrative statement indicating how the applicant has met the requirements of Section 3.07 and describing the methodology and results of the analyses;
3. A summary table comparing the existing and post-development rates of runoff for each individual drainage basin/watershed to abutting properties. All watersheds and drainage areas shall be consistently labeled in the tables, calculations, and plans;
4. A summary table of each pipe indicating project location, pipe size, type, length, slope, Manning's "n" value, peak discharge, depth of flow, and peak velocity for the design storm. The summary table shall also include hydraulic grade line (HGL) elevations at each location in closed conduit piping systems;
5. A summary table of each swale and channel indicating project location, cross-section/channel width, slope, Manning's "n" value, peak discharge, depth of flow, and peak velocity for the design storm;
6. The project location and watershed area shown on a USGS quadrangle or as a figure in the report;
7. A watershed area plan for existing conditions showing topography and existing ground elevations at two (2) foot contour intervals for the project site. The plan shall clearly show the boundary of each drainage area and subarea with identifying label and the size indicated in acres;
8. A watershed area plan for post-development conditions showing existing and proposed topography at two (2) foot contour intervals for the project site. The plan shall clearly show the boundary of each drainage area and subarea with identifying label and the size indicated in acres. The post-development area shall be shown on a separate plan from the existing conditions;
9. Runoff calculations shall be completed for the existing and post-development conditions using Soil Conservation Service (SCS) methods as described in the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire for the appropriate design storms as required by the regulations;
10. Flood routing calculations shall be provided for the design of each detention basin and pond using acceptable methods such as Modified Puls, Storage Indication, or as may be approved by the Town Engineer. In addition to the design storm, a fifty (50) year storm analysis shall be conducted to establish the 50 year elevation at the detention basin. A minimum of 12 inches of free board shall be provided above the 50-year storm to the minimum elevation of embankment at the detention basin;
11. Water quality treatment facilities shall be designed to the NH Department of Environmental Services standards and are in addition to these regulations;
12. Riprap design calculations shall be provided to the requirements of the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire for each pipe outfall location and where necessary for open channels and swales; and
13. The report shall be stamped by a licensed professional engineer in the State of NH.

C. Hydraulic Grade Line (HGL):

1. Closed Conduit - Closed conduit systems shall be designed to convey the appropriate design storm required by the regulations under gravity flow conditions with no more than full flow pipe conditions;
2. Open Channels and Swales - For open channels and swales, the HGL shall be shown for the appropriate design storm required by the regulations; and

3. Detention Basins/Ponds - The HGL shall be shown for the 50-year flood event.

D. Flow Computations: Flow computations shall be in accordance with the following:

1. Manning's formula shall be used to compute capacities for all open channels, swales, and closed piping drainage systems; and
2. The capacity of cross culverts shall be computed in accordance with the Manual on Drainage Design for Highways - NH Department of Transportation.

E. Design Runoff: The rainfall frequency to be used with this formula shall be as follows:

1. Residential areas: 10 years;
2. Commercial areas: 25 years;
3. Industrial areas: 25 years; and
4. Flood protection works: 50 years.

F. Placement of Drain Lines: All off-site drain lines shall be placed within right-of-way dedicated for public streets unless use of easements is specifically approved by the Board.

G. Pipe Size, Velocity and Type:

1. Minimum allowable pipe diameter in any storm drain system shall be 15".
2. The minimum design velocity in pipes shall be 2 feet per second and the maximum velocity shall be 10 feet per second.
3. The minimum depth of cover for storm drain lines shall be 36 inches from the top of pipe to finished grade.
4. Bedding and backfill shall be 3/4 inch crushed stone. Bedding shall be a minimum 6-inch depth in earth and 12-inch depth in ledge.
5. Acceptable pipe material shall include ADS N12 and reinforced concrete pipe (RCP).
6. Maximum length between drain manholes shall be 300 feet.

H. Drainage structures: Manholes and other drainage structures shall be pre-cast concrete meeting H-20 loading and constructed and installed in accordance with New Hampshire Department of Transportation Standards and Specifications for Road and Bridge Construction. Drainage structures shall not exceed eighteen (18) feet in depth (rim to bottom of structure). All catch basins shall be outfitted with a polyethylene liner downspout. Outlet structures at detention basins, when necessary, shall be the typical Town of Londonderry standard structure - a vertical slotted weir with overtopping grate and properly sized outlet pipe, as shown in Exhibit D1.

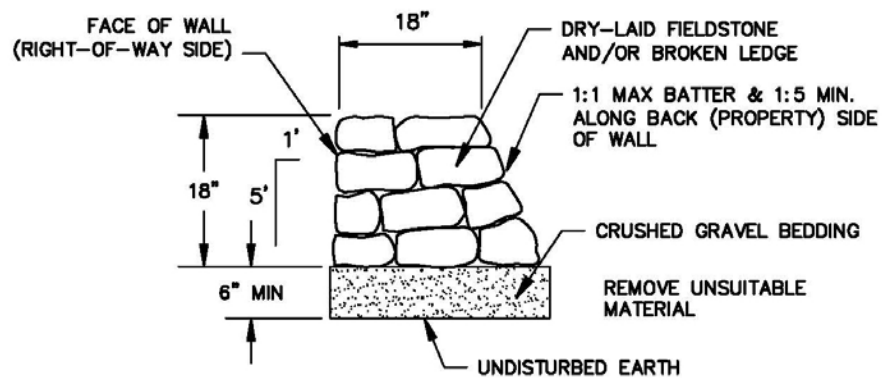
I. Driveway Culverts: The location, length, size, material, bedding and backfill of all driveway culverts shall be approved by the Town Engineer prior to construction. Driveway culverts shall be located a minimum of 11 feet off the edge of roadway pavement.

3.09 STREETS

A. General: All subdivisions shall have adequate provision for a safe and suitable access to a Class V or better road or shall make provisions for the construction and dedication of a Class V or better road in order to obtain safe and suitable access to the subdivision. Where an adjacent existing street from which access is gained is deemed to be substandard, the upgrading of said street shall be provided for, as may be required by the Town of Londonderry Department of Public Works. Where traffic from a proposed subdivision will adversely impact a nearby street or intersection, provisions shall be made for the mitigation of said impacts. Proposed streets, whether to be dedicated as public streets or retained as private streets, shall be of suitable location, width, grade, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire fighting, emergency equipment, snow removal, sanitation, and road maintenance equipment. The arrangement and character of all streets in a subdivision shall conform to the Master Plan, and shall compose a safe and convenient system in relation to other existing and planned streets, to topographical conditions, and to the proposed uses of land to be served by street. Existing stone walls shall be retained where possible or relocated and

restored as required by the Board.

1. No person shall deface, alter the location, of, or remove any stonewall which was made for the purpose of marking the boundary of, or borders, any road in the Town of Londonderry, except upon written consent of the Planning Board with written comments from the Heritage Commission.
 - i. The Heritage Commission will use the following guidelines for making recommendations to the Planning Board for the reconstruction of stonewalls disturbed by construction activity:
 - a. Reconstruction should be done in a fieldstone farm-style wall.
 - b. Use of existing boulders and fieldstone already in place is strongly recommended.
 - c. Walls should be drystacked with a rustic level topline.
 - d. The center of the wall should be filled with smaller native stone.
 - e. Stone should be used from the property and mixed as needed with native New England fieldstone.
 - f. Walls should be no higher than 3 feet in height, and approximately 3-6 feet deep
 - g. The Heritage Commission recommends applicants refer to Chapter 8 of “The Granite Kiss”, by Kevin Gardner, Susan Allport, and Guillermo Nunez (ISBN# 0881505463, © 2003, Countryman Press)
 - h. The detail, below should be used as a general guideline for reconstruction of stonewalls:



- ii. The Applicant shall take photographs of existing stonewalls that are proposed to be disturbed by development. These photographs will be made part of the project file, and can be utilized by the Heritage Commission as they make recommendations on stonewall disturbances.
- B. Access:** No subdivision shall be approved unless the property to be subdivided shall have frontage on and access from an existing Class V or better road. Each lot shall have a safe, independent and direct access from a Class V or better road. Where warranted, the Board may require that a driveway be shared by two (2) lots. All portions of such a drive which are commonly shared shall be improved to facilitate two (2)-way traffic flow beyond Town right-of-way. Rights of passage over and across such a driveway shall be established by easement for each of the lots so served.
- C. Right-of-way:** The Board may require greater width of right-of-way where, in its judgement, the width is warranted due to present or future demands.
- D. Arrangement:** All streets shall be integrated with the existing and proposed street system. The Applicant shall provide for a circular terminus at the end of all proposed roads for all phases and situations where thru streets are not provided in the design. Where extension of existing roadways is proposed, the existing turnaround shall be removed in its entirety.

E. Classification:

1. Arterial street: Streets intended to carry traffic from collector streets to the system of highways. A street intended to move through traffic to and from major attracters;
2. Collector street: Streets which carry traffic from local streets to the major system of arterial streets and highways. A street intended to collect and distribute traffic in minor traffic generating areas;
3. Local street: Streets used primarily for access to abutting properties, designed and intended to carry through traffic;
4. Minor Street: Streets used primarily for access to abutting properties which have been proven to carry less than 400 vehicles per day, both present day and in the future, as determined by a traffic impact analysis approved by the Planning Board.
5. Cul-de-sac: Streets, including loop streets, with only one point of access from an approved street with multiple points of access; and
6. Private street: All streets on property held under private ownership and not maintained by the Town.

F. Driveways:

1. When a proposed driveway is located on a State road, the Applicant is responsible for obtaining the necessary approval and permits from the State. A copy of the permit shall be submitted to the Town of Londonderry and the New Hampshire Department of Transportation approval number shall be shown on the plan;
2. When a proposed driveway is located on a Town road, the Applicant is responsible for certifying that the proper sight distances are provided at the location indicated on the plans. For all residential driveways serving one or two single family or one duplex lot, the minimum all season sight distance shall be two-hundred fifty (250) feet in all directions meeting the requirements of Exhibit D2. For all other driveways (common, commercial, industrial, multi-family, etc.), the minimum all season sight distance shall be three-hundred sixty-five (365) feet in all directions meeting the requirements for roadway intersections and Exhibit D3. For purposes of sight distance requirements, the term "common driveway" is defined to be a driveway from which three (3) or more dwelling units obtain access to a Town road. Proper visibility easements shall be provided to meet the sight distance requirements. The Applicant is responsible for obtaining a driveway permit from the Town of Londonderry Department of Public Works prior to issuance of a building permit; and
3. Driveway width for commercial and industrial subdivisions shall be in accordance with the Town of Londonderry Zoning Ordinance. Maximum driveway width for residential single family and duplex lots shall be twelve (12) feet at the right-of-way with five (5)-foot radius at the edge of pavement of the street.

G. Sidewalks: The Board may require the construction of sidewalks for pedestrian access to schools, parks, shopping areas and transit stops or where population density and/or traffic volume conditions are such that the Board determines the construction of sidewalks to be prudent. In commercial and industrial districts, sidewalks may be required on both sides of the street. In residential districts, sidewalks may be required on one side of the street. Sidewalks shall be designed and constructed in accordance with Exhibit D4 - Sidewalk & Curb Detail. For minor streets, sidewalks, if constructed, shall be in accordance with the typical Minor Roadway Section – Exhibit D7.

H. Walking Trails: The Board may require the construction of walking trails for projects where the Board determines the construction of trails will connect to existing or planned trail systems and be desirable to the character and nature of the neighborhood.

I. Curbs: All roadways shall be curbed on both sides, except for those roads determined to qualify as Minor Streets. Roads without sidewalks shall be curbed with cape cod-type bituminous berm. Roads

with sidewalks shall be curbed with vertical granite curbing on both sides of the roadway. Minor Streets shall not be curbed.

- J. Roadside drainage:** Roadside drainage shall be maintained by roadside swales, as required to control runoff and directed by the Town of Londonderry Department of Public Works. Street drainage shall be maintained by closed drainage system.
- K. Streets in cut/fill:** Side slopes in fills shall be no steeper than 4 horizontal to 1 vertical (4H:1V), graded, loamed and seeded as required to match to original ground with appropriate slope easements outside of the roadway right of way (R.O.W.). Typical section shall match Exhibit D5. Minor cuts are typically six feet or less. All slopes in ledge cut shall be no steeper than 1H:1V and provide for a fall zone (max slope at 4H:1V) with a width equal to fifty percent (50%) of the height of the cut. A chain link fence shall be provided at the top of the ledge cut and a minimum of 3 feet from the top of cut. The fall zone shall not be located in the roadway R.O.W. The Applicant shall provide proper construction details to show the required information. Underdrain shall be provided in all roadway cut sections.
- L. Easements:** Slope, visibility, sewer, and/or drainage easements shall be provided to the Town of Londonderry for proper maintenance.
- M. Street Signs:** The location and type of sign to be installed shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).
- N. Street Light:** Street lights shall be provided if required by the Board.
- O. Street Name:** No street name shall be used which will duplicate or be confused with any street name already in use. Street names shall be subject to the approval of the Board.
- P. Guardrail:** Guardrail shall be metal beam on wood posts, meeting the New Hampshire Department of Transportation Standards and Specifications. All guardrail installation must end safely using a MELT-type terminal unit. FLEAT or ELT-type units may be permitted by the Department of Public Works. Guardrail shall be used in locations where the New Hampshire Department of Transportation's typical warrant for guardrail is met and/or as required by the Board. A minimum of three (3) feet is required from the back of curb/edge of pavement to the face of guardrail.
- Q. Underdrain:** Underdrain shall be provided in all roadway cut sections and where the seasonal high water table is within four (4) feet of finished grade.
- R. Roadway Design Standards:** The standards for roadway design shall be in accordance with Exhibit D5 - Typical Roadway Section or Exhibit D7 – Typical Minor Roadway Section, as appropriate, and Table 1. All design shall be in accordance with the latest edition of AASHTO, "A Policy for Geometric Design of Highways and Streets."

TABLE 1				
	Arterial (Public)	Collector (Public)	Local (Public or Private)	Minor (Public or Private)
Right-of-way	80 feet	60 feet	50 feet	50 feet
Pavement width	52 feet	36 feet	28 feet	24 feet
Shoulder width/ Curb plateau	- 8 feet	6 feet (cut) 3 feet (fill)	6 feet (cut) 3 feet (fill)	- -
Shoulder Width	-	-	-	2 feet
Sidewalk width	6 feet	6 feet	6 feet	6 feet
Grade: Minimum Maximum	1% 4%	1% 6%	1% 6%	1% 4%
Cross-slope	2%	2%	2%	2%
Maximum length* Minimum length*	-	-	1200 feet 450 feet	1200 feet 450 feet
Minimum tangent length between reverse curves	800 feet	200 feet	100 feet	100 feet
Design Speed	35 MPH	35 MPH	35 MPH	35 MPH
Cul-de-sac terminus center- line radius			50 feet **	50 feet ***

* roadway with one point of access (measured along the centerline from the farthest point of the street to the centerline of the nearest multiple access approved street)

** see Exhibit D6 for required cul-de-sac terminus layout

*** see Exhibit D8 for required cul-de-sac terminus layout

1. Vertical Curves: A vertical curve shall be introduced between tangents where the algebraic difference in grade is in excess of one percent (1%);
2. Horizontal Curves: Where street lines intersect at angle points, a curve of appropriate radius shall be introduced between horizontal tangents and in accordance with the latest edition of AASHTO, "A Policy for Geometric Design of Highways and Streets" and shall be based upon typical normal crown cross roadway section (no super-elevation); and
3. Maximum Grade on Local Streets: Where, in the opinion of the Board, and where it has been demonstrated to the satisfaction of the Board by the Applicant, that adherence to the maximum grade specified above will cause local streets to be constructed in what the Board considers to be excessive cuts or fills, a waiver from the above specified maximum grade may be granted, provided:
 - i. the maximum allowable grade be eight percent (8%);
 - ii. the maximum length of such grade, measured between vertical points of intersection (PVI) is five-hundred (500) feet;
 - iii. no other such slope greater than six percent (6%) occurs within five-hundred (500) feet measured along the centerline of the road from PVIs; and

- iv. the Applicant provide written justification to the Board for the design of a street grade greater than six percent (6%).
4. **Maximum Grade on Minor Streets:** Where, in the opinion of the Board, and where it has been demonstrated to the satisfaction of the Board by the Applicant, that adherence to the maximum grade specified above will cause minor streets to be constructed in what the Board considers to be excessive cuts or fills, a waiver from the above specified maximum grade may be granted, provided:
 - i. the maximum allowable grade be eight percent (8%);
 - ii. the maximum length of such grade, measured between vertical points of intersection (PVI) is five-hundred (500) feet;
 - iii. no other such slope greater than four percent (4%) occurs within five-hundred (500) feet measured along the centerline of the road from PVIs; and
 - iv. the Applicant provide written justification to the Board for the design of a street grade greater than four percent (4%) and justify the design properly addresses erosion.
5. **Sight Distance:** Minimum sight distance shall be designed in accordance with the latest edition of AASHTO, "A Policy for Geometric Design of Highways and Streets."

S. Intersections:

1. **Offset intersections:** Streets intersecting from opposite sides shall have their centerlines meet, or the offset between intersections shall be a minimum of one-hundred fifty (150) feet. The offset shall be measured from centerline to centerline.
2. **Angles at intersections:** Streets shall be designed to intersect at right angles with a fifty (50)-foot minimum tangent section. The centerlines of no more than two streets shall intersect at one point.
3. **Right-of-way radii:** Minimum right-of-way radii for intersection corner roundings shall be:

TABLE 2	
Street R.O.W. Width	R.O.W. radii
50 feet	25 feet
60 feet	30 feet
80 feet	40 feet

4. **Pavement corner radii:** Minimum edge of pavement radii for intersection corner roundings shall be:

TABLE 3	
Street R.O.W. Width	E.P. radii
50-feet	36 feet
60 feet	42 feet
80 feet	54 feet

5. When streets of different widths intersect, the radius of the wider street shall apply;
6. **Sight distance:** Streets shall not be designed with intersections on the inside of curves or at any location where sight distance will be inadequate for drivers to tell if they can safely enter the traffic flow. The minimum sight distance shall be designed in accordance with Exhibit D3;
7. **Visibility easements:** Visibility easements shall describe an area to be maintained clear of any and all obstructions and which provide sight distance in accordance with these regulations. No

- sign, hedge, structure, natural growth, fence or other obstruction of any kind which obstructs sight distance shall be installed or maintained within the visibility easement; and
8. **Grades at street intersections:** When two streets intersect, neither street shall have a grade greater than three percent (3%) for a minimum distance of fifty (50) feet measured from the edge of pavement of the intersecting street. The minimum vertical curve length allowable at the intersection shall be fifty (50) feet.

T. Structural sections: Structural sections shall be as shown below:

TABLE 4					
	Arterial (Public)	Collector (Public)	Local (Public/Private)	Minor (Public/Private)	Sidewalks
Road base	18 inches	18 inches	18 inches	18 inches	-
Gravel	12 inches	12 inches	12 inches	12 inches	-
Crushed gravel	6 inches	6 inches	6 inches	6 inches	8 inches
Base course	2 ½ inches	2 ½ inches	2 ½ inches	2 ½ inches	-
Wearing course	1 ½ inches	1 ½ inches	1 ½ inches	1 ½ inches	-
Wearing course	-	-	-	-	2 inches

All road materials and construction methods shall be in accordance with latest edition of the State of New Hampshire, Department of Transportation, Specifications for Road and Bridge Construction.

3.10 HIGH INTENSITY SOIL STUDY (HISS):

- A. Standards and Specifications:** A High Intensity Soils Study (HISS) shall be prepared in accordance with the HIGH INTENSITY SOILS MAPS for NEW HAMPSHIRE - STANDARDS and ORIGINS published by the Society of Soil Scientists of Northern New England, Special Publication No. 1. The HISS shall be prepared and stamped by a certified soil scientist.
- B. Lot Size Calculations:** Lot size calculations shall be submitted in accordance with the Town of Londonderry Zoning Ordinance.
- C. Large Lots:** Any proposed subdivision plan which creates lots of more than five (5) acres may request a waiver from the Board from the requirement of the HISS. However, a sufficient area of the lot shall be HISS-mapped to substantiate a single building lot.

3.11 WETLAND DELINEATION:

- A. Standards and Specifications:** Wetlands shall be identified using the following criteria:
1. "Army Corps of Engineers Wetland Delineation Manual," Technical Report Y-87-1 (January 1987); and
 2. State of New Hampshire Department of Environmental Services, Wetland Bureau, using the current edition of the administrative rules. The wetland delineation shall be performed by and stamped by a certified wetland scientist.
- B. Applicability:** Wetlands shall be delineated for all projects and shown on the plans in accordance with the requirements under Section 4.

SECTION 4 SPECIFICATIONS FOR PLANS AND DOCUMENTS

4.01 GENERAL

A. Preparer: All site plans shall be prepared and stamped by a professional engineer. Boundary monuments shall be certified by a licensed land surveyor.

B. Paper details: all plans shall be prepared on sheets not less than 34"x 22".

C. <u>Scale:</u>	Horizontal:	Boundary Plans	1" = 100' (maximum)
		All other plans	1" = 40' (maximum)
	Vertical:		1" = 4' (maximum)
	Cross Section:		1" = 5' (horizontal and vertical)

4.02 TITLE BLOCK: The title block shall be located as shown in Exhibit 6. The Title Block shall be shown on each sheet of the site plans. The following information shall be shown in the title block:

- A.** Drawing title;
- B.** Name of subdivision;
- C.** Location of subdivision;
- D.** Tax map and lot #s of subject parcel(s);
- E.** Name and address of owner(s);
- F.** Date of plan;
- G.** Scale of plan;
- H.** Sheet number;
- I.** Name, address, and telephone number of design firm;
- J.** Name and address of Applicant.

4.03 PLANNING BOARD SIGNATURE BLOCK: The signature block shall be located as shown in Exhibit 6. The signature block shall be placed on the title sheet and any sheet that is to be recorded.

Approved by the Londonderry, NH Planning Board for Phase _____ on Date: _____
Certified by: Chairman _____
Secretary: _____

4.04 REVISION BLOCK: The revision block shall be placed on each sheet of the plans located as shown in Exhibit 6.

#	Date	Description	By

During the design process, if revisions are conducted to any sheet in the set of plans, then the revisions shall

be noted in the revision block on each sheet in the entire plan set. Individual sheets which do not require revision shall be described as “no change with the revision.”

- 4.05 BENCHMARK DATA:** Benchmark data shall include the location, elevation (USGS datum) and description of one benchmark per five (5) acres. Benchmark data shall be shown on each sheet of the plans as required by the regulations.
- 4.06 NORTH ARROW:** The north arrow shall be placed on each sheet of the plans.
- 4.07 PLAN REFERENCE:** Plan references shall be placed on the boundary plan.
- 4.08 LEGEND:** A legend shall be placed on each sheet of the plans. The legend shall show and describe each symbol used on the plan.
- 4.09 VICINITY PLAN:** The vicinity plan shall be located as shown in Exhibit 6. The scale shall be 1" = 2500'. The vicinity plan shall be placed on the title sheet.
- 4.10 INDEX:** An index shall be required if more than one sheet is submitted. The index shall be placed on the title sheet.
- 4.11 NOTES:** The notes shall be located on the title sheet as shown in Exhibit 6. The following notes shall be shown;
- A.** Purpose of plan
 - B.** Tax map and lot #s of all subject parcels
 - C.** Area (existing and proposed) of subject parcel(s)
 - D.** Zoning designation of subject parcel(s)
 - E.** Minimum lot area, frontages and setback dimensions required for district(s)
 - F.** Existing and proposed use
 - G.** Sanitary sewer source (name of provider (company) if offsite)
 - H.** Water supply source (name of provider (company) if offsite)
 - I.** Zoning variances/special exceptions with conditions
 - J.** List FEMA sheet(s) used to identify one-hundred (100)-year flood elevation (Note if no flood zone present as applicable)
 - K.** List of required permits and permit approval numbers
 - L.** List of Planning Board waivers (if applicable)
 - M.** Note identifying # of bedrooms per dwelling for residential use
 - N.** Phasing notes, as required, under Section 4.18I as applicable
 - O.** Note identifying which plans are to be recorded and which are on file at the Town of Londonderry
 - P.** Note the following: “If, during construction, it becomes apparent that deficiencies exist in the approved design drawings, the Owner shall be required to correct the deficiencies to meet the requirements of the regulations at no expense to the Town.”
 - Q.** Note the following: “If, during construction, it becomes apparent that additional erosion control measures are required to stop any erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary erosion protection at no expense to the Town.”
 - R.** Note the following: “All materials and methods of construction shall conform to Town of Londonderry Subdivision Regulations and the latest edition of the New Hampshire Department of Transportation’s Standard Specifications for Road and Bridge Construction”
- 4.12 BOUNDARY PLAN:** The boundary plan shall show the following:
- A.** The error of closure should be stated on the plan and shall be no greater than one (1) part in ten thousand (10,000).
 - B.** The boundary of the entire lot showing bearings to the nearest second and distances to the nearest 0.01

feet on all property lines.

C. Plan requirements:

1. Surveyor's certification stamped and signed by LLS
2. Boundary of entire property to be subdivided
3. Proposed lot configuration defined by metes and bounds
4. Boundary monuments:
 - i. Monuments found
 - ii. Monuments to be set
5. Map # and Lot #, name addresses, and zoning of all abutting land owners
6. Existing streets:
 - i. Name labeled
 - ii. Status noted or labeled
 - iii. Right-of-way dimensioned
 - iv. Pavement width dimensioned
7. Municipal boundaries (if any)
8. Existing easements (identified by type)
9. Proposed easements defined by metes and bounds. Check each type of proposed easement applicable to this application:
 - i. Drainage easement(s)
 - ii. Slope easement(s)
 - iii. Utility easement(s)
 - iv. Temporary easement(s) (such as temporary turnaround)
 - v. No-cut zone(s) along streams and wetlands (as may be requested by the Conservation Commission)
 - vi. Vehicular and pedestrian access easement(s)
 - vii. Visibility easements
 - viii. Fire pond/cistern easement(s)
 - ix. Roadway widening easement(s)
 - x. Walking trail easement(s)
 - xi. Other easement(s) _____ Note type(s) _____
10. Designation of each proposed lot (by map and lot #s as provided by the assessor)
11. Area of each lot (in acres and square feet):
 - i. Existing lot(s)
 - ii. Proposed lot(s)
12. North arrow
13. Locus map (at a scale of 1" = 2,500)
14. Limits of wetlands and Conservation Overlay District Boundaries
15. Wetland delineation:
 - i. Wetland delineation criteria
 - ii. Wetland Scientist certification
16. Owner(s) signature(s)
17. Proposed streets:
 - i. Name(s) labeled
 - ii. Width of right-of-way dimensioned
18. All required setbacks (including any applicable buffers)
19. Physical Features - Existing features:
 - i. Buildings
 - ii. Wells
 - iii. Septic systems
 - iv. Stone walls
 - v. Paved drives
 - vi. Gravel drives
 - vii. Existing foundations
20. Location and name (if any) of any streams or waterbodies

21. Location and elevation(s) of one-hundred (100)-year flood zone per FEMA Flood Insurance Study or as determined by drainage study
22. Location of existing overhead and underground utility lines, poles, towers, etc.
23. Plan and deed references
24. Zoning District boundary lines (if any, and including the CO District).
25. Shoreland Protection boundaries

4.13 ZONING DISTRICT BOUNDARY: The zoning district boundary shall be shown for the subdivision and within one thousand (1000) feet of the subdivision.

4.14 PERMITS: The Applicant is responsible for obtaining the approval and necessary permits of governmental or municipal agencies. A copy of each permit shall be submitted to the Town of Londonderry and the permit number shall be shown on the plan. In order for the Planning Board to consider an application complete, as stipulated by Section 2.06 and RSA 676:4, proof of application for any state, federal, or local permits must be provided to the Planning Board..

4.15 TAX MAP: The tax map shall be located on the title sheet as shown in Exhibit 6. The scale shall be 1" = 400'. The tax map sketch shall show the proposed lot configuration.

4.16 IMPROVEMENT PLANS: When improvements are proposed to be constructed as part of the subdivision plans, the Applicant is required to submit improvement plans. All improvement plans shall be stamped and signed by a professional engineer licensed in the State of New Hampshire. The improvement plans shall include:

A. Grading and Drainage:

1. Existing topography (two (2)-foot contour interval minimum)
2. Proposed contours
3. Existing spot elevations
4. Proposed spot elevations
5. Existing edge of pavement
6. Proposed edge of pavement
7. Existing curb line
8. Proposed curb line
9. Existing buildings and structures
10. Proposed buildings and structures
11. Existing retaining walls
12. Proposed retaining walls
13. Existing stone walls
14. Reconstructed stone walls
15. Existing treeline
16. Proposed treeline
17. Benchmarks
18. Existing drainage systems:
 - i. Pipes/culverts (each location):
 - a. Type
 - b. Size
 - c. Length and slope
 - d. Inverts
 - e. End sections/Headwalls
 - ii. Structures (catchbasins, drain manholes, special structures):
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts

- iii. Swales/Ditches/Waterways:
 - a. Flow arrows (direction of flow)
 - b. Topography
 - c. Spot elevations
- 19. Proposed Drainage Systems:
 - i. Pipes/culverts (each location):
 - a. Type
 - b. Size
 - c. Length and slope
 - d. Inverts
 - e. End sections/headwalls
 - f. Identify minimum cover and location
 - g. Outlet erosion protection
 - ii. Structures (catchbasins, drain manholes, special structures):
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts
 - iii. Swales/ditches/waterways:
 - a. Flow arrows (direction of flow)
 - b. Grading
 - c. Spot elevations
 - d. Erosion protection (riprap, matting, etc.)
- 20. Temporary erosion protection during construction:
 - i. Silt fence, haybales, etc.
 - ii. Matting, mulch, etc.

B. Utilities:

- 1. Existing sanitary sewer system:
 - i. Pipes:
 - a. Type
 - b. Size
 - c. Length and slope
 - ii. Structures:
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts
- 2. Proposed sanitary sewer system:
 - i. Pipes (gravity):
 - a. Type
 - b. Size
 - c. Length and
 - d. Separation (eighteen (18) inches)
 - e. Identify minimum cover and locations
 - ii. Force Main:
 - a. Type
 - b. Size
 - c. Direction of flow (flow arrows)
 - d. Bends and thrust blocking
 - e. Air relief valves and structures
 - f. Clean-out structures
 - g. Identify minimum cover and locations

- iii. Structures:
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts
 - iv. Service laterals to each individual lot:
 - a. Type
 - b. Size
 - c. Length and slope
 - d. Separation (eighteen (18) inches)
 - e. Minimum cover and locations identified
 - f. Location of connection
 - 3. Existing Water System:
 - i. Pipes
 - a. Type
 - b. Size
 - ii. Hydrants
 - iii. Valves
 - iv. Bends and thrust blocks
 - v. Tees
 - 4. Proposed Water System:
 - i. Pipes
 - a. Type
 - b. Size
 - ii. Hydrants
 - a. Locations approved by Fire Department
 - iii. Valves
 - iv. Bends and thrust blocks
 - v. Tees
 - vi. Services to each lot
 - 5. Existing Gas Lines:
 - i. Pipes
 - a. Type
 - b. Size
 - ii. Valves
 - 6. Proposed Gas Lines:
 - i. Pipes
 - a. Type
 - b. Size
 - ii. Valves
 - iii. Services to each lot
 - 7. Telephone/Electrical/Cable:
 - i. U-poles
 - ii. Pedestals/transformers
 - iii. Overhead lines
 - iv. Underground lines

C. Roadways:

- 1. Plan and profile drawings:
 - i. All items required above under A. Grading and Drainage
 - ii. All items required above under B. Utilities
 - iii. Profile grid (station and elevation) with horizontal to vertical scale (ratio = 10:1) and datum
 - iv. Existing grade profile

- v. Proposed profile:
 - a. PVIs (station and elevation)
 - b. PVCs (station and elevation)
 - c. PVTs (station and elevation)
 - d. Length of vertical curve
 - e. K-values
 - f. Tangent slopes
 - g. Drainage system
 - h. Sewer system
 - i. Water system
 - j. Crest stations identified (stations and elevations)
 - k. Sag stations identified (stations and elevations)
 - l. Existing and proposed grades at fifty (50)-foot stations
- vi. Road intersection (equation of stations of intersecting streets)
- vii. Label street name
- viii. Right-of-way lines
- ix. Easement lines:
 - a. Drainage
 - b. Sewer
 - c. Visibility
 - d. Utility
 - e. Access
 - f. Slope
- x. Wetlands Mapping:
 - a. Wetland limits identified
 - b. Impact area identified in square feet for each individual location
- xi. Driveway shown to each individual lot (with grading and culverts if required)
- xii. Centerline geometry including:
 - a. Bearings and distances labeled
 - b. Tangents
 - c. Curve data
 - d. PC's
 - e. PT's
- xiii. Pavement:
 - a. Width
 - b. Corner radius (edge of pavement)
 - c. Curbing
- xiv. Existing and proposed lot lines
- xv. Lot designations
- xvi. Underdrain location (beginning and end stations)
- xvii. Guardrail:
 - a. Location (beginning and end stations, off-set)
- xviii. Traffic control signs (stop, street, etc.)
- xix. Pavement markings

D. Construction Detail Drawings:

Note: Construction details to conform with New Hampshire Department of Transportation Standards and Specifications for Road and Bridge Construction, Town of Londonderry Department of Public Works requirements, and the Subdivision Regulations.

1. Typical cross-section of roadway
2. Typical driveway plan and profile apron detail
3. Curbing detail
4. Guardrail detail
5. Sidewalk detail

6. Traffic signs and pavement markings
7. Typical underdrain trench detail
8. Drainage structure(s):
 - i. Catchbasin (including frame and grate)
 - ii. Manhole (including frame and cover)
 - iii. Outlet structure (detention basins)
 - iv. Headwalls
 - v. Flared end sections
9. Outlet protection riprap apron
10. Level spreader
11. Treatment swale
12. Typical section at detention basin
13. Typical pipe trench:
 - i. Drainage
 - ii. Sewer
 - iii. Water
 - iv. Utilities
14. Sewer structures:
 - i. Manholes (including frame and cover, inverts)
 - ii. Drop manholes
 - iii. Special structures (pump stations, blowoffs, etc.)
 - iv. Pipe manhole joint details
15. Typical sewer lateral service connection detail
16. Typical chimney detail
17. Project specific sewer details (sleeves, etc.)
18. Typical sewer notes (as per New Hampshire Department of Environmental Services and Sewer Division requirements)
19. Hydrant
20. Thrust block details
21. Valve box detail
22. Typical water connection service detail
23. Erosion control details:
 - i. Haybale barriers at waterways
 - ii. Silt fence
 - iii. Stone check dam
 - iv. Stone construction entrance
 - v. Inlet filter basket
 - vi. Haybale barrier at catchbasin
24. Notes:
 - i. Notes as required by the Town of Londonderry Department of Public Works
 - ii. Construction sequence
 - iii. Erosion control notes
 - iv. Turf establishment notes
 - v. Sewer construction notes (as required by Sewer Ordinance)
 - vi. Water system construction notes (as required by local water company)

E. Cross-Sections:

1. Roadway cross sections at fifty (50)-foot intervals and culvert locations
2. Scale of sections at 1"=5' H and V
3. Existing and finish centerline grades
4. Proposed pavement, crushed gravel and bankrun gravel limits
5. Right-of-way and easement limits
6. Roadway and shoulder cross slopes
7. Embankment slopes
8. Underdrains

9. Drainage piping and structures
10. Sewer piping and structures
11. Utilities:
 - i. Water lines
 - ii. Gas lines
 - iii. Telephone/electric/cable
12. Guardrail

4.17 TOPOGRAPHIC/HIGH INTENSITY SOIL STUDY (HISS) PLAN: The Applicant shall submit a HISS in accordance with the Town of Londonderry Zoning Ordinance.

- A.** The topographic/HISS plan shall show the following:
1. Surveyor's stamp and signature by LLS
 2. Boundary of entire property to be subdivided
 3. Proposed lot configuration defined by metes and bounds
 4. Boundary monuments:
 - i. Monuments found
 - ii. Monuments to be set
 5. Map # and lot #, name addresses, and zoning of all abutting land owners
 6. Existing streets:
 - i. Name labeled
 - ii. Status noted or labeled
 - iii. Right-of-way dimensioned
 - iv. Pavement width dimensioned
 7. Municipal boundaries (if any)
 8. Existing easements (identified by type)
 9. Proposed easements defined by metes and bounds. Check each type of proposed easement applicable to this application:
 - i. Drainage easement(s)
 - ii. Slope easement(s)
 - iii. Utility easement(s)
 - iv. Temporary easement(s) (such as temporary turnaround)
 - v. No-cut zone(s) along streams and wetlands (as may be requested by the Conservation Commission)
 - vi. Vehicular and pedestrian access easement(s)
 - vii. Visibility easements
 - viii. Fire pond/cistern easement(s)
 - ix. Roadway widening easement(s)
 - x. Walking trail easement(s)
 - xi. Other easement(s) _____ Note type(s) _____
 10. Designation of each proposed lot (by map and lot #s as provided by the assessor)
 11. Area of each lot (in acres and square feet):
 - i. Existing lot(s)
 - ii. Proposed lot(s)
 12. North arrow
 13. Locus map (at a scale of 1" = 2,500) shown
 14. Limits of wetlands
 15. Wetland delineation:
 - i. Wetland delineation criteria
 - ii. Wetland scientist certification (stamped and signed)
 16. Proposed Streets:
 - i. Name(s) labeled
 - ii. Width of right-of-way dimensioned
 - iii. Pavement width dimensioned
 17. All required setbacks (including any applicable buffers)

18. Physical features (existing Features)
 - i. Buildings
 - ii. Wells
 - iii. Septic systems
 - iv. Stone walls
 - v. Paved drives
 - vi. Gravel drives
 - vii. Existing foundations
19. Location and name (if any) of any streams or waterbodies
20. Location and elevation(s) of one-hundred (100)-year flood zone per FEMA Flood Insurance Study or as determined by drainage study
21. Location of existing overhead utility lines, poles, towers, etc.
22. Plan and deed references
23. Two (2)-foot contour interval topography shown over all subject parcels
24. Source and datum of topographic information (USGS required)
25. Show at least one benchmark per sheet (min.) and per five (5) acres (min.) of total site area
26. USDA-SCS soil survey information (where municipal sewer is to be provided)
27. Location, type, size and inverts of the following (as applicable):
 - i. Existing water systems
 - ii. Existing sewer systems
 - iii. Existing drainage systems
 - iv. Existing utilities
28. 4K Areas with test pits on all proposed lots (meeting New Hampshire Department of Environmental Services and Town of Londonderry setback requirements)
29. Location of all water wells with protective radii as required by the New Hampshire Department of Environmental Services (meeting Town of Londonderry and New Hampshire Department of Environmental Services setback requirements)
30. Existing treelines
31. Existing ledge outcroppings and other significant natural features
32. HISS requirements:
 - i. Criteria for HISS delineation
 - ii. Soil scientist certification on plan (stamped and signed, if HISS required)
 - iii. HISS mapping shown over all subject parcels (where no municipal sewer exists)
33. Plan as submitted to the New Hampshire Department of Environmental Services

4.18 DOCUMENTS:

- A. **Protective Covenants:** Covenants for the protection of open space or other purposes.
- B. **Utility Clearance Letters:** Certificates of approval from the appropriate utilities for extension and layout.
- C. **Deeds:** Deeds for land to be conveyed to the Town of Londonderry to be used for streets and other public purposes. Deeds shall be written in metes and bounds description.
- D. **Easements:** Deeds of easements and right-of-way. Deeds shall be written in metes and bounds description.
- E. **Permits:** (See Section 4.14)
- F. **Zoning Variances:** Documentation of any action of the Town of Londonderry Zoning Board of Adjustment relative to the subdivision. All variances shall be listed on the plans.
- G. **Agreements:** Agreements, if any between the Applicant and the Town of Londonderry regarding public improvements or other purposes.
- H. **Waivers:** (See Section 6.04)
- I. **Notes regarding phasing:** If the project is to be phased, the Applicant shall submit a document for review stating how the project is to be phased, work to be performed in each phase, and the schedule for each phase. Phasing shall meet the requirements and approval of the Town of Londonderry Department of Public Works and Fire Department. The phasing shall be noted on the plans.
- J. **Other documents as required by the Board.**

SECTION 5 ASSURANCES FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

5.01 GENERAL:

- A.** Prior to commencing any construction on a project, all the conditions of approval shall be met, the plan has been signed by the Planning Board, a preconstruction meeting has taken place with the Public Works Department, and the applicant has posted a performance surety to guarantee the completion of improvements. The performance surety shall be in the form of the "Hampton Method Letter of Credit" (copy on file with the DPW), surety bond, or a cash bond on deposit with the Town in an interest bearing account. All Letters of Credit or surety bonds required by these regulations must be posted by a Town approved bank or a surety company listed on the current United States Department of Treasury "Department of the Treasury's listing of approved Sureties (Department Circular 570)" as authorized to do business in the State of New Hampshire.
- B.** When a revision to the approved plan is proposed, the Applicant shall submit a print of the approved plan indicating the proposed revision to the Town Engineer. The revision shall be reviewed by the Town Engineer and, if necessary, the Planning Board. All approved revisions shall be shown on the "as-built" plan required at the completion of the project. The Applicant shall be responsible for all costs associated with the Town of Londonderry's reviewing and recording of revised plans with the Registry of Deeds. In addition, electronic files shall be provided by the Applicant for all "as-built" plans.

5.02 INSPECTION

- A.** The Applicant shall be responsible for obtaining all necessary reports and obtaining the necessary inspections by the Department of Public Works for required improvements during construction. The necessary inspections and reports are as follows:
 - 1. Inspection of roadway subgrade and related improvements after clearing grubbing and excavation but prior to any filling;
 - 2. Inspection of the installation of all drainage structures, swales, and other drainage improvements;
 - 3. Inspection of the installation of all sewer structures and improvements. Reports of all sewer line testing shall be provided for review and approval;
 - 4. Road subgrade inspection prior to import of gravels. A compaction test report for review and approval indicating the subgrade is compacted in compliance with New Hampshire Department of Transportation requirements shall be provided;
 - 5. Sieve analysis reports of gravels to be used in subbase in compliance with New Hampshire Department of Transportation requirements shall be provided for review and approval prior to placement;
 - 6. Inspection during placement of bankrun gravel and crushed gravel and fine grading prior to placement of pavement. Compaction tests indicating the gravels were compacted in compliance with New Hampshire Department of Transportation requirements shall be provided;
 - 7. Inspection of base course and wearing course pavement installation;
 - 8. Inspection of removal of erosion control measures;
 - 9. Final inspection;
 - 10. Additional inspections as necessary to verify proper construction methods; and
 - 11. Certification statement(s) on the as-built plans verifying that each road intersection was properly constructed to provide the required sight distances. The certification statement shall be endorsed and stamped by a licensed land surveyor or professional engineer licensed in the State of New Hampshire..
- B. Inspection Service Fee and Costs:** All Applicants shall be required to deposit an inspection fee escrow with the Town of Londonderry. This fee shall cover all costs incurred by the Town of Londonderry and the cost of the Town of Londonderry's designated agent who shall monitor and inspect improvements for compliance with the approved plans and required engineering standards. Escrow shall be determined by the Department of Public Works but shall not be more than five percent (5%) of the project bond estimate (all work required from start to completion). Ten percent (10%) of

final inspection costs shall be retained by the Town of Londonderry to cover administrative costs. The Department of Public Works may contract with consultants for services. The Applicant shall be responsible for all costs of all inspections and associated work, and execute a signed agreement and guarantee as required by the Department of Public Works. If it is determined that any of the required improvements have not been constructed in accordance with the Town of Londonderry's construction standards and specifications, the Applicant shall be responsible for the reconstruction and reinspection of the improvements. Escrow account shall be periodically reviewed to assure that sufficient funds are available to cover all inspection costs and additional escrow provided as needed. Upon acceptance of the project, unused escrow amount shall be returned to the Owner.

- C. **Arrangement for Inspections:** At least fifteen (15) working days prior to commencing construction of any subdivision improvements, the Applicant shall notify the Department of Public Works in writing of the time when he proposes to commence construction of such improvements and shall pay to the Town of Londonderry the escrow for the inspection fee required by the Department of Public Works. The Department of Public Works will arrange for inspection by the Town's agent to assure that all standards, specifications and requirements are met during the construction of the required improvements and utilities. The Applicant shall request to schedule a preconstruction meeting with the Department of Public Works which is mandatory prior to the start of construction.
- D. **Proper Installation of Improvements:** If the Town of Londonderry or the Town's Agent finds, upon inspection of the improvements performed before the expiration date of any security, that any of the required improvements have not been constructed in accordance with approved plans and specifications or any conditions of approval of the Town of Londonderry Planning Board, the status shall be reported to the Town of Londonderry Department of Public Works. The Department of Public Works shall then notify the Applicant and, if necessary, the bonding company or escrow agent and take all necessary steps to preserve the Town of Londonderry's rights under the bond or agreement. No plan shall be approved by the Londonderry Planning Board as long as the Applicant is in default on a previously approved Subdivision Plan.
- E. **Failure to Complete Improvements or Abandon Project:** When a performance bond has been posted and required improvements have not been installed or completed within the terms of such performance, the Planning Board may declare the project in default and direct the Department of Public Works to use the bond to complete all outstanding required improvements.
- F. **No Cut Zones:** No cut zones indicated on the plans shall be clearly delineated in the field using flagging tape or similar approved methods prior to construction and shall be maintained throughout construction of the project.

5.03 AS-BUILT PLANS:

The Applicant shall submit to the Town Engineer a detailed "as-built" plans (one mylar reproducible, one paper print, and one electronic file) of the subdivision. The Applicant's engineer shall certify that the layout of the line and grade of all public improvements is in accordance with approved construction plans of the subdivision.

5.04 ACCEPTANCE:

The Town of Londonderry Department of Public Works will not execute a final bond release until the Applicant files a notarized letter with the Department of Public Works stating that all required improvements have been completed and are free and clear of any and all liens and encumbrances. The Department of Public Works will conduct a final inspection to verify that all required improvements have been completed and are ready for dedication to the Town of Londonderry. Upon approval and recommendation from the Department of Public Works, the Town of Londonderry shall accept the improvements.

5.04 MAINTENANCE OF IMPROVEMENTS:

- A.** The Applicant is responsible and shall be required to maintain all improvements until the acceptance of said improvements by the Town of Londonderry.
- B.** The applicant may request reductions in performance surety prior to final acceptance. However, a minimum 10% retainage on each item shall remain until the final inspection and acceptance of the project by the Department of Public Works. Upon recommendation from the Department of Public Works and acceptance of the project by the Town Council, 2% retainage of the total performance surety, but not less than \$7,500, will remain in place in order to assure the satisfactory condition of the required improvements for a period of one (1) year after the date of their acceptance by the Town of Londonderry. The financial guarantee shall be in accordance with Section 5.01A.

SECTION 6 ADMINISTRATION AND ENFORCEMENT

- 6.01 AMENDMENTS:** For the purpose of providing for the public health, safety and general welfare, the Board may amend, change, alter, add or rescind the provisions imposed by these regulations. Notification, public hearings, publications and certification of all proposed amendments shall be accomplished by the Board in accordance with New Hampshire RSA 675:6 and 675:7.
- 6.02 APPLICABILITY:** These regulations replace and supersede the former regulations of the Board. Adoption of these regulations is not intended to invalidate any approval or requirement of approval under those former regulations and shall not be considered applicable to any application which has been formally accepted by the planning board pursuant to RSA 676:4, I(b) prior to the first legal notice of a proposed adoption of regulations.
- 6.03 INTERPRETATION, CONFLICT AND SEPARABILITY:** The provisions herein shall be considered the minimum requirements for the protection of public health, safety and welfare. These regulations are not intended to interfere with the application of other laws or regulations or privately imposed restrictions. Where these regulations may differ from other applicable laws or regulations, which ever provisions are more restrictive or impose higher standards shall govern. If any part of these regulations is determined to be invalid, that determination will be **construed** applicable to that part only and the remainder of these regulations will be construed to continue in full force.
- 6.04 WAIVERS:** In a case when the strict application of these regulations would cause practical difficulty, the Board may waive specific plan requirements where the Board has determined that such a waiver will not affect the purpose and intent of these regulations. The Applicant shall submit in writing a “request for waiver” to the Board citing the specific regulation and the reason the regulation cannot be met. Any waiver granted shall be shown on the Final Plan.
- In the case of proposals having lands designated as “special flood hazard areas,” these waiver provisions shall not apply to the requirements for such areas as cited in Section 1, Part 1.05 of these Regulations.
- 6.05 PREMATURE SUBDIVISION:** a subdivision application may be deemed premature by the Board where either of the following conditions exist:
- A.** The proposed subdivision will occur in a location where municipal services or facilities are overburdened or will become overburdened by the placement of additional demand.
 - B.** The proposed subdivision is located where adequate services are not available and are not as yet included in municipal plans of the Town of Londonderry.
- 6.06 APPEALS:** Any person aggrieved by any decision of the Board may appeal to the Superior Court as provided for in NH RSA § 677:15
- 6.07 ENFORCEMENT AND PENALTIES:** These regulations shall be enforced under the authority of New Hampshire RSA 676 and such authorities, as may be available

EXHIBITS:

- 1. Fee Schedule**
 - 2. Subdivision Formal Application Request Form**
 - 3. Subdivision Design Review Request Form**
 - 4. Procedures for Subdivision Applications**
 - 5. Subdivision Application Checklist**
 - 6. Boundary Plan Layout**
 - 7. Topographic/HISS Plan Layout**
 - 8. Improvement Plan Layout**
-
- D1 Typical Required Sight Distance Plan & Profile for a Residential Driveway Entrance**
 - D2 Typical Required Sight Distance Plan & Profile for Roadways**
 - D3 Sidewalk and Granite Curb Detail**
 - D4 Typical Roadway Section**
 - D5 Cul-de-sac Terminus Layout**

**EXHIBIT 1
FEE SCHEDULE**

ITEM	Residential	Multi-family	Commercial	Industrial
Number of Lots				
1-2	\$30/lot	\$30/lot	\$30/lot	\$30/lot
3-5	\$40/lot	\$40/lot	\$40/lot	\$40/lot
6 or more	\$55/lot	\$55/lot	\$55/lot	\$55/lot
Municipal Storm Drainage/increment	\$75	\$75	\$150	\$150
Municipal Roads/increment	\$75	\$75	\$150	\$150
Notice to Abutters	\$12/abutter	\$12/abutter	\$12/abutter	\$12/abutter
Advertising	\$40	\$40	\$40	\$40
Administrative Fee for Recording of plans at Registry of Deeds by Town Staff	\$10/sheet to be recorded	\$10/sheet to be recorded	\$10/sheet to be recorded	\$10/sheet to be recorded

* Fee is based on the square footage of the entire lot.

Roads and Drainage length increments will be determined from the following schedule:

Storm Drainage

0 - 500 ' = 1 increment
501 - 1000 = 2 increments
1001 - 1500 = 3 increments
1501 - 2000 = 4 increments
2001 - 2500 = 5 increments

Drainage lengths shall be based on the length of all drainage pipes, swales, channels, and travel length of overland flow.

Roads

0 - 1000 ' = 1 increment
1001 - 2000 = 2 increments
2001 - 3000 = 3 increments
3001 - 4000 = 4 increments
4001 - 5000 = 5 increments

Road length shall be based on the length of all roads that are to be improved or constructed.

G. Name of Licensed Professional Engineer: _____
(in responsible charge)

Signature: _____

H. Name of Certified Soil Scientist: _____

I. Name of Certified Wetland Scientist: _____

J. Date of Submittal to Planning Department: _____

Application Fee Attached:	<input type="checkbox"/>
Escrow for Review Cost Attached:	<input type="checkbox"/>
Subdivision Plans Attached:	<input type="checkbox"/>
Abutters List Attached:	<input type="checkbox"/>
Subdivision Application Checklist Attached:	<input type="checkbox"/>
Required Documents Attached (As outlined in Subdivision Application Checklist)	<input type="checkbox"/>

***For Planning Department Use Only (Date
Received Stamp)***

G. Name of Licensed Professional Engineer: _____
(in responsible charge)

Signature: _____

H. Name of Certified Soil Scientist: _____

I. Name of Certified Wetland Scientist: _____

J. Date of Submittal to Planning Department: _____

Application Fee Attached:	<input type="checkbox"/>
Escrow for Review Cost Attached:	<input type="checkbox"/>
Subdivision Plans Attached:	<input type="checkbox"/>
Abutters List Attached:	<input type="checkbox"/>
Subdivision Application Checklist Attached:	<input type="checkbox"/>
Required Documents Attached (As outlined in Subdivision Application Checklist)	<input type="checkbox"/>

***For Planning Department Use Only (Date
Received Stamp)***

EXHIBIT 4

LONDONDERRY PLANNING BOARD PROCEDURES FOR SUBDIVISION APPLICATIONS

All information provided and submitted with an application shall conform to the Londonderry Subdivision Regulations.

To conform with the new State legislation in 1998-1999, RSA 676:4, the Town of Londonderry Planning Board will henceforth use the following application procedure as follows:

1. Pre-application Reviews

- a. An Applicant may make a written letter request for discussion of CONCEPTUAL DESIGN INFORMATION, signed by the owner of the property, with 2 (two) copies of conceptual information (no surveying or engineering required) to be scheduled for discussion of the proposal in conceptual form only with the members of the Planning Board at a regular public meeting. No abutters need to be notified, and all discussion shall be non-binding.
- b. An Applicant may submit a completed Subdivision Design Review Request Form with required fees and completed Subdivision Application Checklist marked DESIGN REVIEW, signed by the owner of the property, with 12 (twelve) copies of the design plan with engineering detail at a level addressing the requirements of the regulations and the completed checklist. The Design Review Committee (DRC) and the Planning Board's review engineering consultant shall conduct a review and forward comments to the Applicant for incorporation into design. Abutters and the general public shall be notified that the Town is conducting DESIGN REVIEW of the project and plans for the project are available for review by the general public at the Planning Department.

An Applicant may make a written letter request for a public meeting with the Planning Board with notification of abutters. All discussion and comment by Board members shall be non-binding.

It is strongly recommended to the Applicant to submit the project for DESIGN REVIEW. This will help identify concerns of the Board and DRC, identify necessary studies, problems and deficiencies, and could minimize potential revisions to the project based on review by DRC and the Board prior to a vote on formal acceptance. In addition, this may aid the Applicant in obtaining the proper and required permit approvals from other regulatory agencies necessary for Formal Application.

2. Formal Application, Acceptance and Review

- a. An Applicant shall submit a Subdivision Formal Application Request Form with required fees and the completed Subdivision Application Checklist marked FORMAL APPLICATION, signed by the owner of the property, with 12 (twelve) sets of paper blueprints and 3 copies of all required accompanying data, studies, and approved permits. DRC and the Planning Board's review engineering consultant shall conduct a review of the application, all provided information and the completed checklist. The Planning Director shall schedule the Applicant for a public meeting with notice to abutters for acceptance of application. The Board shall, at the next meeting for which notice can be given, but not later than 30 (thirty) days following the official submittal date, determine if the submitted application is complete. If for any reason the Board determines the application is incomplete, the Planning Director shall notify the Applicant in writing, listing the major application deficiencies, within 72 hours of the Planning Board decision.
- b. An Applicant may request to have both a vote on acceptance and a public hearing on the application at the same Board meeting by filing a written letter request with a complete application.

In an effort to provide the required information necessary for a Formal Application submittal to the Planning Board for acceptance and formal review, the attached Subdivision Application Checklist marked FORMAL APPLICATION will be required for each Formal Application to the Board. The intent is to provide a format to the Applicant as to the information necessary for proper review of the proposed project by the Board, the Board's review engineering consultant, and DRC to verify compliance with the Town's Zoning, Health and Subdivision regulations, and other applicable State and Federal Regulations. This should streamline the review process.

It is the Applicant's responsibility to provide clear and complete plans and all supporting and required information for review to allow the Board to render an informed decision on the proposed project. An application will not be accepted if the required items as outlined in the checklist are missing from the submittal.

EXHIBIT 5

LONDONDERRY PLANNING BOARD SUBDIVISION APPLICATION & CHECKLIST

☐ Design Review ☐ Formal Application

All information provided and submitted with this Application Checklist shall conform to the Londonderry Site Plan Regulations. **Please note that the Planning Board may not accept and consider the application complete if the required items as outlined in the checklist are missing from the submittal.**

I. General Information:

A. Name of Project: _____

B. Location of Project: _____
(street) (Map) (lot)

C. Owner: _____
(zoning)

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Signature: _____

D. Applicant:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Signature: _____

E. Design Firm:
 Name: _____
 Address: _____
 Phone: _____
 Fax: _____
 E-Mail: _____

F. Name of Licensed Land Surveyor: _____
 (in responsible charge)
 Signature: _____

G. Name of Licensed Professional Engineer: _____
 (in responsible charge)
 Signature: _____

H. Name of Certified Soil Scientist: _____

I. Name of Certified Wetland Scientist: _____

J. Date of Submittal to Planning Department: _____

II. General Requirements (All Applications):

	Provided	N/A
1. Executed Subdivision Formal Application Request Form (Exhibit 2)	<input type="checkbox"/>	<input type="checkbox"/>
2. Executed Subdivision Design Review Request Form (Exhibit 3)	<input type="checkbox"/>	<input type="checkbox"/>
3. Complete abutters list	<input type="checkbox"/>	<input type="checkbox"/>
4. All Required Fees	<input type="checkbox"/>	<input type="checkbox"/>
5. Four (4) sets of plans and electronic "PDF" plans (12 sets if electronic plans not possible) submitted with all required information in accordance with the site plan regulations and this checklist	<input type="checkbox"/>	<input type="checkbox"/>
6. Copies of any proposed easement deeds, protective Covenants or other legal documents	<input type="checkbox"/>	<input type="checkbox"/>
7. Any waiver request(s) submitted with justification in writing	<input type="checkbox"/>	<input type="checkbox"/>
8. Technical reports and supporting documents (see Sections X & XI of this checklist)	<input type="checkbox"/>	<input type="checkbox"/>
9. Completed Site Plan Application Checklist	<input type="checkbox"/>	<input type="checkbox"/>
10. Letter explaining how DRC comments have been addressed and two (2) sets of highlighted, revised drawings (applicable if pre-application design review process was followed).	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
III.	General Plan Information (All Plans):		
1.	Size and presentation of sheet(s) per requirements of the subdivision regulations	<input type="checkbox"/>	<input type="checkbox"/>
2.	Title block information:		
a.	Drawing title	<input type="checkbox"/>	<input type="checkbox"/>
b.	Name of site plan	<input type="checkbox"/>	<input type="checkbox"/>
c.	Location of site plan	<input type="checkbox"/>	<input type="checkbox"/>
d.	Tax map & lot #s of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
e.	Name & address of owner(s)	<input type="checkbox"/>	<input type="checkbox"/>
f.	Date of plan	<input type="checkbox"/>	<input type="checkbox"/>
g.	Scale of plan	<input type="checkbox"/>	<input type="checkbox"/>
h.	Sheet number	<input type="checkbox"/>	<input type="checkbox"/>
i.	Name, address, & telephone number of design firm	<input type="checkbox"/>	<input type="checkbox"/>
j.	Name and address of Applicant	<input type="checkbox"/>	<input type="checkbox"/>
3.	Revision block	<input type="checkbox"/>	<input type="checkbox"/>
4.	Planning Board approval block provided on appropriate sheets (Cover sheet, site plan, landscape plan only)	<input type="checkbox"/>	<input type="checkbox"/>
5.	Certification block (for engineer, surveyor, soil scientist, or wetland scientist)	<input type="checkbox"/>	<input type="checkbox"/>
6.	Match lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>
IV.	Title Sheet: (may be consolidated with Boundary Plan)		
1.	The following notes shall be provided:		
a.	Purpose of plan	<input type="checkbox"/>	<input type="checkbox"/>
b.	Tax map and lot #s of all subject parcels	<input type="checkbox"/>	<input type="checkbox"/>
c.	Area (existing & proposed) of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
d.	Zoning designation of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
e.	Min. lot area, frontages & setback dimensions	<input type="checkbox"/>	<input type="checkbox"/>
f.	Existing and proposed use	<input type="checkbox"/>	<input type="checkbox"/>
g.	Sanitary sewer source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
h.	Water supply source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
i.	Zoning variances/special exceptions with conditions	<input type="checkbox"/>	<input type="checkbox"/>
j.	List FEMA sheet(s) used to identify 100-year flood elevation. (Note if no flood zone present as applicable)	<input type="checkbox"/>	<input type="checkbox"/>
k.	List of required permits and permit approval numbers	<input type="checkbox"/>	<input type="checkbox"/>
l.	List of Planning Board waivers (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
m.	Note identifying # of bedrooms per dwelling for residential use	<input type="checkbox"/>	<input type="checkbox"/>
n.	Phasing notes, as required, under Section 4.18i as applicable	<input type="checkbox"/>	<input type="checkbox"/>
o.	Note identifying which plans are to be recorded and which are on file at the town	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
p.	Note the following: "If, during construction, it becomes apparent that deficiencies exist in the approved design drawings, the Owner shall be required to correct the deficiencies to meet the requirements of the regulations at no expense to the Town."	<input type="checkbox"/>	<input type="checkbox"/>
q.	Note the following: "If, during construction, it becomes apparent that additional erosion control measures are required to stop any erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary erosion protection at no expense to the Town."	<input type="checkbox"/>	<input type="checkbox"/>
r.	Note the following: "All materials and methods of construction shall conform to Town of Londonderry Subdivision Regulations and the latest edition of the New Hampshire Department of Transportation's Standard Specifications for Road & Bridge Construction."	<input type="checkbox"/>	<input type="checkbox"/>
2.	Tax map sketch plan (or detail) showing proposed lot configuration at a scale 1" = 400'	<input type="checkbox"/>	<input type="checkbox"/>
3.	Vicinity plan (at a scale of 1"=2500')	<input type="checkbox"/>	<input type="checkbox"/>
4.	Plan index indicating all sheets	<input type="checkbox"/>	<input type="checkbox"/>
V.	Boundary Plan (Subdivision, Consolidation and Lot Line Adjustment:		
1.	Surveyor's certification stamped and signed by LLS	<input type="checkbox"/>	<input type="checkbox"/>
2.	Boundary of entire property by metes and bounds	<input type="checkbox"/>	<input type="checkbox"/>
3.	Proposed lot configuration defined by metes and bounds	<input type="checkbox"/>	<input type="checkbox"/>
4.	Boundary monuments:		
a.	Monuments found	<input type="checkbox"/>	<input type="checkbox"/>
b.	Monuments to be set	<input type="checkbox"/>	<input type="checkbox"/>
5.	Map # and Lot #, name addresses, and zoning of all abutting land owners	<input type="checkbox"/>	<input type="checkbox"/>
6.	Existing streets:		
a.	Name labeled	<input type="checkbox"/>	<input type="checkbox"/>
b.	Status noted or labeled	<input type="checkbox"/>	<input type="checkbox"/>
c.	Right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
d.	Pavement width dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
7.	Municipal boundaries (if any)	<input type="checkbox"/>	<input type="checkbox"/>
8.	Existing easements (identified by type)	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
9.	Proposed easements defined by metes & bounds. Check each type of proposed easement applicable to this application:		
a.	Drainage easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
b.	Slope easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
c.	Utility easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
d.	Temporary easement(s) (such as temporary turnaround)	<input type="checkbox"/>	<input type="checkbox"/>
e.	No-cut zone(s), including those along streams & wetlands (as may be requested by the Conservation Commission)	<input type="checkbox"/>	<input type="checkbox"/>
f.	Vehicular & pedestrian access easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
g.	Visibility easements	<input type="checkbox"/>	<input type="checkbox"/>
h.	Fire pond/cistern easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
i.	Roadway widening easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
j.	Walking trail easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
k.	Other easement(s) _____ Note type(s) _____	<input type="checkbox"/>	<input type="checkbox"/>
10.	Designation of each proposed lot (by map & lot #s as provided by the assessor)	<input type="checkbox"/>	<input type="checkbox"/>
11.	Area of each lot (in acres & square feet):		
a.	Existing lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
b.	Proposed lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
12.	North Arrow	<input type="checkbox"/>	<input type="checkbox"/>
13.	Locus map (at a scale of 1" = 2,500)	<input type="checkbox"/>	<input type="checkbox"/>
14.	Limits of wetlands & CO District Boundary	<input type="checkbox"/>	<input type="checkbox"/>
15.	Wetland delineation:		
a.	Wetland delineation criteria & Certification	<input type="checkbox"/>	<input type="checkbox"/>
16.	Owner(s) signature(s)	<input type="checkbox"/>	<input type="checkbox"/>
17.	Proposed streets:		
a.	Name(s) labeled	<input type="checkbox"/>	<input type="checkbox"/>
b.	Width of right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
18.	All required setbacks (including any applicable buffers)	<input type="checkbox"/>	<input type="checkbox"/>
19.	Physical features:		
a.	Existing features --		
	Buildings	<input type="checkbox"/>	<input type="checkbox"/>
	Wells	<input type="checkbox"/>	<input type="checkbox"/>
	Septic systems	<input type="checkbox"/>	<input type="checkbox"/>
	Stone walls	<input type="checkbox"/>	<input type="checkbox"/>
	Paved drives	<input type="checkbox"/>	<input type="checkbox"/>
	Gravel drives	<input type="checkbox"/>	<input type="checkbox"/>
20.	Location & name (if any) of any streams or waterbodies	<input type="checkbox"/>	<input type="checkbox"/>
21.	Location & elevation(s) of 100-year flood zone per FEMA Flood Insurance Study or as determined by drainage study	<input type="checkbox"/>	<input type="checkbox"/>
22.	Location of existing overhead utility lines, poles, towers, etc.	<input type="checkbox"/>	<input type="checkbox"/>
23.	Plan and deed references	<input type="checkbox"/>	<input type="checkbox"/>

24.	Zoning District boundary lines (if any)	Provided <input type="checkbox"/>	N/A <input type="checkbox"/>
VI. Topographical/HISS Plan Requirements):			
1.	Surveyor's stamp and signature by LLS	<input type="checkbox"/>	<input type="checkbox"/>
2.	Boundary of entire property to be subdivided	<input type="checkbox"/>	<input type="checkbox"/>
3.	Proposed lot configuration defined by metes and bounds	<input type="checkbox"/>	<input type="checkbox"/>
4.	Boundary monuments:		
	a. Monuments found	<input type="checkbox"/>	<input type="checkbox"/>
	b. Monuments to be set	<input type="checkbox"/>	<input type="checkbox"/>
5.	Map # and lot #, name addresses, and zoning of all abutting land owners	<input type="checkbox"/>	<input type="checkbox"/>
6.	Existing streets:		
	a. Name labeled	<input type="checkbox"/>	<input type="checkbox"/>
	b. Status noted or labeled	<input type="checkbox"/>	<input type="checkbox"/>
	c. Right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
	d. Pavement width dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
7.	Municipal boundaries (if any)	<input type="checkbox"/>	<input type="checkbox"/>
8.	Existing easements (identified by type)	<input type="checkbox"/>	<input type="checkbox"/>
9.	Proposed easements defined by metes & bounds. Check each type of proposed easement applicable to this application:		
	a. Drainage easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Slope easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	c. Utility easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	d. Temporary easement(s) (such as temporary turnaround)	<input type="checkbox"/>	<input type="checkbox"/>
	e. No-cut zone(s) along streams & wetlands (as may be requested by the Conservation Commission)	<input type="checkbox"/>	<input type="checkbox"/>
	f. Vehicular & pedestrian access easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	g. Visibility easements	<input type="checkbox"/>	<input type="checkbox"/>
	h. Fire pond/cistern easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	i. Roadway widening easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	j. Walking trail easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	k. Other easement(s) _____ Note type(s) _____	<input type="checkbox"/>	<input type="checkbox"/>
10.	Designation of each proposed lot (by map & lot #s as provided by the assessor)	<input type="checkbox"/>	<input type="checkbox"/>
11.	Area of each lot (in acres & square feet):		
	a. Existing lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Proposed lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
12.	North arrow	<input type="checkbox"/>	<input type="checkbox"/>
13.	Locus map (at a scale of 1" = 2,500) shown	<input type="checkbox"/>	<input type="checkbox"/>
14.	Limits of wetlands	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
15.	Wetland delineation:		
	a. Wetland delineation criteria	<input type="checkbox"/>	<input type="checkbox"/>
	b. Wetland scientist certification	<input type="checkbox"/>	<input type="checkbox"/>
16.	Owner(s) signature(s)	<input type="checkbox"/>	<input type="checkbox"/>
17.	Proposed streets:		
	a. Name(s) labeled	<input type="checkbox"/>	<input type="checkbox"/>
	b. Width of right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
	c. Pavement width dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
18.	All required setbacks (including any applicable buffers)	<input type="checkbox"/>	<input type="checkbox"/>
19.	Physical features (Existing Features):		
	a. Buildings	<input type="checkbox"/>	<input type="checkbox"/>
	b. Wells	<input type="checkbox"/>	<input type="checkbox"/>
	c. Septic systems	<input type="checkbox"/>	<input type="checkbox"/>
	d. Stone walls	<input type="checkbox"/>	<input type="checkbox"/>
	e. Paved drives	<input type="checkbox"/>	<input type="checkbox"/>
	f. Gravel drives	<input type="checkbox"/>	<input type="checkbox"/>
20.	Location & name (if any) of any streams or waterbodies	<input type="checkbox"/>	<input type="checkbox"/>
21.	Location & elevation(s) of 100-year flood zone per FEMA Flood Insurance Study or as determined by drainage study	<input type="checkbox"/>	<input type="checkbox"/>
22.	Location of existing overhead utility lines, poles, towers, etc.	<input type="checkbox"/>	<input type="checkbox"/>
23.	Plan and deed references	<input type="checkbox"/>	<input type="checkbox"/>
24.	Two-foot contour interval topography shown over all subject parcels	<input type="checkbox"/>	<input type="checkbox"/>
25.	Source and datum of topographic information (USGS required)	<input type="checkbox"/>	<input type="checkbox"/>
26.	Show at least one benchmark per sheet (min.) and per 5 acres (min.) of total site area	<input type="checkbox"/>	<input type="checkbox"/>
27.	USDA-SCS soil survey information (where municipal sewer is to be provided)	<input type="checkbox"/>	<input type="checkbox"/>
28.	Location, type, size & inverts of the following (as applicable):		
	a. Existing water systems	<input type="checkbox"/>	<input type="checkbox"/>
	b. Existing sewer systems	<input type="checkbox"/>	<input type="checkbox"/>
	c. Existing drainage systems	<input type="checkbox"/>	<input type="checkbox"/>
	d. Existing utilities	<input type="checkbox"/>	<input type="checkbox"/>
29.	4K Areas with test pits on all proposed lots (meeting NHDES & Town setback requirements)	<input type="checkbox"/>	<input type="checkbox"/>
30.	Location of all water wells with protective radii as required by the NHDES (meeting Town and NHDES setback requirements)	<input type="checkbox"/>	<input type="checkbox"/>
31.	Existing treelines	<input type="checkbox"/>	<input type="checkbox"/>

32.	Existing ledge outcroppings & other significant natural features	<input type="checkbox"/>	Provided <input type="checkbox"/>	N/A <input type="checkbox"/>
33.	HISS requirements:			
a.	Criteria for HISS delineation	<input type="checkbox"/>		<input type="checkbox"/>
b.	Soil scientist certification on plan (if HISS required)	<input type="checkbox"/>		<input type="checkbox"/>
c.	HISS mapping shown over all subject parcels (where no municipal sewer exists)	<input type="checkbox"/>		<input type="checkbox"/>
34.	Plan as submitted to the NHDES	<input type="checkbox"/>		<input type="checkbox"/>

VII. Improvement Plans (Stamped by Engineer Licensed in NH):

1.	Grading and Drainage:			
a.	Existing topography (two-foot contour interval minimum)	<input type="checkbox"/>		<input type="checkbox"/>
b.	Proposed contours	<input type="checkbox"/>		<input type="checkbox"/>
c.	Existing spot elevations	<input type="checkbox"/>		<input type="checkbox"/>
d.	Proposed spot elevations	<input type="checkbox"/>		<input type="checkbox"/>
e.	Existing edge of pavement	<input type="checkbox"/>		<input type="checkbox"/>
f.	Proposed edge of pavement	<input type="checkbox"/>		<input type="checkbox"/>
g.	Existing curb line	<input type="checkbox"/>		<input type="checkbox"/>
h.	Proposed curb line	<input type="checkbox"/>		<input type="checkbox"/>
i.	Existing buildings and structures	<input type="checkbox"/>		<input type="checkbox"/>
j.	Proposed buildings and structures	<input type="checkbox"/>		<input type="checkbox"/>
k.	Existing retaining walls	<input type="checkbox"/>		<input type="checkbox"/>
l.	Proposed retaining walls	<input type="checkbox"/>		<input type="checkbox"/>
m.	Existing stone walls	<input type="checkbox"/>		<input type="checkbox"/>
n.	Reconstructed stone walls	<input type="checkbox"/>		<input type="checkbox"/>
o.	Existing treeline	<input type="checkbox"/>		<input type="checkbox"/>
p.	Proposed treeline	<input type="checkbox"/>		<input type="checkbox"/>
q.	Benchmarks	<input type="checkbox"/>		<input type="checkbox"/>
r.	Existing drainage systems:			
1.)	Pipes/culverts (each location):			
i.	Type	<input type="checkbox"/>		<input type="checkbox"/>
ii.	Size	<input type="checkbox"/>		<input type="checkbox"/>
iii.	Length and slope	<input type="checkbox"/>		<input type="checkbox"/>
iv.	Inverts	<input type="checkbox"/>		<input type="checkbox"/>
v.	End sections/Headwalls	<input type="checkbox"/>		<input type="checkbox"/>
2.)	Structures (catchbasins, drain manholes, special structures):			
i.	Location (sta. and off-set)	<input type="checkbox"/>		<input type="checkbox"/>
ii.	Type	<input type="checkbox"/>		<input type="checkbox"/>
iii.	Size	<input type="checkbox"/>		<input type="checkbox"/>
iv.	Rim Elevations	<input type="checkbox"/>		<input type="checkbox"/>
v.	Inverts	<input type="checkbox"/>		<input type="checkbox"/>
3.)	Swales/Ditches/Waterways:			
i.	Flow arrows (direction of flow)	<input type="checkbox"/>		<input type="checkbox"/>
ii.	Topography	<input type="checkbox"/>		<input type="checkbox"/>
iii.	Spot elevations	<input type="checkbox"/>		<input type="checkbox"/>
t.	Proposed Drainage Systems:			
1.)	Pipes/culverts (each location):			
i.	Type	<input type="checkbox"/>		<input type="checkbox"/>
ii.	Size	<input type="checkbox"/>		<input type="checkbox"/>
iii.	Length and slope	<input type="checkbox"/>		<input type="checkbox"/>
iv.	Inverts	<input type="checkbox"/>		<input type="checkbox"/>

		Provided	N/A
	v. End sections/headwalls	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Identify minimum cover and location	<input type="checkbox"/>	<input type="checkbox"/>
	vii. Outlet erosion protection	<input type="checkbox"/>	<input type="checkbox"/>
2.)	Structures (catchbasins, drain manholes, special structures):		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
3.)	Swales/ditches/waterways:		
	i. Flow arrows (direction of flow)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Grading	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Spot elevations	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Erosion protection (riprap, matting, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
u.	Temporary erosion protection during construction:		
	1.) Silt fence, haybales, etc.	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Matting, mulch, etc.	<input type="checkbox"/>	<input type="checkbox"/>
2.	Utilities:		
a.	Existing sanitary sewer system:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Structures:		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
b.	Proposed sanitary sewer system:		
	1.) Pipes (gravity):		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Separation (18" below water)	<input type="checkbox"/>	<input type="checkbox"/>
	v. Identify minimum cover and locations	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Force Main:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Direction of flow (flow arrows)	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Bends and thrust blocking	<input type="checkbox"/>	<input type="checkbox"/>
	v. Air relief valves and structures	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Clean-out structures	<input type="checkbox"/>	<input type="checkbox"/>
	vii. Identify minimum cover and locations	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Structures:		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
4.)	Service laterals to each individual lot:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Separation (18" below water)	<input type="checkbox"/>	<input type="checkbox"/>
	v. Minimum cover and locations identified	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Location of connection	<input type="checkbox"/>	<input type="checkbox"/>
c.	Existing Water System:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Hydrants	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
	4.) Bends and thrust blocks	<input type="checkbox"/>	<input type="checkbox"/>
	5.) Tees	<input type="checkbox"/>	<input type="checkbox"/>
d.	Proposed Water System:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Hydrants		
	i. Locations approved by Fire Department	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
	4.) Bends and thrust blocks	<input type="checkbox"/>	<input type="checkbox"/>
	5.) Tees	<input type="checkbox"/>	<input type="checkbox"/>
e.	Existing Gas Lines:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
f.	Proposed Gas Lines:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Services to each lot	<input type="checkbox"/>	<input type="checkbox"/>
g.	Telephone/Electrical/Cable:		
	1.) U-poles	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Pedestals/transformers	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Overhead lines	<input type="checkbox"/>	<input type="checkbox"/>
	4.) Underground lines	<input type="checkbox"/>	<input type="checkbox"/>
	5.) Services to each lot	<input type="checkbox"/>	<input type="checkbox"/>
3.	Roadways:		
	a. Plan and profile drawings (stamped by engineer licensed in NH)	<input type="checkbox"/>	<input type="checkbox"/>
	1.) All items required above under a. Grading and Drainage	<input type="checkbox"/>	<input type="checkbox"/>
	2.) All items required above under b. Utilities	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
3.)	Profile grid (station and elevation) with horizontal To vertical scale (ratio = 10:1) and datum	<input type="checkbox"/>	<input type="checkbox"/>
4.)	Existing grade profile	<input type="checkbox"/>	<input type="checkbox"/>
5.)	Proposed profile:		
	i. PVIs (station and elevation)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. PVCs (station and elevation)	<input type="checkbox"/>	<input type="checkbox"/>
	iii. PVTs (station and elevation)	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Length of vertical curve	<input type="checkbox"/>	<input type="checkbox"/>
	v. K-values	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Tangent slopes	<input type="checkbox"/>	<input type="checkbox"/>
	vii. Drainage system	<input type="checkbox"/>	<input type="checkbox"/>
	viii. Sewer system	<input type="checkbox"/>	<input type="checkbox"/>
	ix. Water system	<input type="checkbox"/>	<input type="checkbox"/>
	x. Crest stations identified (stations and elevations)	<input type="checkbox"/>	<input type="checkbox"/>
	xi. Sag station identified (stations and elevations)	<input type="checkbox"/>	<input type="checkbox"/>
	xii. Existing and proposed grades at fifty (50) foot stations	<input type="checkbox"/>	<input type="checkbox"/>
6.)	Road intersection (equation of stations)	<input type="checkbox"/>	<input type="checkbox"/>
7.)	Label street name	<input type="checkbox"/>	<input type="checkbox"/>
8.)	Right-of-way lines	<input type="checkbox"/>	<input type="checkbox"/>
9.)	Easement lines:		
	i. Drainage	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Sewer	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Visibility	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Utility	<input type="checkbox"/>	<input type="checkbox"/>
	v. Access	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Slope	<input type="checkbox"/>	<input type="checkbox"/>
10.)	Wetlands Mapping:		
	i. Wetland limits identified	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Impact area identified in square feet for each individual location	<input type="checkbox"/>	<input type="checkbox"/>
11.)	Driveway shown to each individual lot (with grading and culverts if required)	<input type="checkbox"/>	<input type="checkbox"/>
12.)	Centerline geometry including:		
	i. Bearings and distances labeled	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Tangents	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Curve data	<input type="checkbox"/>	<input type="checkbox"/>
	iv. PC's	<input type="checkbox"/>	<input type="checkbox"/>
	v. PT's	<input type="checkbox"/>	<input type="checkbox"/>
13.)	Pavement:		
	i. Width	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Corner radius (edge of pavement)	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Curbing	<input type="checkbox"/>	<input type="checkbox"/>
14.)	Existing and proposed lot lines	<input type="checkbox"/>	<input type="checkbox"/>
15.)	Lot designations	<input type="checkbox"/>	<input type="checkbox"/>
16.)	Underdrain location (beginning and end stations)	<input type="checkbox"/>	<input type="checkbox"/>
17.)	Guardrail Location (beginning and end stations, off-set)	<input type="checkbox"/>	<input type="checkbox"/>
18.)	Traffic control signs (stop, street, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
19.)	Pavement markings	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
VIII.	Construction Detail Drawings:		
Note:	Construction details to conform with NHDOT Standards & Specifications for Roads & Bridges, Town of Londonderry Department of Public Works requirements, and Subdivision Regulations		
1.	Typical cross-section of pavement	<input type="checkbox"/>	<input type="checkbox"/>
2.	Typical driveway apron detail	<input type="checkbox"/>	<input type="checkbox"/>
3.	Curbing detail	<input type="checkbox"/>	<input type="checkbox"/>
4.	Guardrail detail	<input type="checkbox"/>	<input type="checkbox"/>
5.	Sidewalk detail	<input type="checkbox"/>	<input type="checkbox"/>
6.	Traffic signs and pavement markings	<input type="checkbox"/>	<input type="checkbox"/>
7.	Typical underdrain trench detail	<input type="checkbox"/>	<input type="checkbox"/>
8.	Drainage structure(s):		
	a. Catchbasin (including frame and grate)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Manhole (including frame and cover)	<input type="checkbox"/>	<input type="checkbox"/>
	c. Outlet structure (detention basins)	<input type="checkbox"/>	<input type="checkbox"/>
	d. Headwalls	<input type="checkbox"/>	<input type="checkbox"/>
	e. Flared end sections	<input type="checkbox"/>	<input type="checkbox"/>
9.	Outlet protection riprap apron	<input type="checkbox"/>	<input type="checkbox"/>
10.	Level spreader	<input type="checkbox"/>	<input type="checkbox"/>
11.	Treatment swale	<input type="checkbox"/>	<input type="checkbox"/>
12.	Typical section at detention basin	<input type="checkbox"/>	<input type="checkbox"/>
13.	Typical pipe trench:		
	a. Drainage	<input type="checkbox"/>	<input type="checkbox"/>
	b. Sewer	<input type="checkbox"/>	<input type="checkbox"/>
	c. Water	<input type="checkbox"/>	<input type="checkbox"/>
	d. Utilities	<input type="checkbox"/>	<input type="checkbox"/>
14.	Sewer structures:		
	a. Manholes (including frame and cover, inverts)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Drop manholes	<input type="checkbox"/>	<input type="checkbox"/>
	c. Special structures (pump stations, blowoffs, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
	d. Pipe manhole joint details	<input type="checkbox"/>	<input type="checkbox"/>
15.	Typical sewer lateral service connection detail	<input type="checkbox"/>	<input type="checkbox"/>
16.	Typical chimney detail	<input type="checkbox"/>	<input type="checkbox"/>
17.	Project specific sewer details (sleeves, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
18.	Typical sewer notes (as per NHDES and Sewer Division requirements)	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
19.	Hydrant detail	<input type="checkbox"/>	<input type="checkbox"/>
20.	Thrust block details	<input type="checkbox"/>	<input type="checkbox"/>
21.	Valve box detail	<input type="checkbox"/>	<input type="checkbox"/>
22.	Typical water connection service detail	<input type="checkbox"/>	<input type="checkbox"/>
23.	Erosion control details:		
	a. Haybale barriers at waterways	<input type="checkbox"/>	<input type="checkbox"/>
	b. Silt fence	<input type="checkbox"/>	<input type="checkbox"/>
	c. Stone check dam	<input type="checkbox"/>	<input type="checkbox"/>
	d. Stone construction entrance	<input type="checkbox"/>	<input type="checkbox"/>
	e. Inlet filter basket	<input type="checkbox"/>	<input type="checkbox"/>
	f. Haybale barrier at catchbasin	<input type="checkbox"/>	<input type="checkbox"/>
24.	Notes:		
	a. General notes as required by the Department of Public Works	<input type="checkbox"/>	<input type="checkbox"/>
	b. Construction sequence	<input type="checkbox"/>	<input type="checkbox"/>
	c. Erosion control notes	<input type="checkbox"/>	<input type="checkbox"/>
	d. Turf establishment notes	<input type="checkbox"/>	<input type="checkbox"/>
	e. Sewer construction notes (as required by Sewer Ordinance)	<input type="checkbox"/>	<input type="checkbox"/>
	f. Water system construction notes (as required by local water company)	<input type="checkbox"/>	<input type="checkbox"/>

IX. Cross-Sections:

1.	Roadway cross sections at 50-foot intervals	<input type="checkbox"/>	<input type="checkbox"/>
2.	Roadway cross sections at culvert locations (inlet/outlet)	<input type="checkbox"/>	<input type="checkbox"/>
3.	Scale of sections at 1" = 5' H & V	<input type="checkbox"/>	<input type="checkbox"/>
4.	Existing & finish centerline grades	<input type="checkbox"/>	<input type="checkbox"/>
5.	Proposed pavement, crushed gravel and bank run gravel limits	<input type="checkbox"/>	<input type="checkbox"/>
6.	Right-of-way and easement limits	<input type="checkbox"/>	<input type="checkbox"/>
7.	Roadway & shoulder cross slopes	<input type="checkbox"/>	<input type="checkbox"/>
8.	Embankment slopes	<input type="checkbox"/>	<input type="checkbox"/>
9.	Underdrains	<input type="checkbox"/>	<input type="checkbox"/>
10.	Drainage piping and structures	<input type="checkbox"/>	<input type="checkbox"/>
11.	Sewer piping and structures	<input type="checkbox"/>	<input type="checkbox"/>
12.	Utilities:		
	a. Water lines	<input type="checkbox"/>	<input type="checkbox"/>
	b. Gas lines	<input type="checkbox"/>	<input type="checkbox"/>
	c. Telephone/electric/cable	<input type="checkbox"/>	<input type="checkbox"/>
13.	Guardrail	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
X.	Supporting Documentation:		
1.	Lot sizing calculations	<input type="checkbox"/>	<input type="checkbox"/>
2.	Test pit/perc.test data	<input type="checkbox"/>	<input type="checkbox"/>
3.	Stormwater management report including the following:		
a.	Table of contents	<input type="checkbox"/>	<input type="checkbox"/>
b.	Narrative statement (including conclusions)	<input type="checkbox"/>	<input type="checkbox"/>
c.	Summary table comparing existing and post-development conditions	<input type="checkbox"/>	<input type="checkbox"/>
d.	Summary table of data for each pipe & piping system:		
	1.) Discharge	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Depth of flow	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Velocity	<input type="checkbox"/>	<input type="checkbox"/>
e.	Summary table of data for each swale & channel:		
	1.) Discharge	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Depth of flow	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Velocity	<input type="checkbox"/>	<input type="checkbox"/>
f.	Project location plan (on USGS quadrangle)	<input type="checkbox"/>	<input type="checkbox"/>
g.	Watershed area plan for existing condition	<input type="checkbox"/>	<input type="checkbox"/>
h.	Watershed area plan for post-development condition	<input type="checkbox"/>	<input type="checkbox"/>
i.	Runoff calculations for existing & post-development conditions	<input type="checkbox"/>	<input type="checkbox"/>
j.	Flood routing calculations for each detention basin	<input type="checkbox"/>	<input type="checkbox"/>
k.	Design for water quality treatment facilities (level spreaders, treatment swales, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
l.	Riprap design calculations	<input type="checkbox"/>	<input type="checkbox"/>
m.	Report stamped by licensed professional engineer in NH	<input type="checkbox"/>	<input type="checkbox"/>
4.	Traffic Impact Analysis:		
a.	Traffic Impact analysis as required by Section 3.14	<input type="checkbox"/>	<input type="checkbox"/>
5.	Fiscal impact study provided (if required)	<input type="checkbox"/>	<input type="checkbox"/>
6.	Off-site improvements:		
a.	Design plans included in the project drawings	<input type="checkbox"/>	<input type="checkbox"/>
b.	Arrangements and agreements	<input type="checkbox"/>	<input type="checkbox"/>
c.	Easements	<input type="checkbox"/>	<input type="checkbox"/>
7.	Utility clearance letters (as applicable):		
a.	Electric	<input type="checkbox"/>	<input type="checkbox"/>
b.	Telephone	<input type="checkbox"/>	<input type="checkbox"/>
c.	Cable television	<input type="checkbox"/>	<input type="checkbox"/>
d.	Gas	<input type="checkbox"/>	<input type="checkbox"/>
e.	Water	<input type="checkbox"/>	<input type="checkbox"/>
f.	Sewer	<input type="checkbox"/>	<input type="checkbox"/>
8.	Other project-specific information as required by the Design Review Committee (DRC)	<input type="checkbox"/>	<input type="checkbox"/>

XI. Required Project Permits (as applicable to applications):

		Provided	N/A	App Submitted
1.	NHDES subdivision approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	NHDES site-specific approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	NHDES wetlands permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	NHDES sewer discharge permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	NHDES water supply permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	NHDES dam permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	NHDOT driveway permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Londonderry ZBA variance(s)/special exception(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Londonderry sewer discharge permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Army Corps of Engineers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Federal Aviation Administration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	Other federal, state or local permits (if applicable) for project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XII. Acknowledgment and Signature:

The undersigned acknowledges he/she has read and understands all of the Town's current zoning, subdivision, site plan, and health regulations and requirements for obtaining all required local, state, and federal permits. .

(Signature of person preparing plans)

(Name)

(Title)

(Date)

EXHIBIT 5-A

LONDONDERRY PLANNING BOARD
CONDOMINIUM CONVERSION APPLICATION & CHECKLIST

☐ Design Review ☐ Formal Application

All information provided and submitted with this Application Checklist shall conform to the Londonderry Site Plan Regulations. **Please note that the Planning Board may not accept and consider the application complete if the required items as outlined in the checklist are missing from the submittal.**

I. General Information:

A. Name of Project: _____

B. Location of Project: _____
(street) (Map) (lot)

(zoning)

C. Owner:

Name: _____
Address: _____

Phone: _____
Fax: _____
E-Mail: _____
Signature: _____

D. Applicant:

Name: _____
Address: _____

Phone: _____
Fax: _____
E-Mail: _____
Signature: _____

E. Design Firm:
 Name: _____
 Address: _____
 Phone: _____
 Fax: _____
 E-Mail: _____

F. Name of Licensed Land Surveyor: _____
 (in responsible charge)
 Signature: _____

G. Name of Licensed Professional Engineer: _____
 (in responsible charge)
 Signature: _____

H. Name of Certified Soil Scientist: _____

I. Name of Certified Wetland Scientist: _____

J. Date of Submittal to Planning Department: _____

II. General Requirements (All Applications):

		Provided	N/A
1.	Executed Subdivision Formal Application Request Form (Exhibit 2)	<input type="checkbox"/>	<input type="checkbox"/>
2.	Executed Subdivision Design Review Request Form (Exhibit 3)	<input type="checkbox"/>	<input type="checkbox"/>
3.	Complete abutters list	<input type="checkbox"/>	<input type="checkbox"/>
4.	All required fees	<input type="checkbox"/>	<input type="checkbox"/>
5.	Four (4) sets of plans and electronic "PDF" plans (12 sets if electronic plans not possible) submitted with all required information in accordance with the site plan regulations and this checklist	<input type="checkbox"/>	<input type="checkbox"/>
6.	Copies of any proposed easement deeds, protective covenants or other legal documents	<input type="checkbox"/>	<input type="checkbox"/>
7.	Technical reports and supporting documents	<input type="checkbox"/>	<input type="checkbox"/>
8.	Any waiver request(s) submitted with justification in writing	<input type="checkbox"/>	<input type="checkbox"/>
9.	Completed Condo Conversion Application Checklist	<input type="checkbox"/>	<input type="checkbox"/>
10.	Letter explaining how DRC comments have been addressed and two (2) sets of highlighted, revised drawings (applicable if pre-application design review process was followed).	<input type="checkbox"/>	<input type="checkbox"/>

III. Required Information (All Plans):

		Provided	N/A
1.	Size and presentation of sheet(s) per registry requirements and the subdivision regulations	<input type="checkbox"/>	<input type="checkbox"/>
2.	Title block information:		
a.	Drawing title	<input type="checkbox"/>	<input type="checkbox"/>
b.	Name of Project	<input type="checkbox"/>	<input type="checkbox"/>
c.	Location of project	<input type="checkbox"/>	<input type="checkbox"/>
d.	Tax map & lot #s of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
e.	Name & address of owner(s)	<input type="checkbox"/>	<input type="checkbox"/>
f.	Date of plan	<input type="checkbox"/>	<input type="checkbox"/>
g.	Scale of plan	<input type="checkbox"/>	<input type="checkbox"/>
h.	Sheet number	<input type="checkbox"/>	<input type="checkbox"/>
i.	Name, address, & telephone number of design firm	<input type="checkbox"/>	<input type="checkbox"/>
j.	Name and address of Applicant	<input type="checkbox"/>	<input type="checkbox"/>
3.	Revision block	<input type="checkbox"/>	<input type="checkbox"/>
4.	Planning Board approval block provided on each sheet to be recorded	<input type="checkbox"/>	<input type="checkbox"/>
5.	Certification block (for engineer or surveyor)	<input type="checkbox"/>	<input type="checkbox"/>
6.	Match lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>
7.	The following notes shall be provided:		
a.	Purpose of plan	<input type="checkbox"/>	<input type="checkbox"/>
b.	Tax map and lot #s of all subject parcels	<input type="checkbox"/>	<input type="checkbox"/>
c.	Zoning designation of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
d.	Min. lot area, frontages & setback dimensions required for district(s)	<input type="checkbox"/>	<input type="checkbox"/>
e.	Existing and proposed use	<input type="checkbox"/>	<input type="checkbox"/>
f.	Sanitary sewer source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
g.	Water supply source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
h.	Zoning variances/special exceptions with conditions	<input type="checkbox"/>	<input type="checkbox"/>
i.	List FEMA sheet(s) used to identify 100-year flood elevation. (Note if no flood zone present as applicable)	<input type="checkbox"/>	<input type="checkbox"/>
j.	List of required permits and permit approval numbers	<input type="checkbox"/>	<input type="checkbox"/>
k.	List of Planning Board waivers (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
l.	Note identifying which plans are to be recorded and which are on file at the town	<input type="checkbox"/>	<input type="checkbox"/>
8.	Vicinity plan (at a scale of 1"=2500')	<input type="checkbox"/>	<input type="checkbox"/>
9.	Plan index indicating all sheets	<input type="checkbox"/>	<input type="checkbox"/>
10.	Reference to boundary survey done previously	<input type="checkbox"/>	<input type="checkbox"/>
11.	Surveyor's certification stamped and signed by LLS (if no previous boundary survey is available)	<input type="checkbox"/>	<input type="checkbox"/>
12.	Boundary of all subject properties defined by metes and bounds	<input type="checkbox"/>	<input type="checkbox"/>

	Provided	N/A
13. Boundary monuments:		
a. Monuments found	<input type="checkbox"/>	<input type="checkbox"/>
b. Monuments to be set	<input type="checkbox"/>	<input type="checkbox"/>
14. Map # and Lot #, name addresses, and zoning of all abutting land owners	<input type="checkbox"/>	<input type="checkbox"/>
15. Existing streets:		
a. Name labeled	<input type="checkbox"/>	<input type="checkbox"/>
b. Status noted or labeled	<input type="checkbox"/>	<input type="checkbox"/>
c. Right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
d. Pavement width dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
16. Municipal boundaries (if any)	<input type="checkbox"/>	<input type="checkbox"/>
17. Existing easements (identified by type)	<input type="checkbox"/>	<input type="checkbox"/>
18. Proposed easements defined by metes & bounds. List type of proposed easement applicable to this application:		
a. Easement type(s) _____	<input type="checkbox"/>	<input type="checkbox"/>
19. Area of each lot (in acres & square feet):		
a. Existing lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
b. Common areas	<input type="checkbox"/>	<input type="checkbox"/>
20. North arrow	<input type="checkbox"/>	<input type="checkbox"/>
21. Limits of wetlands (by reference plan)	<input type="checkbox"/>	<input type="checkbox"/>
22. Owner(s) signature(s)	<input type="checkbox"/>	<input type="checkbox"/>
23. All required setbacks shown on plan	<input type="checkbox"/>	<input type="checkbox"/>
24. Physical features (Existing features)		
a. Buildings	<input type="checkbox"/>	<input type="checkbox"/>
b. Wells	<input type="checkbox"/>	<input type="checkbox"/>
c. Septic systems	<input type="checkbox"/>	<input type="checkbox"/>
d. Stone walls	<input type="checkbox"/>	<input type="checkbox"/>
e. Paved drives	<input type="checkbox"/>	<input type="checkbox"/>
f. Gravel drives	<input type="checkbox"/>	<input type="checkbox"/>
25. Plan and deed references	<input type="checkbox"/>	<input type="checkbox"/>
26. Location & elevation(s) of 100-year flood zone per FEMA Flood Insurance Study or as determined by drainage study	<input type="checkbox"/>	<input type="checkbox"/>
27. Zoning District boundary lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>
28. Driveway Sight Distance Plans/Profiles (if new survey is performed)	<input type="checkbox"/>	<input type="checkbox"/>

IV. Required Project Permits (as applicable to applications):

	Provided	N/A	App Submitted
. NHDES subdivision approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Londonderry ZBA variance(s)/special exception(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Other federal, state or local permits (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. Acknowledgment and Signature:

The undersigned acknowledges he/she has read and understands all of the Town's current zoning, subdivision, site plan, and health regulations and requirements for obtaining all required local, state, and federal permits.

(Signature of person preparing plans)

(Name)

(Title)

(Date)

EXHIBIT 5-B

LONDONDERRY PLANNING BOARD
LOT LINE ADJUSTMENT APPLICATION & CHECKLIST

☐ Design Review ☐ Formal Application

All information provided and submitted with this Application Checklist shall conform to the Londonderry Site Plan Regulations. **Please note that the Planning Board may not accept and consider the application complete if the required items as outlined in the checklist are missing from the submittal.**

I. General Information:

A. Name of Project: _____

B. Location of Project: _____
(street) (Map) (lot)

C. Owner: _____
(zoning)

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Signature: _____

D. Applicant:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Signature: _____

E. Design Firm:
 Name: _____
 Address: _____
 Phone: _____
 Fax: _____
 E-Mail: _____

F. Name of Licensed Land Surveyor: _____
 (in responsible charge)
 Signature: _____

G. Name of Licensed Professional Engineer: _____
 (in responsible charge)
 Signature: _____

H. Name of Certified Soil Scientist: _____

I. Name of Certified Wetland Scientist: _____

J. Date of Submittal to Planning Department: _____

II. General Requirements (All Applications):

		Provided	N/A
1.	Executed Subdivision Formal Application Request Form (Exhibit 2)	<input type="checkbox"/>	<input type="checkbox"/>
2.	Executed Subdivision Design Review Request Form (Exhibit 3)	<input type="checkbox"/>	<input type="checkbox"/>
3.	Complete abutters list	<input type="checkbox"/>	<input type="checkbox"/>
4.	All required fees	<input type="checkbox"/>	<input type="checkbox"/>
5.	Four (4) sets of plans and electronic "PDF" plans (12 sets if electronic plans not possible) submitted with all required information in accordance with the site plan regulations and this checklist	<input type="checkbox"/>	<input type="checkbox"/>
6.	Copies of any proposed easement deeds, protective covenants or other legal documents	<input type="checkbox"/>	<input type="checkbox"/>
7.	Technical reports and supporting documents	<input type="checkbox"/>	<input type="checkbox"/>
8.	Any waiver request(s) submitted with justification in writing	<input type="checkbox"/>	<input type="checkbox"/>
9.	Completed Lot Line Adjustment Application Checklist	<input type="checkbox"/>	<input type="checkbox"/>
10.	Letter explaining how DRC comments have been addressed and two (2) sets of highlighted, revised drawings (applicable if pre-application design review process was followed).	<input type="checkbox"/>	<input type="checkbox"/>

III.	Required Information (All Plans):	Provided	N/A
1.	Size and presentation of sheet(s) per registry requirements and the subdivision regulations	<input type="checkbox"/>	<input type="checkbox"/>
2.	Title block information:		
	a. Drawing title	<input type="checkbox"/>	<input type="checkbox"/>
	b. Name of Project	<input type="checkbox"/>	<input type="checkbox"/>
	c. Location of project	<input type="checkbox"/>	<input type="checkbox"/>
	d. Tax map & lot #s of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
	e. Name & address of owner(s)	<input type="checkbox"/>	<input type="checkbox"/>
	f. Date of plan	<input type="checkbox"/>	<input type="checkbox"/>
	g. Scale of plan	<input type="checkbox"/>	<input type="checkbox"/>
	h. Sheet number	<input type="checkbox"/>	<input type="checkbox"/>
	i. Name, address, & telephone number of design firm	<input type="checkbox"/>	<input type="checkbox"/>
	j. Name and address of Applicant	<input type="checkbox"/>	<input type="checkbox"/>
3.	Revision block	<input type="checkbox"/>	<input type="checkbox"/>
4.	Planning Board approval block provided on each sheet to be recorded	<input type="checkbox"/>	<input type="checkbox"/>
5.	Certification block (for engineer or surveyor)	<input type="checkbox"/>	<input type="checkbox"/>
6.	Match lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>
7.	The following notes shall be provided:		
	a. Purpose of plan	<input type="checkbox"/>	<input type="checkbox"/>
	b. Tax map and lot #s of all subject parcels	<input type="checkbox"/>	<input type="checkbox"/>
	c. Area (existing & proposed) of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
	d. Zoning designation of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
	e. Min. lot area, frontages & setback dimensions required for district(s)	<input type="checkbox"/>	<input type="checkbox"/>
	f. Existing and proposed use	<input type="checkbox"/>	<input type="checkbox"/>
	g. Sanitary sewer source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
	h. Water supply source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
	i. Zoning variances/special exceptions with conditions	<input type="checkbox"/>	<input type="checkbox"/>
	j. List FEMA sheet(s) used to identify 100-year flood elevation. (Note if no flood zone present as applicable)	<input type="checkbox"/>	<input type="checkbox"/>
	k. List of required permits and permit approval numbers	<input type="checkbox"/>	<input type="checkbox"/>
	l. List of Planning Board waivers (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
	m. Note identifying # of bedrooms per dwelling for residential use	<input type="checkbox"/>	<input type="checkbox"/>
	n. Note identifying which plans are to be recorded and which are on file at the town	<input type="checkbox"/>	<input type="checkbox"/>
8.	Tax map sketch plan (or detail) showing proposed lot configuration at a scale 1" = 400'	<input type="checkbox"/>	<input type="checkbox"/>
9.	Vicinity plan (at a scale of 1"=2500')	<input type="checkbox"/>	<input type="checkbox"/>
10.	Plan index indicating all sheets	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
11.	Surveyor's certification stamped and signed by LLS	<input type="checkbox"/>	<input type="checkbox"/>
12.	Boundary of all subject properties	<input type="checkbox"/>	<input type="checkbox"/>
13.	Proposed lot configuration defined by metes and bounds	<input type="checkbox"/>	<input type="checkbox"/>
14.	Boundary monuments:		
	a. Monuments found	<input type="checkbox"/>	<input type="checkbox"/>
	b. Monuments to be set	<input type="checkbox"/>	<input type="checkbox"/>
15.	Map # and Lot #, name addresses, and zoning of all abutting land owners	<input type="checkbox"/>	<input type="checkbox"/>
16.	Existing streets:		
	a. Name labeled	<input type="checkbox"/>	<input type="checkbox"/>
	b. Status noted or labeled	<input type="checkbox"/>	<input type="checkbox"/>
	c. Right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
	d. Pavement width dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
17.	Municipal boundaries (if any)	<input type="checkbox"/>	<input type="checkbox"/>
18.	Existing easements (identified by type)	<input type="checkbox"/>	<input type="checkbox"/>
19.	Proposed easements defined by metes & bounds. Check each type of proposed easement applicable to this application:		
	a. Drainage easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Slope easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	c. Utility easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	d. Temporary easement(s) (such as temporary turnaround)	<input type="checkbox"/>	<input type="checkbox"/>
	e. No-cut zone(s) along streams & wetlands (as may be requested by the Conservation Commission)	<input type="checkbox"/>	<input type="checkbox"/>
	f. Vehicular & pedestrian access easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	g. Visibility easements	<input type="checkbox"/>	<input type="checkbox"/>
	h. Fire pond/cistern easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	i. Roadway widening easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	j. Walking trail easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
	k. Other easement(s) _____ Note type(s) _____	<input type="checkbox"/>	<input type="checkbox"/>
20.	Area of each lot (in acres & square feet):		
	a. Existing lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Proposed lot(s)	<input type="checkbox"/>	<input type="checkbox"/>
21.	North arrow	<input type="checkbox"/>	<input type="checkbox"/>
22.	Limits of wetlands	<input type="checkbox"/>	<input type="checkbox"/>
23.	Wetland delineation:		
	a. Wetland delineation criteria	<input type="checkbox"/>	<input type="checkbox"/>
	b. Wetland Scientist certification	<input type="checkbox"/>	<input type="checkbox"/>
	c. CO District Boundaries	<input type="checkbox"/>	<input type="checkbox"/>

24.	HISS requirements:	Provided	N/A
a.	Criteria for HISS delineation	<input type="checkbox"/>	<input type="checkbox"/>
b.	Soil scientist certification on plan (if HISS required)	<input type="checkbox"/>	<input type="checkbox"/>
c.	HISS mapping shown over all subject parcels (where no municipal sewer exists)	<input type="checkbox"/>	<input type="checkbox"/>
25.	4K Areas with test pits on all proposed lots (meeting NHDES & Town setback requirements)	<input type="checkbox"/>	<input type="checkbox"/>
26.	Location of all water wells with protective radii as required by the NHDES (meeting Town and NHDES setback requirements)	<input type="checkbox"/>	<input type="checkbox"/>
27.	Owner(s) signature(s)	<input type="checkbox"/>	<input type="checkbox"/>
28.	All required setbacks (including any applicable buffers)	<input type="checkbox"/>	<input type="checkbox"/>
29.	Physical features (Existing features)		
a.	Buildings	<input type="checkbox"/>	<input type="checkbox"/>
b.	Wells	<input type="checkbox"/>	<input type="checkbox"/>
c.	Septic systems	<input type="checkbox"/>	<input type="checkbox"/>
d.	Stone walls	<input type="checkbox"/>	<input type="checkbox"/>
e.	Paved drives	<input type="checkbox"/>	<input type="checkbox"/>
f.	Gravel drives	<input type="checkbox"/>	<input type="checkbox"/>
30.	Location & name (if any) of any streams or waterbodies	<input type="checkbox"/>	<input type="checkbox"/>
31.	Location of existing overhead utility lines, poles, towers, etc.	<input type="checkbox"/>	<input type="checkbox"/>
32.	Plan and deed references	<input type="checkbox"/>	<input type="checkbox"/>
33.	Zoning District boundary lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>
34.	Driveway sight distance plans/profiles	<input type="checkbox"/>	<input type="checkbox"/>

IV. Required Project Permits (as applicable to applications):

	Provided	N/A	App Submitted
1. NHDES subdivision approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. NHDOT driveway permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Londonderry ZBA variance(s)/special exception(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Other federal, state or local permits (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. Acknowledgment and Signature:

The undersigned acknowledges he/she has read and understands all of the Town's current zoning, subdivision, site plan, and health regulations and requirements for obtaining all required local, state, and federal permits.


(Signature of person preparing plans)

(Name)

(Title)

(Date)

EXHIBIT 6 BOUNDARY PLAN LAYOUT – TITLE SHEET


 <p>NORTH ARROW</p>		<p>PLAN REFERENCES</p>		<p>VICINITY PLAN</p>		<p>TAX MAP</p>																					
<p>LEGEND</p>		<p>BOUNDARY PLAN OR FOR LARGER PROJECTS PROVIDE TAX MAP SKETCH AND ADDITIONAL SHEETS SHOWING BOUNDARY IN PLAN SET*</p>				<p>NOTES</p>																					
<p>BENCHMARK DATA</p>		<p>L.S. STAMP</p>		<p>L.S. CERTIFICATE</p>		<table border="1"> <tr><td>REVISION</td><td>BLOCK</td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>		REVISION	BLOCK																		
REVISION	BLOCK																										
<p>OWNER'S BLOCK</p>		<p>PLANNING BOARD BLOCK</p>		<p>TITLE BLOCK</p>																							
<p>INDEX</p>																											

*IF ADDITIONAL SHEETS ARE PROVIDED THEN PLAN REFERENCES, VICINITY PLAN,
TAX MAP AND INDEX ARE NOT REQUIRED ON THE ADDITIONAL SHEETS.

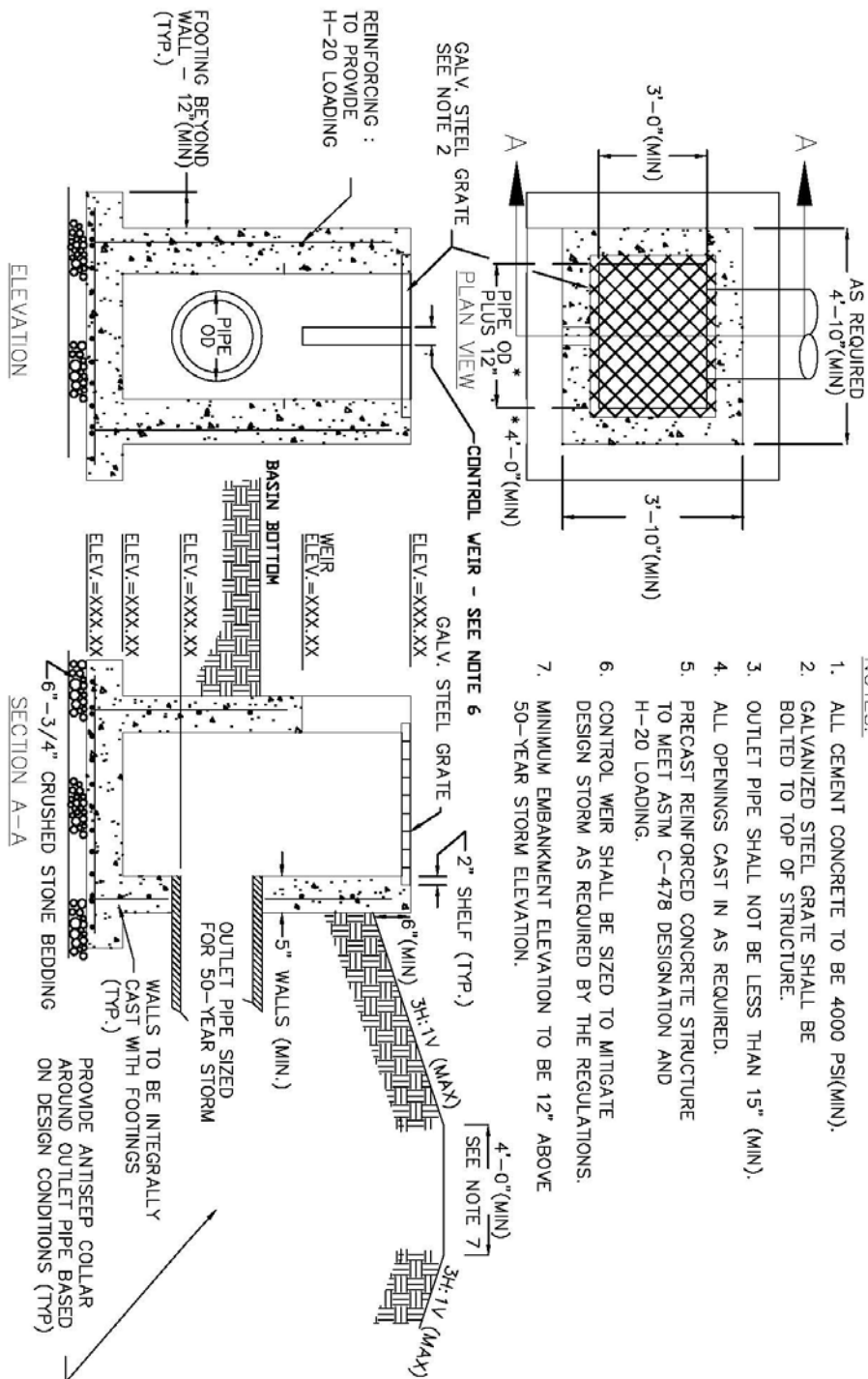
EXHIBIT 7 TOPOGRAPHIC/HISS PLAN LAYOUT

<p>LEGEND</p>		<p>BENCHMARK DATA</p>		<p>L.S. STAMP</p>		<p>REVISION BLOCK</p>		<p>TITLE BLOCK</p>	
<p>TOPOGRAPHIC/HISS PLAN (SEE SECTION 4.17)</p>									
<p>NORTH ARROW</p>		<p>NOTES</p>							
		<p>CRITERIA FOR HISS DELINEATION AND SOIL SCIENTIST STAMP</p>							
		<p>WETLAND DELINEATION CRITERIA AND WETLAND SCIENTIST STAMP</p>							

EXHIBIT 8 IMPROVEMENT PLAN LAYOUT

<p>NORTH ARROW*</p> 		<p>NOTES</p>											
<p>LEGEND*</p>		<p>IMPROVEMENT PLANS AS REQUIRED UNDER SECTION 4.16</p>											
<p>BENCHMARK DATA*</p>		<p>P.E. STAMP</p> <table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>											
		<p>REVISION BLOCK</p> <table border="1"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>											
		<p>TITLE BLOCK</p>											

*NORTH ARROW, LEGEND AND BENCHMARK DATA NOT REQUIRED ON CONSTRUCTION DETAIL DRAWINGS AS DEFINED UNDER SECTION 4.16 D.

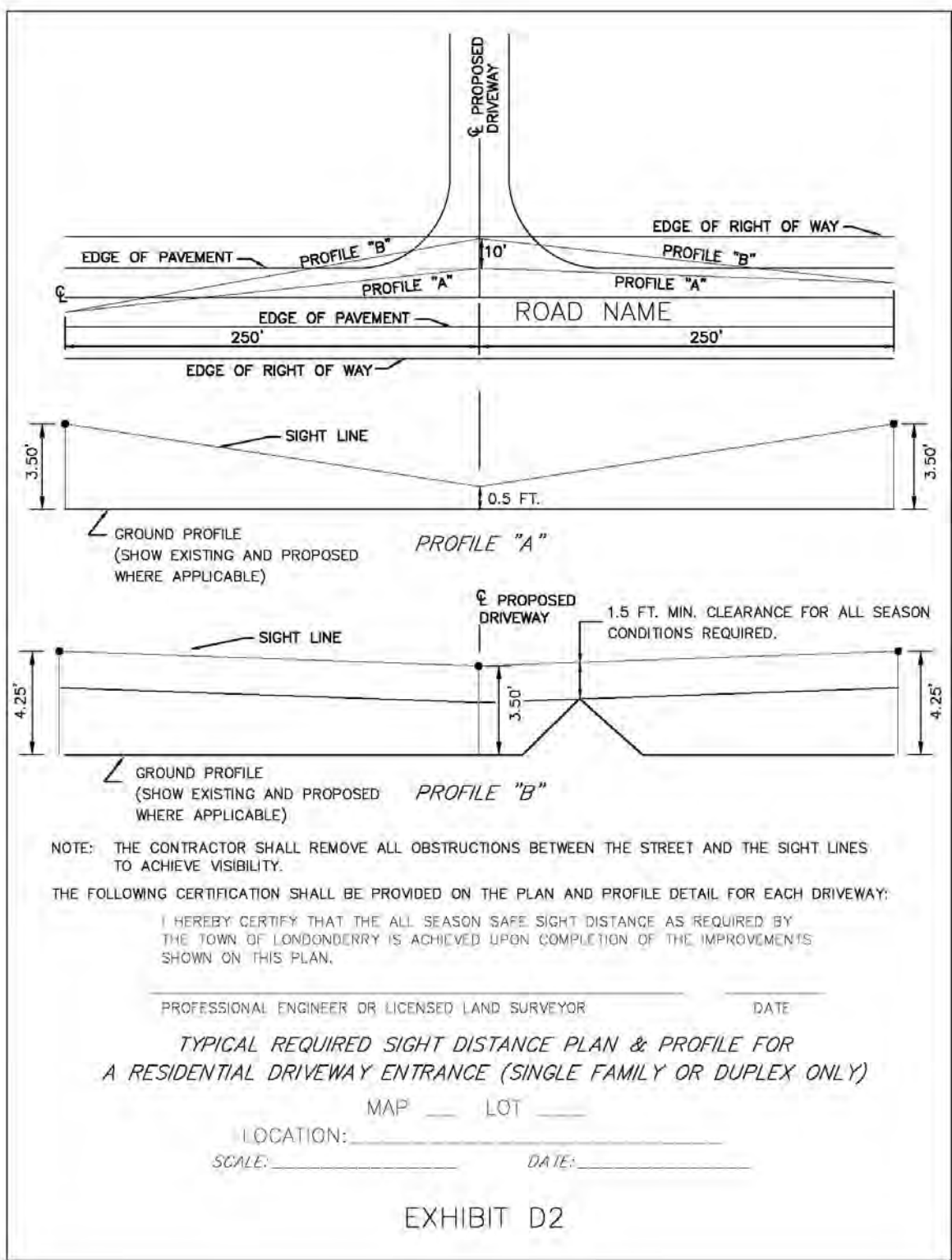


NOTES:

1. ALL CEMENT CONCRETE TO BE 4000 PSI(MIN).
2. GALVANIZED STEEL GRATE SHALL BE BOLTED TO TOP OF STRUCTURE.
3. OUTLET PIPE SHALL NOT BE LESS THAN 15" (MIN).
4. ALL OPENINGS CAST IN AS REQUIRED.
5. PRECAST REINFORCED CONCRETE STRUCTURE TO MEET ASTM C-478 DESIGNATION AND H-20 LOADING.
6. CONTROL WEIR SHALL BE SIZED TO MITIGATE DESIGN STORM AS REQUIRED BY THE REGULATIONS.
7. MINIMUM EMBANKMENT ELEVATION TO BE 12" ABOVE 50-YEAR STORM ELEVATION.

TYPICAL OUTLET STRUCTURE AT DETENTION BASINS

NOT TO SCALE
EXHIBIT D1



TAX MAP ____ LOT ____
 OWNER:
 ADDRESS:

TAX MAP ____ LOT ____
 OWNER:
 ADDRESS:

PROVIDE VISIBILITY AND MAINTENANCE
 EASEMENT WHERE REQUIRED

 NOTE IMPROVEMENTS REQUIRED TO
 ACHIEVE VISIBILITY.
 (REGRAIDING, TREE REMOVAL, ETC.)

ROAD NAME

PROFILE "A"

GROUND PROFILE
(SHOW EXISTING AND PROPOSED
WHERE APPLICABLE)

NOTES: 1. THE CONTRACTOR SHALL REMOVE ALL OBSTRUCTIONS BETWEEN THE STREET AND THE SIGHT LINES TO ACHIEVE VISIBILITY.

2. THE REQUIREMENTS SHOWN HEREON SHALL ALSO APPLY TO ALL DRIVEWAYS EXCEPT SINGLE FAMILY OR DUPLEX DRIVEWAYS. THE REQUIREMENTS FOR SINGLE FAMILY OR DUPLEX DRIVEWAY SHALL BE AS INDICATED IN EXHIBIT D2.

THE FOLLOWING CERTIFICATION SHALL BE PROVIDED ON THE PLAN AND PROFILE DETAIL FOR EACH DRIVEWAY:

I HEREBY CERTIFY THAT THE ALL SEASON SAFE SIGHT DISTANCE AS REQUIRED BY THE TOWN OF LONDONDERRY IS ACHIEVED UPON COMPLETION OF THE IMPROVEMENTS SHOWN ON THIS PLAN.

 PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR

 DATE

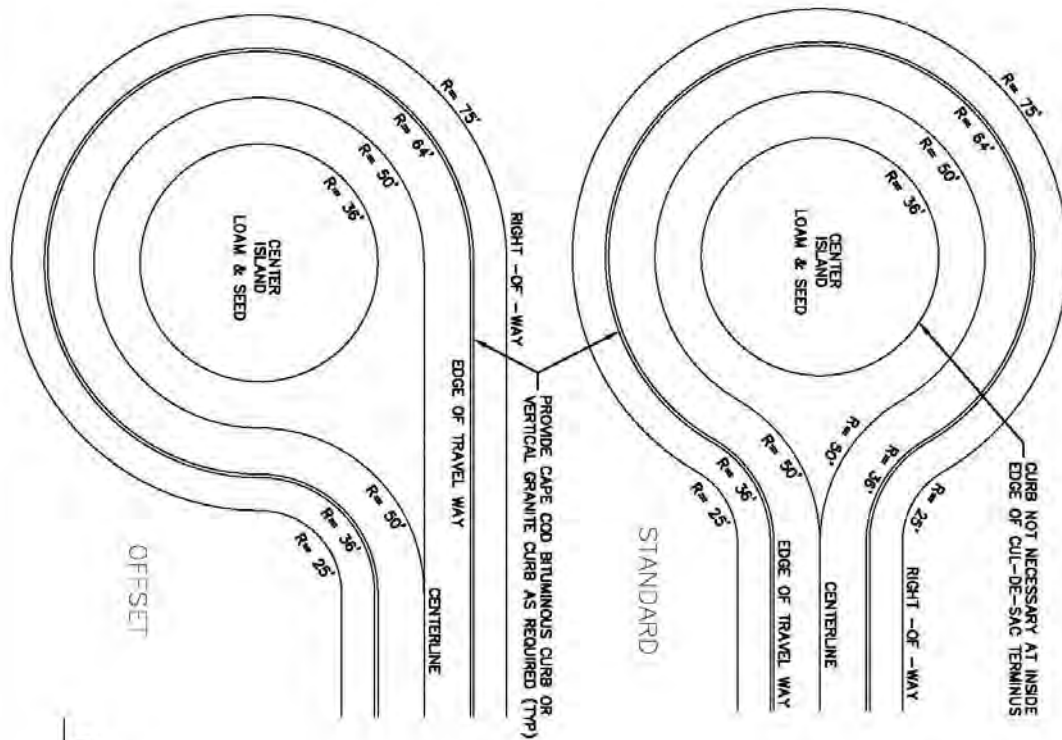
*TYPICAL REQUIRED INTERSECTION SIGHT DISTANCE PLAN & PROFILE
FOR ROADWAYS*

MAP ____ LOT ____

LOCATION: _____

SCALE: _____ DATE: _____

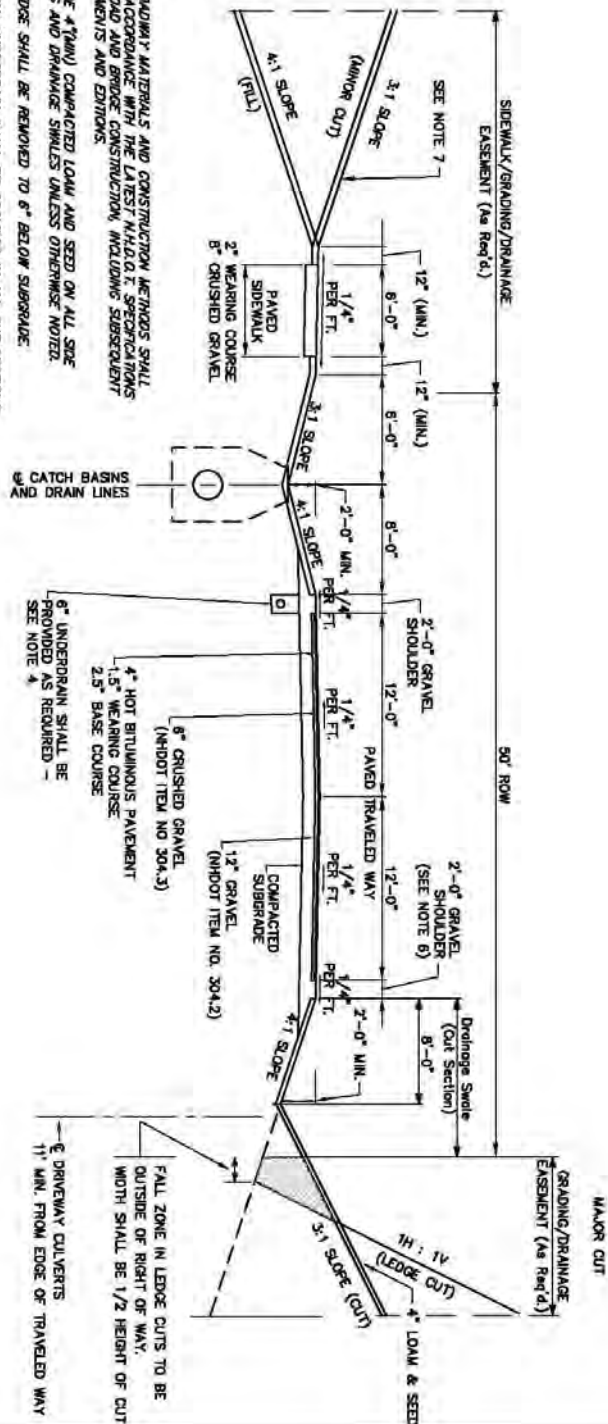
EXHIBIT D3



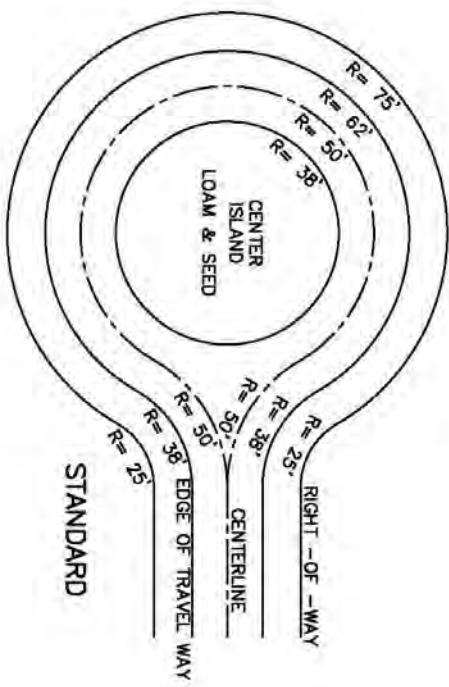
- NOTES:
1. ROADWAY SHALL HAVE NORMAL CROWN SECTION AROUND CUL-DE-SAC TERMINUS
 2. ROADWAY CENTERLINE PROFILE SLOPE IN CUL-DE-SAC TERMINUS SHALL NOT TO EXCEED FOUR/4%
 3. WHERE INSIDE EDGE OF CUL-DE-SAC TERMINUS IS NOT CURBED, INSTALL CATCHBASIN IN THE CENTER ISLAND AND GRADE ACCORDINGLY
 4. WHERE INSIDE EDGE OF CUL-DE-SAC TERMINUS IS CURBED, PROVIDE CATCHBASIN AT S&G AND GRADE CENTER ISLAND TO DRAIN TO CURBLINE
 5. GRANITE CURB SHALL BE PROVIDED WHERE SIDEWALK IS REQUIRED IN ACCORDANCE WITH EXHIBIT D.3
 6. RADIIUS SHOWN FOR CUL-DE-SAC TERMINUS WITH 28' PAVEMENT AND 50' ROW WIDTH. ADJUST RADIIUS BASED UPON DIMENSION FOR WIDER ROW WIDTHS.

CUL-DE-SAC TERMINUS LAYOUT
(NOT TO SCALE)
EXHIBIT D6

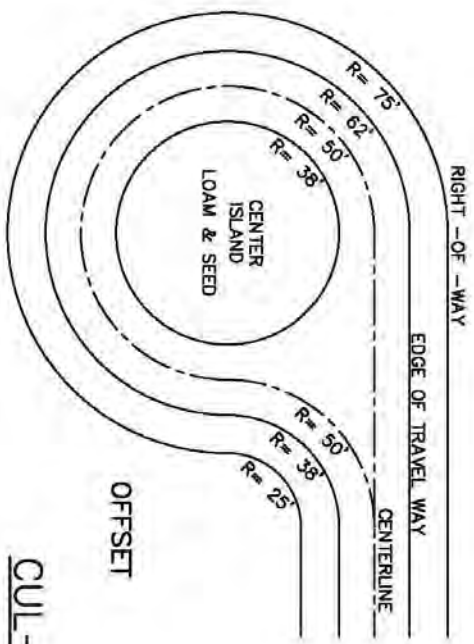
1. ALL ROADWAY MATERIALS AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH THE LATEST AASHTO SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, INCLUDING SUBSEQUENT AMENDMENTS AND EDITS.
2. PROVIDE 4" (MIN) COMPACTED LOAM AND SEED ON ALL SLOPE SLOPES AND DRAINAGE SWALES UNLESS OTHERWISE NOTED.
3. ALL LEDGE SHALL BE REMOVED TO 6" BELOW SUBGRADE.
4. ROADWAY UNDERDRAIN SHALL BE PROVIDED IN ALL CUT SECTIONS (AT SIDE WITH CUT) AND WHERE SEASONAL HIGH WATER IS WITHIN FOUR (4) FEET OF FINISHED GRADE IN ALL OTHER AREAS. UNDERDRAIN SHALL HAVE A MINIMUM OF FOUR (4) FEET OF COVER. DIMENSIONS ARE FOR MINOR ROADWAYS. SEE SECTION 3.09 - TABLE 1 FOR OTHER ROADWAY DIMENSIONS.
5. WHERE GUARDRAIL IS USED, MINIMUM WIDTH OF SHOULDER SHALL BE 6'-0" WITH FACE OF GUARDRAIL AT 3'-0" FROM EDGE OF TRAVELED WAY.
6. DRAINAGE SWALES REQUIRED ADJACENT TO SIDEWALK ALONG ALL MAJOR CUTS.



TYPICAL MINOR ROADWAY SECTION NOT TO SCALE EXHIBIT D7



STANDARD



OFFSET

- NOTES**
1. ROADWAY SHALL HAVE NORMAL CROWN SECTION AROUND CUL-DE-SAC TERMINUS.
 2. ROADWAY CENTERLINE PROFILE SLOPE IN CUL-DE-SAC TERMINUS SHALL NOT TO EXCEED FOUR(4) PERCENT.
 3. INSTALL CATCHBASIN IN THE CENTER ISLAND AND GRADE ACCORDINGLY.
 4. WHERE SIDEWALK IS REQUIRED, IT SHALL BE IN ACCORDANCE WITH EXHIBIT D2.
 5. RADIUS SHOWN FOR CUL-DE-SAC TERMINUS WITH 24' PAVEMENT AND 50' ROW WIDTH. ADJUST RADIUS BASED UPON DIMENSION FOR WIDER PAVEMENT WIDTHS IF APPLICABLE.

MINOR ROADWAY
CUL-DE-SAC TERMINUS LAYOUT
NOT TO SCALE
EXHIBIT D8



4.10 Site Plan Regulations, June 10, 2009

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN
SEPTEMBER 2013

Site Plan Regulations

June 10, 2009



Planning Board
Town of Londonderry
268B Mammoth Road
Londonderry, New Hampshire 03053

Site Plan Regulations

Adopted on March 4, 1981

<u>DATE</u>	<u>AMENDMENT</u>
1. September 19, 1990	REVISED
2. August 12, 1992	Replaced Section 207
3. June 23, 1993	Section 1, Part 1.05 Section 4, Part 4.07 Section 6, Part 6.04
4. August 11, 2001	REVISED
5. October 10, 2001	Minor revisions to sections: 2.02, 2.04, 2.05, 3.01, 3.05, 3.07, 3.08, 3.11, 4.03, 4.11, 4.14, 6.01, Exhibit 3 & 4 Sections 6.01.a and 6.04.b
6. February 20, 2002	Insert new Section 5.02, renumber remaining subsections of Section 5.
7. August 14, 2002	Revised Section 2.05.n for requirements for digital submission requirements.
8. January 12, 2005	Revised Section 7.06.d.2 clarifying the amount of development needed for "active and substantial development" under RSA 674:39
9. May 11, 2005	Amend Section 1.05 to update required FEMA Flood Insurance Study references & add new Section 5.06 to specify the requirements for signing the CO District Boundaries on new site plans.
10. November 9, 2005	Fee Schedule amended.
11. September 13, 2006	Fee Schedule amended.
12. June 13, 2007	Amend Section 3.09.c.11 to add guidelines for stonewall preservation/reconstruction.
13. April 11, 2008	Revisions to Sections: 2.04.b, 2.04.d, 2.05.a, 3.01.c, 3.09.c.11, 4.13, 6.01.e, and Exhibit 4 for process improvements and addition of stonewall reconstruction detail.
14. June 10, 2009	

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SECTION 1 GENERAL PROVISIONS

- 1.01 **AUTHORITY:** These regulations have been prepared in accordance with the provisions of Chapter 674, inclusive New Hampshire Revised Statutes Annotated. Pursuant to the authority vested in the Town of Londonderry Planning Board by the voters of the Town of Londonderry, New Hampshire in accordance with the provisions of Chapter 674 Section 43, NH Revised Statutes Annotated, the Londonderry Planning Board adopts the following regulations governing non-residential site plans for the development or change or expansion of use of tracts for non-residential uses or for multi-family dwelling units in the Town of Londonderry, New Hampshire.
- 1.02 **TITLE:** These regulations shall be known and may be cited as "Site Plan Regulations," Town of Londonderry, New Hampshire.
- 1.03 **PURPOSE:** The purpose of these regulations, as summarized in NH RSA § 674:44, shall be to:
- a. Provide for the safe and attractive development or change or expansion of use of the site and guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason of:
 1. Inadequate drainage or conditions conducive to flooding of the property or that of another;
 2. Inadequate protection for the quality of groundwater;
 3. Undesirable and, preventable elements of pollution such as noise, smoke, soot, particulates, or any other discharge into the environment which might prove harmful to persons, structures or adjacent properties; and
 4. Inadequate provision for fire safety, prevention, and control.
 - b. Provide for the harmonious and aesthetically pleasing development of the municipality and its environs;
 - c. Provide for open spaces and green spaces of adequate proportions;
 - d. Encourage development that is consistent with the goals of the Master Plan and is sensitive to Londonderry's rural and agricultural heritage
 - e. Encourage sustainable development in the community.
 - f. Require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets or with features of the official map of the municipality;
 - g. Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for fire fighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system;
 - h. Require in proper cases, that plats showing new streets or narrowing or widening of such streets be submitted to the planning board for approval;
 - i. Require that the land indicated on plats submitted to the planning board shall be of such character that it can be used for building purposes without danger to health;
 - j. Encourage non-vehicular means of access to sites;
 - k. Encourage projects that incorporate methods of Transportation Demand Management for managing impacts of traffic generated by new development; and
 - l. Include such provisions as will tend to create conditions favorable for health, safety, convenience, and prosperity.
- 1.04 **DEFINITIONS:** For the purpose of these regulations certain terms used herein are defined as follows:

ABUTTER - shall mean any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association as defined in RSA § 356-B:3, XXIII.(See also NH RSA § 672:3)

APPLICANT - the owner of land to be developed or his agent or representative as he may be authorized by a signed notarized statement.

APPROVED STREET - a Class V or better highway, or a street that corresponds in lines and location with a street shown on a subdivision plan approved by the Planning Board.

BOARD - The Planning Board of the Town of Londonderry, N.H.

BUFFER - a strip of land along a property line or zone district boundary line, which may include a combination of physical space and vertical elements, such as plants, berms, fences or walls, the purpose of which is to separate and screen different land uses, or zoning districts, from each other.

BUILDING - A structure with exterior walls which combine to form an occupiable structure, including but not limited to apartments, barns, garages, storage sheds, canopies, hotels, offices, restaurants and stores.

CERTIFIED SOIL SCIENTIST - a person qualified in soil classification and mapping, who is certified by the State of New Hampshire.

CERTIFIED WETLAND SCIENTIST - a person qualified in wetland classification and mapping, who is certified by the State of New Hampshire.

DEDICATION - a gift by the owner of his property to another party without any consideration being given for the transfer. The dedication is made by a written instrument and is completed with an acceptance.

DESIGN REVIEW COMMITTEE - a committee established by the Planning Board to provide technical advisory services.

DEVELOPMENT - a development means the construction of improvements on a tract or tracts of land for non-residential, or multi-family use and any associated off-site improvements.

EASEMENT - recorded authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

FLOOD PROTECTION WORKS - any detention pond, basin, or swale (including man-made facilities and natural valley storage or wetlands) used for the purpose of mitigating stormwater runoff to downstream drainage facilities.

FRONTAGE - the distance along a lot line dividing a lot from an approved street.

LICENSED LAND SURVEYOR - a land surveyor properly licensed in the state of N.H.

LOT - a distinct tract of land recorded in a deed, Court decree, or subdivision plan filed in Rockingham County Registry of Deeds.

MASTER PLAN - a comprehensive plan consisting of documents, maps and reports for development of the Town of Londonderry, prepared and adopted by the Board, pursuant to NH RSA. § 674:2 and including any part of such plan separately adopted and any amendment or parts to such a plan.

MULTI-FAMILY DWELLING - a residential building designed for or occupied by three or more families.

OFF-SITE - any premises not located within the area of the subject lot.

OWNER - any person, group of persons, firm or firms, corporation or corporations, or other legal entity having title to the land sought to be developed.

PARKING SPACE - A space for one motor vehicle having the minimum design standards required by these regulations and the Zoning Ordinance.

PLANNING BOARD - the Town of Londonderry's planning board established in March 12, 1963 in accordance with NH RSA § 673:1.

PROFESSIONAL ENGINEER - an engineer properly licensed in the State of N.H.

RIGHT-OF-WAY - a strip of land that is generally used for the location of a street, walkway, utility line, or other access way, that is separate and distinct from the lots and parcels adjoining such R.O.W. and not included within the dimensions or areas of such other lots or parcels.

SITE PLAN - a plan, meeting all specifications and requirements of these regulations and the Zoning Ordinance.

STREET - means, relates to, and includes street, avenue, boulevard, road, lane, alley, viaduct, highway, freeway, and other ways.

VERTICAL OPACITY - A rough calculation within a buffer area of the overall percent of the vertical plane which is visually opaque, as delineated by a fence, wall, shrubbery, or other materials and as measured from the ground to a line a certain distance above (e.g., six feet) and parallel to the ground. When shrubs are used for screening the calculation is based upon reasonable projections of shrub size, shape, and density at maturity when those shrubs are maintained and pruned in an appropriate manner.

WETLAND - Means an area that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal conditions do support a prevalence of vegetation typically adapted for a life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs, and similar areas, as defined in the NH Department of Environmental Services, Wt 100-800: Rules Governing Wetlands.

ZONING - refers to the Zoning Ordinance of the Town of Londonderry, N.H. as provided in the Municipal Code of Ordinances.

1.05 Special Flood Hazard Areas. All development proposals governed by these Regulations having lands designated as special flood hazard areas in the "Flood Insurance Study: Town of Londonderry, New Hampshire" shall meet the following requirements:

- a. The Planning Board shall review the proposed development to assure that all necessary permits have been obtained from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, U.S.C. 1334.
- b. The Planning Board shall require that all proposals for development greater than fifty (50) lots or five (5) acres, whichever is lesser, include Base Flood Elevation (BFE) data within such proposals (ie. flood plain boundary and 100-year flood elevation).
- c. Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow a determination that:
 1. all such proposals are consistent with the need to minimize flood damage;
 2. all public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 3. adequate drainage is provided so as to reduce exposure to flood hazards.

SECTION 2 **SITE PLAN APPLICATION PROCEDURE AND APPROVAL PROCESS**

2.01 **INITIAL INQUIRY (OPTIONAL):** An Applicant preparing to create a site plan is encouraged to make an initial inquiry to the Planning Department to discuss the merits of the proposed site plan and its conformance with the Town of Londonderry Zoning and Site Plan Regulations.

2.02 **GENERAL:**

- a. **Application procedure:** There are two stages allowed for in the process used by the Town of Londonderry consisting of the following:
 1. Pre-Application Reviews (optional); and
 2. Formal Application
- b. **Notice to Abutters and General Public:** For any meeting on any application for which notice is required, pursuant to RSA § 676:4 I(d), the Board shall notify the applicant; abutters; professionals whose seals appear on the plat; and holders of restrictions under RSA § 477:45 by certified mail at least ten (10) days prior to the meeting and notice shall be published in a newspaper of general circulation at least ten (10) days prior to the meeting. The notice shall include a general description of the proposal and shall identify the applicant and location of the land.
- c. **Specific studies:** The Board or its designees, at its discretion, may either request the Applicant to prepare specific studies related to the project, or contract with a consultant to perform these studies at the Applicant's expense.
- d. **Review of application:**
 1. The Board may contract with consultants to review all or portions of any application, including design review and formal applications, or any requested studies. This review shall be at the Applicant's expense. The Applicant shall provide escrow for the review cost in sufficient amount estimated by the Planning Department. The escrow account shall be reviewed periodically to assure that sufficient funds are available to cover all review costs and additional escrow provided as needed.
 2. Professional Legal services: The applicant shall be responsible for the cost of all professional legal services retained by the town as part of a project. The applicant shall sign the Agreement for Professional Legal Services form at the time of application. This form is available at the Planning Department.
- e. **Board's hearing schedule:** A monthly calendar cycle shall be used by the Board as follows:
 1. 1st week: Regular Meeting/New Applications;
 2. 2nd week: Continuation of Applications /Discussions/Boardwork;
 3. 3rd, 4th (and 5th) week: No meeting.
- f. **Design Review Committee (DRC):** The DRC consists of a representative from the following:
 1. Assessor's Office;
 2. Building Department;
 3. Fire Department;
 4. Planning and Economic Development Department
 5. Police Department;
 6. Department of Public Works;
 7. Tax Collector's Office;
 8. Zoning Board of Adjustment;
 9. Conservation Commission;
 10. Heritage/Historic District Commission;
 11. Planning Board's designated engineering review consultant; and

12. Any other appropriate agency or board.

2.03 **PRE-APPLICATION REVIEWS - DISCUSSION OF CONCEPTUAL DESIGN INFORMATION**

(OPTIONAL): An Applicant may make a written letter request for discussion of conceptual design information, with two (2) copies of conceptual information (no surveying or engineering required) to be scheduled for discussion of the proposal in conceptual form, in accordance with RSA § 676:4 II, only with members of the Planning Board at a public meeting.

- a. The Applicant may discuss with the Board the procedure for site plan approval including the requirements as to general layout, reservation of lands, off-site improvements, drainage, utilities, and similar activities, as well as availability of existing services.
- b. The Applicant may seek advice of the Board only at a scheduled Boardwork meeting. A discussion may be sought for the purpose of discussing Board policies and standards and conclusions derived from the Master Plan, so that they may evaluate whether his/her concept is consistent with the Master Plan prior to submittal of an application.
- c. The Board and Applicant may discuss proposals in conceptual form only, and in general terms, such as the desirability of types of development.
- d. A discussion shall not bind either the Board or the Applicant, as stated in RSA § 676:4 II.

2.04 **PRE-APPLICATION SUBMISSIONS - DESIGN REVIEW (OPTIONAL):**

- a. **Design Review:** The design review submission is a tool to assist the Applicant in providing complete information for the project. The Applicant shall submit complete drawings and supporting information to address the requirements of the regulations. A complete checklist shall be provided to assist design review. The submittal package shall be checked for completeness. If all the required items are not submitted, the submittal will be returned to the Applicant.
- b. **Submission items:** The Applicant shall file a completed design review request form and checklist for design review. A complete application is one which shall:
 1. Include a design review request form available at the Planning Department (Exhibit 4);
 2. Include a completed site plan application checklist marked design review available at the Planning Department (Exhibit 4);
 3. The application form shall be signed by the property owner or the owner's agent. If an agent signs the application, an affidavit authorizing the agent to act on the owners behalf shall be submitted as well.
 4. Be accompanied by an application fee (Exhibit 3);
 5. Include a list of names and addresses of all abutters provided in RSA 676:4, I(b);
 6. Include four (4) sets of plans and an electronic submission of the plans in "portable document format" (.pdf format) on a CD_ROM, as described in Section 4.01d; as required by Section 4 and in accordance with the requirements for design standards and improvements as outlined in Section 3 (and Section 5 if applicable). Alternatively, for those applicants that cannot provide an electronic submission, twelve (12) sets of plans (six full sets and six sets of only the sheets the Planning Board would sign);
 7. Include escrow for review cost in sufficient amount determined by the Planning Department. Escrow account shall be periodically reviewed to ensure that sufficient funds are available to cover all review costs and additional escrow shall be provided as needed.
- c. **Notification of Design Review:** Abutters and the general public shall be promptly notified in accordance with Section 2.02b that the Town of Londonderry is conducting DESIGN REVIEW of the project and plans for the project are available for review by the general public at the Planning Department.
- d. **Schedule:** Once it is determined that all required checklist items are provided, the plans will be reviewed by the DRC. The DRC shall review the submitted plans within thirty (30) calendar days of the submittal date of the complete Design Review Application, including all items specified in Section

2.04.b.

- e. **DRC Comments:** During the DESIGN REVIEW phase, comments which are generated during DRC review are forwarded to the Applicant for their use. The Applicant shall address the DRC comments as follows:
1. The Applicant is responsible to address the DRC comments in writing, explaining how each comment is addressed and providing two (2) sets of revised drawings (with changes highlighted in yellow) to the Planning Department with the revision block appropriately noted and dated on the drawings;
 2. The applicant **shall contact the DRC member directly** to discuss any particular requirement or comments of a department (ie., the Fire Department), and provide written verification that the comments are addressed to the satisfaction of that DRC member.
 3. If the Applicant elects to have a design review meeting with the Planning Board, revised plans shall be submitted not later than ten (10) working days prior to the scheduled design review meeting with the Planning Board; and
 4. If the Applicant elects to not have a design review meeting with the Planning Board, the DRC comments shall be addressed, and comments incorporated into the design prior to Formal Application.
- f. **DESIGN REVIEW MEETING (OPTIONAL):**
1. **Submission Items:** An Applicant may make a written letter request for a public meeting with the Planning Board.
 2. **Notification:** The Board shall notify the abutters and the Applicant by certified mail, return receipt requested, of the date of the meeting. Notice will be mailed at least ten (10) days prior to the date of the meeting. Notice to the general public shall also be given at the same time. A notice shall be posted at two (2) public locations and in a general circulating publication.
 3. **Public Meeting:** The public meeting shall be held after receipt of comments from the DRC so that they are available for discussion. Any abutter or person with a direct interest in the matter may discuss the proposal in person or in writing. All discussion and comment by Board members shall be non-binding.

2.05 **FORMAL APPLICATION SUBMISSIONS AND PROCEDURES:**

- a. **Submission Items:** The Applicant shall file a completed Formal Application for consideration. A complete application is one which shall:
1. If pre-application design review was pursued, include a letter from the Applicant's engineer stating whether or not the Formal Application incorporates all changes called for by design review comments. If not, the letter shall explain fully;
 2. Be made on application form available at the Planning Department (Exhibit 4);
 3. Include a completed checklist available at the Planning Department (Exhibit 4);
 4. The application form shall be signed by the property owner or the owner's agent. If an agent signs the application, an affidavit authorizing the agent to act on the owners behalf shall be submitted as well.
 5. Be accompanied by the correct application fee (Exhibit 3), if not already paid under pre-application design review submittal;
 6. Include a list of the names and addresses of all abutters, as provided in RSA § 676:4, I(b);
 7. Include twelve (12) sets of plans (six full sets and six sets of only the sheets the Planning Board would sign) as described in Section 4.01d; as required by Section 4 and in accordance with the requirements for design standards and improvements as outlined in Section 3 (and Section 5 if applicable). Projects that have undergone pre-application Design Review shall need only provide four (4) sets of plans;
 8. Include an electronic submission of the complete plan set in "portable document format" (.pdf

- format) for use by the Planning Board at the public hearing;
 9. Include applicable documents listed in Section 4.19.
 10. Include a materials quantity list for all improvements excluding buildings, on Town of Londonderry Department of Public Works forms and a summary total for bond estimate for the project; and
 11. Include escrow for review cost in sufficient amount determined by the Planning Department. Escrow account shall be periodically reviewed to ensure that sufficient funds are available to cover all review costs and additional escrow shall be provided as needed.
- b. **Submittal date of Formal Application:** The date of delivery of a Formal Application to the Planning Department and issue of a departmental date stamp on the application by the Planning Department. The Applicant shall indicate the items delivered on Exhibit 4.
 - c. **Acceptance process:** The Formal Application must be delivered at least fifteen (15) days prior to the Planning Board meeting at which the Application is considered for acceptance. The Board shall, at the next regular meeting for which notice can be given, or within thirty (30) days following the submittal date of the Formal Application, as required by NH RSA § 676:4, determine if the submitted application is accepted as complete.
 - d. **Formal acceptance date:** For the purpose of these regulations, the date of the meeting of the Board at which the Formal Application is accepted as complete shall constitute the formal acceptance date of the application.
 - e. **Time of consideration:** The Board shall have sixty-five (65) days in which to consider and act on the application, subject to extension or waiver as provided in NH RSA § 676:4, as most recently amended. The sixty-five (65) days shall begin at the formal acceptance date.
 - f. **Design Review Committee (DRC) Review:** Should the Applicant elect to submit a Formal Application without using the pre-application design review process, DRC comments will be forwarded to the Planning Board for consideration at the public hearing.
 - g. **Notification of Submission:** The Board shall notify the abutters and the Applicant in accordance with Section 2.02b.
 - h. **Determination of Completeness of Application:** At the meeting to consider acceptance of an application, the Board shall determine whether or not the application is complete and vote formal acceptance or rejection of the application accordingly. If the application is incomplete, the Board shall notify the Applicant under RSA 676:3 and shall specify what would be required to make the application complete. If the application is complete, the Board may, but need not, begin formal consideration of the application at the same meeting.
 - i. **Public Hearing:** The Board shall hold a public hearing on an accepted application with notice as required by Section 2.02b. Notice of the public hearing may be included in the notice for the meeting to consider Formal Acceptance as scheduling permits. A public hearing may be continued from meeting to meeting as needed.
 - j. **Special Studies or Reviews:** If, during the Board's consideration of the application, the Board determines that certain additional information is necessary for a fully informed decision, it may request the Applicant to provide the information or may hire a professional consultant itself with expenses charged as per Section 2.02c and 2.02d.
 - k. **Board Action:** The Board shall act to approve, conditionally approve, or disapprove an application within the timeframe consistent with NH RSA § 676:4, as most recently amended, unless it deems more time necessary, in which case the Board must either obtain a written consent from the Applicant for an extension of a specified period or obtain in writing from the Town Council an extension of time

not to exceed ninety (90) days. The Board shall take action as follows:

1. If the Board grants approval of an application as submitted, the plan shall be signed and dated by the Chairman and Secretary; and the plan is made available for filing with the Planning Department and the building department may issue permits as appropriate;
 2. If the Board disapproves of an application, the Board shall state the grounds for disapproval in writing; and
 3. If the Board grants conditional approval of an application, the conditions shall be stated in writing and the plan shall not be signed and released for permit issuance until fulfillment of such conditions.
- l. **Compliance with Conditions of Approval:** In order to determine fulfillment of conditions of approval, the Board shall hold a public hearing with notice as required in Section 2.02b to receive evidence of compliance or non-compliance. No public hearing is required for conditions which are:
1. minor plan changes compliance with which is administrative and does not involve discretionary judgment;
 2. conditions which are in themselves administrative and which involve no discretionary judgment on the part of the Board; or
 3. conditions with regard to the Applicant's possession of permits and approval granted by other Boards or agencies.
- m. **Time Limits for Fulfilling Conditions:** See section 7.06
- n. **Board Signature:** Prior to obtaining Board signature, the Applicant shall submit two (2) complete paper print plan sets and supporting documents as required in Section 4.19 with a letter explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Londonderry's file. The Chairman and Secretary of the Board shall endorse a reproducible mylar, and four (4) paper copies of the approved plan(s) meeting the conditions of approval upon receipt of an executed bond for all improvements, excluding buildings. The Planning Department shall retain a reproducible and four (4) paper copies with supporting documents for Town of Londonderry records.

In addition, complete electronic files of all of the drawings in the plan set shall be provided for the Town of Londonderry's records, in accordance with the following:

1. All submitted plans shall also be submitted to the GIS Manager in .dxf (Drawing Exchange File) format, AutoCAD drawing (.dwg) format, ESRI Geodatabase format (.mdb), ESRI Export file format (.E00), or ArcView Shapefile format (.shp).
2. Where digital files are not projected in NH State Plane feet, NAD83, the applicant shall submit a brief explanation of how the coordinate system was established if it is not indicated on the submitted plans.
3. All digital Files shall be submitted on a CD-ROM or 3.5" floppy disk (note that files compressed and spanned with multiple floppy disks will not be accepted). Arrangements may be made to send digital data via FTP, email, or on other media on a case-by-case basis by approval of the GIS Manager;
4. If submitted via disk the following information shall be labeled on the disk: file name; property owner name; parcel identification number (tax map and lot number); and name of submitting consultant;
5. Horizontal control points shall have an adjusted accuracy of 1:10,000 (Third Order, Class I);
6. Entities and their data layer properties shall correspond to the following:
 - i. Property lines entities shall be created on a "Lot Line" layer.
 - ii. Parking lots shall be created on a "Plot" layer.
 - iii. Driveways shall be created on a "Driveway" layer.
 - iv. Building outlines shall be created on a "Structure" layer.

- v. Distance and bearing annotation shall be created on a “Dimtxt” layer.
- vi. The digital file shall have a layer named “NHSPCS”. NH State Plane NAD83 referenced points and the easting, northing and vertical descriptions of at least 2 referenced points shall be annotated on this layer.
- 7. All lines representing property lines shall consist of continuous line work snapped to endpoints. Stonewall representations, unless created using a line type will not be accepted.

2.06 **MINOR SITE PLAN REVIEW**

- a. Criteria: Minor Site Plan is a site plan which meets the following criteria:
 - 1. The purpose of the plan is for a change of use or expansion of present use.
 - 2. The site plan will have a minimum traffic impact on the surrounding road network.
 - 3. There is no alteration of access to public streets.
 - 4. Minimum lot grading.
 - 5. Minor drainage improvements are required to accommodate any increased drainage due to improvements.
 - 6. Increase in gross floor area: not to exceed 33% of the existing gross floor area up to 5,000 square feet (Expanded building shall not exceed 15,000 square feet).
 - 7. Expansion of pavement: not to exceed 33% of the existing paved area up to 6,500 square feet.
 - 8. There are no unusual or special conditions which require full Planning Board review.
- b. Administrative Review Committee (ARC): The ARC is a committee authorized by the Planning Board, in accordance with RSA § 674:43 to process minor site plans. The ARC shall consist of the following members (Department Heads may appoint an assistant or designee to vote in their absence):
 - 1. Senior Building Official/Health Officer
 - 2. Director of Public Works & Engineering
 - 3. Community Development Director
- c. Submittal Items: The applicant shall file an application for approval of a minor site plan. An application includes:
 - 1. Be made on application form available at the Planning Department (Exhibit 4);
 - 2. Include a completed checklist available at the Planning Department (Exhibit 4);
 - 3. The application form shall be signed by the property owner or the owner's agent. If an agent signs the application, an affidavit authorizing the agent to act on the owners behalf shall be submitted as well.
 - 4. Be accompanied by the correct application fee (Exhibit 3),
 - 5. Include a list of the names and addresses of all abutters, as provided in RSA § 676:4, I(b);
 - 6. Include twelve (12) sets of plans as described in Section 4.01d and in accordance with the requirements for design standards and improvements as outlined in Section 4 (and Section 5 if appropriate). At the discretion of the Planning Department and Department of Public Works, the requirement for fully engineered site plans may be waived for minor projects with no significant site changes.;
 - 7. Include applicable documents listed in Section 4.19.; and
 - 8. Include a materials quantity list for all improvements excluding buildings, on Town of Londonderry Department of Public Works forms and a summary total for bond estimate for the project;
 - 9. The applicant shall include escrow for review cost in sufficient amount determined by the Planning Department. Escrow account shall be periodically reviewed to ensure that sufficient funds are available to cover all review costs and additional escrow shall be provided as needed.
- d. Determination of a Minor Site Plan: The Planning Department shall review the submittal items and

determine if the plan meets the minor site plan criteria. If the Planning Department and Town Engineer determines that the plan is a minor site plan the design review process shall begin. At the discretion of the ARC, any minor site may be referred to the full Planning Board for action.

- e. Design Review Process: The Design Review Process shall consist of review of the submittal package by the Design Review Committee (DRC), as follows:
1. Following submission of the application to the Planning Department, the plans will be reviewed by the Town's engineering review consultant to ensure that the plans meet all of the requirements of the application checklist.
 2. If the application does not include all of the required items from the checklist, the plans will be returned to the applicant to revise the plans to include all of the checklist items.
 3. Once it is determined that all required checklist items are provided, the plans will be reviewed by the DRC. The DRC shall review the submitted plans within thirty (30) working days of the submittal date of the Minor Site Plan Application.
 4. The Planning Department will forward DRC comments to the applicant. The Applicant shall address the DRC comments as follows:
 - i. The Applicant is responsible to address the DRC comments in writing, explaining how each comment is addressed and providing two (2) sets of revised drawings (with changes highlighted in yellow) to the Planning Department with the revision block appropriately noted and dated on the drawings;
 - ii. When DRC comments address a particular requirement of a department (ie., the Fire Department), the applicant shall contact the DRC member directly to discuss the comments, and provide written verification that the comments are addressed to the satisfaction of the DRC member.
 5. Notification of Abutters in accordance with RSA § 676:4.
- f. Hearing Process:
1. Determination of a Completed Application: Upon receipt of the formal application, the ARC shall determine if the application is complete. If it is determined that the application is complete, the ARC shall accept the application. If it is determined that the application is incomplete, the ARC shall vote to find the application incomplete and shall state the reasons for such finding.
 2. Schedule: If the application is determined to be complete, the ARC shall hold a public hearing on either the first and third Thursday of each month at 9:00 a.m, as notification of abutters allows.
 3. Notification of Planning Board: The Planning Department shall notify the Planning Board of submissions on the first and third Wednesday of each month. After review of the submission list the Planning Board may determine that a submission warrants full site plan review.
 4. Public Hearing: The ARC shall hold a public hearing on the completed formal minor site plan application. Notice of the public hearing shall be given in accordance with RSA § 676:4. Any abutter, member of the general public or any person with a direct interest in the matter may testify in person or in writing.
 5. ARC Action: The ARC shall have 65 days, from the date of acceptance, to approve or disapprove the application, subject to extension or waivers as provided in RSA § 676:4,(c)1. The date of acceptance shall be the date that the ARC accepts the plan.
 6. Appeals: The applicant shall have the right to appeal the ARC's decision in accordance with RSA § 674:43.
 7. Signatures: The Planning Board shall sign all plans. The Board shall endorse a reproducible mylar and four (4) paper copies of the site plans for their records.

SECTION 3 DESIGN STANDARDS AND REQUIREMENTS FOR IMPROVEMENTS

3.01 GENERAL

- a. Approval of Improvements: All improvements shall be designed and constructed in accordance with the Town of Londonderry regulations and standards, and shall be subject to the approval of the Board.
- b. Installation and Maintenance: The applicant is responsible for the satisfactory installation of all required improvements and maintenance of these improvements in a satisfactory condition without cost to the Town.
- c. Standards and Specifications: The following standards and specifications shall be used in the design and construction of all improvements unless stated otherwise in these regulations:
 1. ZONING ORDINANCE - Town of Londonderry, current edition;
 2. TYPICAL DETAILS FOR SITE AND ROADWAY INFRASTRUCTURE – Town of Londonderry, current edition;
 3. MANUAL ON DRAINAGE DESIGN FOR HIGHWAYS - State of N.H., Department of Public Works and Highways, current edition;
 4. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) - U.S. Department of Transportation, Federal Highway Administration, current edition;
 5. STANDARDS SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION - State of N.H. Department of Transportation, 1997 or latest revision;
 6. HIGHWAY DESIGN MANUAL - State of N.H., Highway Design Division, current edition;
 7. A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS - AASHTO - 1990;
 8. STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE - August 1992, prepared by Rockingham County Conservation District (Green Book);
 9. STATE OF NEW HAMPSHIRE STANDARDS OF DESIGN AND CONSTRUCTION FOR SEWERAGE AND WASTEWATER TREATMENT FACILITIES - New Hampshire Department of Environmental Services, Code of Administrative Rules, Env-ws 700, September 1997 (or latest revision);
 10. SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES - New Hampshire Department of Environmental Services, Code of Administrative Rules, Env-ws 1000, August 1999 (or latest revision);
 11. STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, DESIGN STANDARDS FOR SMALL PUBLIC DRINKING WATER SYSTEMS, Env-ws 372, June 1997 (or latest revision);
 12. TRIP GENERATION, Institute of Transportation Engineers, current edition;
 13. Other standards and specifications as approved by the Town of Londonderry.

- 3.02 MONUMENTS - The applicant shall be required to show and label all monuments. If no monuments are found, the applicant shall be required to set the monuments in accordance with the following regulations:

- a. Location: Monuments for the lot that is being developed shall be placed not more than 1000' apart in any straight line, and at all corners, at the beginning and end of all curves and at all angle points.
- b. At least one lot corner at the right of way line shall be marked by a stone or concrete monument 4" x 4" x 36" (minimum). All other lot corners shall be marked by 1" diameter iron pipe or 5/8 " steel rebar at least 30" in length or a drill hole set in an existing stonewall.
- c. Site Plan: A note shall be placed on the Site Plan indicating that all monuments have been set in accordance with these regulations. Any monuments that are not set prior to approval by the Planning Board shall be bonded for as part of the conditions of approval and marked on the plans as "to be set."

- 3.03 GRADING: Grading shall be shown in the drawings with information including, but not limited to, the following:

- a. Contours - existing and proposed contours at two foot contours intervals, based on USGS datum.
- b. Spot elevations - spot elevations shall be shown along all drainage facilities and adjacent streets at not more than 100' intervals in all directions.
- c. Layout - the layout of the existing and proposed streets, lots, wetlands (including square foot impact areas), and drainage facilities.
- d. Buildings - the location of all existing and proposed buildings and structures onsite and within 50' of the property line.
- e. Erosion control: The erosion control measures shall be indicated on the plans and be in accordance with best management practices of the STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE. Proper construction details shall be provided in the plan set.

3.04 UTILITIES: The Applicant shall show the location and size of all underground and overhead non-municipal utilities. The location of all manholes, transformer poles and other appurtenant facilities or structures shall be shown. A UTILITY CLEARANCE LETTER shall be submitted for each non-municipal utility stating approval of the proposed improvements by the utility provider. Non-municipal utilities shall include but not be limited to:

- a. Gas;
- b. Electric;
- c. Telephone; and
- d. Cable Television.

All proposed utilities shall be underground and shall be located a minimum of seventeen (17) feet off the centerline of the roadway pavement. Utilities shall be located so as not to conflict with roadside drainage systems.

3.05 WATER SYSTEM:

- a. Municipal Water System: When a project is to be served by public water, the Applicant shall show the location of all existing and proposed water lines and all appurtenant structures on the plan. A UTILITY CLEARANCE LETTER shall be submitted from the appropriate water company approving the proposed water plan. The municipal water system shall be designed and constructed in accordance with the appropriate water company standards and the standards of the New Hampshire Department of Environmental Services.
- b. Individual Well: When a project is to be served by an individual well, the well location and protective radius shall be shown on the plan. Where the protective well radius encroaches on abutting properties, all existing features should be shown within the protective well radius. The State subdivision approval number shall be shown on the plan. Private individual wells shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services Regulations and the Town of Londonderry Regulations. Protective well radius shall not encroach on rights-of-way.
- c. Common Water System: When a common private water supply is to be utilized, plans similar to those for municipal water supply shall be submitted indicating the source of water, details of any pumping station and other distribution (including maintenance and repair) and treatment facilities. Certification from the New Hampshire Department of Environmental Services shall be submitted. The State subdivision approval number shall be shown on the plan. Common water systems shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services Regulations. The proposed ownership and operation shall be acceptable to the Town of Londonderry, including all necessary easements, agreements, and licenses.
- d. Fire Protection: Flow rate for fire protection and hydrant locations shall be coordinated with and approved by the Town of Londonderry Fire Department. The Applicant shall provide a written report documenting the required information.

3.06 SANITARY SEWER SYSTEM:

- a. Municipal Sanitary Sewer System: When a project is to be served by municipal sanitary sewer, the Applicant shall submit a plan showing the location of all existing and proposed sanitary sewer lines and all appurtenant structures. A permit is required from the Town of Londonderry Department of Public Works (and NHDES for sewer extensions, where applicable) and the permit number shall be shown on the plans.

The municipal sanitary sewer system shall be designed and constructed in accordance with the Standards of the New Hampshire Department of Environmental Services, Town of Londonderry Sewer Ordinance, and Town of Londonderry Department of Public Works - Sewer Division requirements. The following design requirements shall apply:

1. Maximum peak flow velocity shall not exceed ten (10) feet per second. Minimum velocity shall not be less than two (2) feet per second;
 2. All drop manholes shall be a minimum of five (5) feet diameter;
 3. All manholes over fifteen (15) feet in depth (rim to bottom of structure) shall be minimum five (5) feet diameter;
 4. All manholes over twenty-five (25) feet in depth (rim to bottom of structure) shall be six (6) feet diameter; and
 5. Trench dams shall be provided for all sewer lines with a slope of seven percent (7%) or greater. The location of the trench dams shall be shown in the sewer profiles and construction details provided in the plan set.
- b. Individual Disposal System: When a project is to be served by an individual septic system, certification from the Town of Londonderry Health Officer and the New Hampshire Department of Environmental Services shall be submitted. The State subdivision approval number shall be shown on all plans. Individual disposal systems shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services and the Town of Londonderry Regulations.
- c. Privately-Owned Common Disposal Systems: Common disposal systems shall be designed and constructed in accordance with the New Hampshire Department of Environmental Services and the Town of Londonderry Regulations. The design and location of the common disposal system shall be approved by the New Hampshire Department of Environmental Services and the Town of Londonderry. The proposed ownership and operation shall be acceptable to the Town of Londonderry, including all necessary easements, agreements, and licenses.

3.07 STORM DRAIN SYSTEM

- a. General: The proposed development shall provide for proper surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm water system and will conserve flooding, erosion and sedimentation.
1. The drainage system shall be designed so that the post development runoff rate does not exceed the pre-development runoff rate. Detention/retention areas may be used to achieve this requirement. Underground detention structures are not permitted under these regulations.
 2. Surface water runoff shall be carried away in a system of swales, drainways, culverts and channels to a natural watercourse or existing drainage facilities.
 3. Where a site is traversed by a watercourse, drainage way, channel or stream there shall be provided an easement conforming to the lines of such watercourse.
 4. A culvert or other drainage facility shall be large enough to accommodate runoff from its entire upstream area.
 5. When a proposed drainage system will carry water across land outside the site appropriate drainage rights must be secured and indicated on the plan.
 6. Where it is anticipated that the additional runoff incident to the development of the site will overload the existing downstream drainage facility the Board may withhold approval of the project until provisions have been made for the improvement of said potential condition.

7. Where the Department of Public Works determines that the downstream, offsite drainage system is substandard, the Planning Board may require the applicant to improve the drainage system.
- b. Design Computations: A drainage study shall be submitted for review by the Town Engineer. A drainage study shall include:
1. A table of contents;
 2. A narrative statement indicating how the applicant has met the requirements of Section 3.07 and describing the methodology and results of the analyses;
 3. A summary table comparing the existing and post-development rates of runoff for each individual drainage basin/watershed to abutting properties. All watersheds and drainage areas shall be consistently labeled in the tables, calculations, and plans;
 4. A summary table of each pipe indicating project location, pipe size, type, length, slope, Manning's "n" value, peak discharge, depth of flow, and peak velocity for the design storm. The summary table shall also include hydraulic grade line (HGL) elevations at each location in closed conduit piping systems;
 5. A summary table of each swale and channel indicating project location, cross-section/channel width, slope, Manning's "n" value, peak discharge, depth of flow, and peak velocity for the design storm;
 6. The project location and watershed area shown on a USGS quadrangle or as a figure in the report;
 7. A watershed area plan for existing conditions showing topography and existing ground elevations at two (2) foot contour intervals for the project site. The plan shall clearly show the boundary of each drainage area and subarea with identifying label and the size indicated in acres;
 8. A watershed area plan for post-development conditions showing existing and proposed topography at two (2) foot contour intervals for the project site. The plan shall clearly show the boundary of each drainage area and subarea with identifying label and the size indicated in acres. The post-development area shall be shown on a separate plan from the existing conditions;
 9. Runoff calculations shall be completed for the existing and post-development conditions using Soil Conservation Service (SCS) methods as described in the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire for the appropriate design storms as required by the regulations;
 10. Flood routing calculations shall be provided for the design of each detention basin and pond using acceptable methods such as Modified Puls, Storage Indication, or as may be approved by the Town Engineer. In addition to the design storm, a fifty (50) year storm analysis shall be conducted to establish the 50 year elevation at the detention basin. A minimum of 12 inches of free board shall be provided above the 50-year storm to the minimum elevation of embankment at the detention basin;
 11. Water quality treatment facilities shall be designed to the NH Department of Environmental Services standards and are in addition to these regulations;
 12. Riprap design calculations shall be provided to the requirements of the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire for each pipe outfall location and where necessary for open channels and swales; and
 13. The report shall be stamped by a licensed professional engineer in the State of NH.
- c. Hydraulic Grade Line (HGL):
1. Closed Conduit - Closed conduit systems shall be designed to convey the appropriate design storm required by the regulations under gravity flow conditions with no more than full flow pipe conditions;
 2. Open Channels and Swales - For open channels and swales, the HGL shall be shown for the appropriate design storm required by the regulations; and
 3. Detention Basins/Ponds - The HGL shall be shown for the 50-year flood event.
- d. Flow Computations: Flow computations shall be in accordance with the following:
1. Manning's formula shall be used to compute capacities for all open channels, swales, and closed piping drainage systems; and

2. The capacity of cross culverts shall be computed in accordance with the Manual on Drainage Design for Highways - NH Department of Transportation.
- e. Design Runoff: The rainfall frequency to be used with this formula shall be as follows:
 1. Commercial areas - 25 years
 2. Industrial areas - 25 years
 3. Flood protection Works - 50 years
 4. Multi-Family Residential - 25 years
 - f. Placement of Drain Lines: All off-site drain lines shall be placed within right-of-way dedicated for public streets unless use of easements is specifically approved by the Board.
 - g. Pipe Size, Velocity and Type:
 1. Minimum allowable pipe diameter in any storm drain system shall be 15".
 2. The minimum design velocity in pipes shall be 2 feet per second and the maximum velocity shall be 10 feet per second.
 3. The minimum depth of cover for storm drain lines shall be 36 inches from the top of pipe to finished grade.
 4. Bedding and backfill shall be 3/4 inch crushed stone. Bedding shall be a minimum 6-inch depth in earth and 12-inch depth in ledge.
 5. Acceptable pipe material shall include ADS N12 and reinforced concrete pipe (RCP).
 6. Maximum length between drain manholes shall be 300 feet.
 - h. Drainage structures: Manholes and other drainage structures shall be pre-cast concrete meeting H-20 loading and constructed and installed in accordance with New Hampshire Department of Transportation Standards and Specifications for Road and Bridge Construction. Drainage structures shall not exceed eighteen (18) feet in depth (rim to bottom of structure). All catch basins shall be outfitted with a polyethylene liner downspout. Outlet structures at detention basins, when necessary, shall be the typical Town of Londonderry standard structure - a vertical slotted weir with overtopping grate and properly sized outlet pipe.
 - i. Driveway Culverts: The location, length, size, material, bedding and backfill of all driveway culverts shall be approved by the Town Engineer prior to construction. Driveway culverts shall be located a minimum of 11 feet off the edge of roadway pavement.

3.08 STREETS/DRIVEWAY AYS

- a. General: All sites shall have adequate provision for a safe and suitable access to a Class V or better road. Where an adjacent existing street from which access is gained is deemed to be substandard, the upgrading of said street shall be provided for. Where traffic from a proposed site will adversely impact an adjacent streets or intersections, provisions shall be made for the mitigation of said impacts. If new streets are to be built as part of a site plan (e.g., for a multi-family residential site plan), then the design and submission requirements of such streets shall comply with Section 3.09 of the Londonderry Subdivision Regulations.
- b. Driveways:
 1. Driveway widths and right-turn radii shall comply with the standards set forth in the Londonderry Zoning Ordinance.
 2. When a proposed driveway is located on a State road, the applicant is also responsible for obtaining the approval and necessary permits from NHDOT. The applicant shall submit a copy of the permit to the Planning Department and the permit number shall be shown on the plan.
 3. Access points shall not be located closer than 200 feet from one another on the same side of the road or 50 feet from intersecting streets (as required by the Londonderry Zoning Ordinance).
 4. Proposed and existing driveways that are upgraded as part of a site plan development shall be constructed to the structural section standards as follows: 1 ½ "wearing course 2 ½ " base course

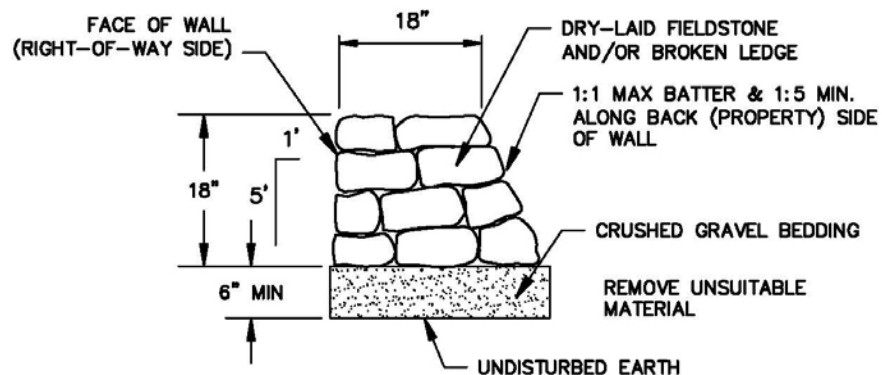
- 6 “crushed gravel, 12”bank run gravel.
5. Sight Distance. The minimum sight distance shall be 365 feet in all directions meeting the requirements for roadway intersections and Exhibit D3 of the Londonderry Subdivision Regulations (Unless otherwise required by the NH DOT as part of a State Driveway Permit). Proper visibility easements shall be provided to meet the sight distance requirements.
6. The applicant is responsible for obtaining a driveway permit from the Department of Public Works prior to commencing construction.
7. All access shall be designed to accommodate prospective traffic and meet requirements of the zoning ordinance and any additional requirements of the Fire Department.
8. Where the existing configuration of properties and driveways in the vicinity of the site precludes spacing of a driveway in accordance with #3 above, the Planning Board may require that one, or a combination of, the following methods be utilized:
 - i. *Joint Use Driveways*. Wherever feasible, the Planning Board may require a joint-use driveway serving two abutting properties, with appropriate cross-access easements provided.
 - ii. *Driveway Closings*. The property owner may be required to close and eliminate any pre-existing driveways, if any, on the project site at the discretion of the Planning Board after approval of a new driveway.
- c. Sidewalks: The Board shall require the construction of sidewalks for pedestrian access to schools, parks, shopping areas and transit stops. In commercial and industrial districts sidewalks may be required on both sides of the street. In residential districts sidewalks may be required on one side of the street in accordance with the Pedestrian/Bikeway Master Plan. Construction of sidewalks shall be in accordance Exhibit D4 of the Town’s subdivision regulations.

3.09 LANDSCAPING DESIGN STANDARDS

- a. The existing landscape of Londonderry is diverse, containing natural wooded environments, orchards and open fields, as well as wetlands and streams. New development should be respectful and sensitive to the dominant landscape character of Londonderry as a whole.
- b. The purpose of landscaping design standards in Londonderry are to:
 1. Preserve and enhance the character of Londonderry’s landscape
 2. Enhance the goals of the Master Plan, the Zoning Ordinance, and the Orchard and Open Space Preservation Plan, and provide attractive settings for new development.
 3. Preserve and enhance local and regional open space resources such as, but not limited to, the apple orchards and the Musquash Conservation Area.
 4. Preserve the integrity of valuable historic resources, particularly stonewalls and dwellings and structures listed in the Heritage Commission’s Cultural Resource Survey.
 5. Support and encourage the use of sustainable design principles and operating practices that preserve and enhance wildlife habitats, water quality, and overall health of the natural environment.
 6. Encourage the use of indigenous plant material to provide natural habitat and food sources and to maintain ecological diversity.
 7. Maintain a quality image of the public spaces within Londonderry and high property values for present and future development
- c. General Requirements:
 1. All required landscaping shall be located entirely within the lot, unless agreements have been made with the Town for landscaping in the road right-of-way.
 2. Native plants shall be used in appropriate locations, such that individual plants are selected for their ability to thrive in or adapt to the particular soil and light conditions they are placed in. (For a list of recommended native plants, see Appendix LS1: Notes on Native Trees and Shrubs and Their Use in Landscaping)
 3. Under no circumstances shall any plants be used that are recognized by the horticultural or

agricultural industries as invasive, whether they are native or exotic (non-native). (For a list of known invasive plants, see Appendix LS2: Notes on Native Trees and Shrubs and Their Use in Landscaping)

4. All plant material shall have a minimum winter hardiness for Zone 5B as determined by the American Standards for Nursery Stock.
5. Minimum sizes for plant material, unless indicated elsewhere in these regulations or the Zoning Ordinance, shall be as follows:
 - i. Deciduous shade trees: three inch caliper,
 - ii. Deciduous ornamental trees: two inch caliper, and
 - iii. Evergreen trees: six foot height.
6. Landscaping shall be laid out in informal drifts rather than formal rows and shall undulate with site topography. Individual clusters of trees or islands of shrub beds are acceptable as long as the tree clusters and/or shrub islands overlap. Linear solutions shall be avoided wherever possible, unless existing landscaping is so arranged.
7. The applicant may request that the Planning Board determine that existing vegetation is suitably located, sufficiently visually impervious, and vigorous enough to be substituted for landscaping material required by these regulations.
8. Plant material located within 20 feet of any road or other paved area shall consist of species recognized by the nursery, horticultural and botanical industries as being tolerant of roadway deicing salts.
9. Landscaping requirements for parking lots are located in Section 3.11f.
10. Landscaping shall be maintained in good condition, and any dead vegetation shall be replaced within one year.
11. No person shall deface, alter the location, of, or remove any stonewall which was made for the purpose of marking the boundary of, or borders, any road in the Town of Londonderry, except upon written consent of the Planning Board with written comments from the Heritage Commission.
 - i. The Heritage Commission will use the following guidelines for making recommendations to the Planning Board for the reconstruction of stonewalls disturbed by construction activity:
 - a. Reconstruction should be done in a fieldstone farm-style wall.
 - b. Use of existing boulders and fieldstone already in place is strongly recommended.
 - c. Walls should be drystacked with a rustic level topline.
 - d. The center of the wall should be filled with smaller native stone.
 - e. Stone should be used from the property and mixed as needed with native New England fieldstone.
 - f. Walls should be no higher than 3 feet in height, and approximately 3-6 feet deep
 - g. The Heritage Commission recommends applicants refer to Chapter 8 of "The Granite Kiss", by Kevin Gardner, Susan Allport, and Guillermo Nunez (ISBN# 0881505463, © 2003, Countryman Press)
 - h. The detail, below should be used as a general guideline for reconstruction of stonewalls:



- ii. The Applicant shall take photographs of existing stonewalls that are proposed to be disturbed by development. These photographs will be made part of the project file, and can be utilized by the Heritage Commission as they make recommendations on stonewall disturbances.
 12. Landscaping shall be designed so that it does not interfere with sight distances at driveways.
- d. Preservation of Existing Vegetation
1. Buildings, parking, loading docks, access roads, and other site elements shall be sited to preserve existing healthy mature vegetation and maintain natural topography to the maximum extent feasible.
 2. Healthy trees with a minimum 12 inch caliper, and existing wooded areas are recommended for preservation, particularly those trees located within setback areas where buildings cannot be constructed.
 3. Construction activities and site alterations shall not disturb the root zone of the trees designated for preservation. During construction, the applicant shall install and maintain tree protection fencing, or other protective measures approved by the Planning Board, located 12 inches off the drip-line of the trees to be protected. All no-cut zones shall be appropriately monumented and delineated on the site plan.
 4. The applicant shall be responsible to replace any trees designated to remain, which have been damaged, killed, or removed as a result of construction activities. The Planning Board requires replacement-in-kind, per caliper inch of deciduous trees and by height for evergreens. Two inch caliper deciduous trees and 4 foot tall evergreens shall be the minimum size used for replacement. For example, if a 24-inch caliper deciduous tree is damaged or killed during construction, the applicant shall replace the tree with six 4 inch caliper trees, or any other combination that adds up to 24 caliper inches. A 36-foot tall evergreen, for example shall be replaced with six 6 foot tall evergreen, or any other combination adding up to 36 feet.
- e. Screening
1. Screening shall be a year-round visually impermeable barrier that may be existing, constructed, or a combination thereof.
 - i. Existing screens may consist of natural topographic landforms, rock outcrops, or vegetation that is dense enough to be visually impermeable.
 - ii. Constructed screens may consist of built screens, such as walls or fences, topographic screens, such as berms or landforms, vegetative screens consisting entirely of evergreen material, or a combination thereof.
 2. Screening is required to soften the visual impact of buildings, parking areas (see Section 3.11f), loading docks, trash disposal areas, exterior storage, and other unsightly areas associated with or generated by a particular development as viewed from a public right-of-way, residential zoning districts, and the principal entrances of buildings on abutting lots.
 3. The use of existing vegetation, topography, and natural features to comply with screening requirements is encouraged.
 4. Screening may be required, at the discretion of the Planning Board, along the entire front setback or only a part of it. Screening may also be required to extend beyond the minimum setback areas or further into the lot, particularly if the building is located beyond the minimum setback or if the lot configuration is such that the visibility into side or rear setbacks is unimpaired from the public right-of-way, residences, and principal entrances on abutting lots.
 5. A minimum of 50% of built screens which face the public right-of-way, residences, and principal entrances on abutting lots shall be softened with landscaping.
 6. Vegetative screens shall achieve a minimum of 75% vertical opacity to a height of 6 feet, year-round, within one year of installation. Screens shall not be located so as to impede vehicular or pedestrian traffic.
- f. Maintenance
1. The owner of any lot shall be responsible for the maintenance of all landscaped open space, natural screens, and constructed screens within the lot. Landscaping shall be maintained in good

condition such that planting shall be vigorous and in good health at all times and that the parcel shall present a healthy, neat, and orderly appearance, free from refuse and debris. Any dead vegetation that is part of the approved landscaping design shall be replaced within one year.

2. Landscaping shall be maintained so that it does not interfere with sight distances at driveways.
3. The Planning Board, at its discretion, may require a landscape maintenance and water management plan. The maintenance plan shall include, but not be limited to the following:
 - i. Integrated Turf Management: mowing schedule, weed control, pest control, soil pH management, fertilizer plan, aeration/dethatching schedule, repair/replacement plan.
 - ii. Shrub and Groundcover Management: mulch schedule, weed control, pruning where needed for visibility, preventative pest/disease management, repair/replacement plan.
 - iii. Tree Management: mulch schedule, weed control, deadwood removal, pruning schedule, particularly for trees located next to walkways or roadways, fertilizing schedule, preventative pest/disease management, repair/replacement plan.
 - iv. Water Systems Management: water source, system description, spring start-up, fall close-out, system testing schedule, repair/replacement plan. The applicant may install a permanent water supply system consisting of a sprinkler system and/or hose bibs placed at appropriate locations and intervals. Wherever possible, irrigation water shall be derived from sources other than the municipal water system, including "gray water," re-used water, detained stormwater, roof drainage, or water from on-site wells. "Gray water" is water from sinks, showers, dishwashers, and washing machines. On-site cisterns may be installed to store water for irrigation.
 - v. Rodent Control: design preventative measures, operational preventative measures, monitoring, schedule, remediative action plan.
 - vi. Seasonal Maintenance: Spring clean-up plan, fall clean-up plan, disposal plans for leaves and plant debris, winter plowing plan, winter deicing plan.

3.10 SOIL & WETLAND IDENTIFICATION: The applicant shall be required to identify existing soils in accordance with SCS mapping for Rockingham County. All wetlands impacting the project shall also be field delineated and certified by a Certified Wetland Scientist in accordance with Section VIII of the Londonderry Zoning Ordinance. In addition, any vernal pools should be noted in the wetland delineation.

3.11 PARKING LOT DESIGN STANDARDS

- a. Dimensional Requirements: Parking stalls and aisle widths shall comply with Section 603F of the Zoning Ordinance
- b. The structural section of parking lots shall be as follows: 1" wearing course, 2" base course, 6" crushed gravel, 12" bank run gravel. The Planning Board may require increased structural sections for parking areas of heavy load use (ie., large trucks).
- c. Traffic Circulation: The parking lot design shall be such that:
 1. There is safe and adequate vehicular traffic and pedestrian circulation;
 2. All parking spaces can be safely accessed from the aisles, with particular attention paid to ensure that spaces near the end of an aisle have sufficient room for backing and turning;
 3. Cars will not back into an internal street system;
 4. Entrances and exits shall be designed so that queues in the road will not result.
- d. ADA Compliance: Parking lots shall be in compliance with the Americans With Disabilities Act of 1990 (ADA).
 1. Wheelchair Accessible Parking Spaces. All sites which provide on-site parking shall provide wheelchair accessible parking spaces and accompanying access aisles as specified herein (in accordance with Federal law, in particular 23 CFR Part 36, Appendix A, Section 4.1.2(5); see: Federal Register, Volume 56, #144, July 26, 1991).
 2. The following number of wheelchair accessible parking spaces are required. For larger lots,

refer to the Federal Register for requirements.

	Total Parking Spaces	Minimum # Required
1	to 25	1
	26 to 50	2
51	to 75	3
76	to 100	4
101	to 150	5
151	to 200	6
201	to 300	7

3. At least one in every eight wheelchair accessible spaces shall be designated as "van accessible," or as otherwise provided for in ADA.
 4. Each wheelchair accessible space shall be identified with appropriate pavement marking and a sign. For van accessible spaces signage shall indicate that they are van accessible. Signs shall be mounted such that they are not obscured by other parked vehicles.
 5. Handicap parking stalls shall be large enough to fully contain a rectangle 8' wide by 20' long. Parked vehicle overhangs shall not reduce the clear width of an accessible route. All handicap parking spaces shall be served by a parallel access aisle, which shall be a minimum of 5' wide for standard handicap spaces, and 8' wide for van accessible spaces. Adjacent spaces may share an access aisle.
 6. Access aisles adjoining wheelchair accessible parking spaces shall be paved flush to the ground, and the pavement shall extend all the way to the nearest wheelchair accessible entrance. Such parking spaces shall be located in close proximity to wheelchair accessible entrances. Wherever practicable, the main entrance shall be wheelchair accessible.
 7. The slope of wheelchair accessible parking spaces and adjoining access aisles shall not exceed one foot of rise per 50 feet of run.
 8. Curb ramps shall be provided as necessary.
 9. Where appropriate, wheelchair ramps shall be provided, with a slope not exceeding one foot of rise per 12 feet of run.
 10. It is recommended, though not required, that a drop-off area be located at wheelchair accessible entrances.
- e. Coordinated or Joint Parking Design: When feasible, abutting parcels may 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.
1. *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.
 2. *Existing Abutting Uses.* In the event that the site abuts an existing developed property, it may 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.
- f. Other requirements:
1. Curbing shall be provided as needed to control traffic and to direct drainage.
 2. Adequate directional signage shall be provided, per the Manual on Uniform Traffic Control Devices for Streets and Highways, as most recently published.
- g. Mitigating the impacts of parking lots:
1. As a supplement to the parking lot landscaping standards contained in the Zoning Ordinance, a minimum percentage of the overall interior area of a parking lot (as measured by the exterior perimeter) shall be dedicated to landscaped areas (to be included on the landscape plans) with ground cover, shrubbery, and trees, as appropriate, as follows:
 - i. 10% on parking lots located in front of the principal building or on otherwise vacant lots.

- ii. 8% on parking lots located on the side of the principal building, set back from the front boundary line at least even with the front of the principal building.
 - iii. 5% on parking lots which are located at the rear of the principal building and largely obscured from the road.
- 2. Landscaping within parking areas shall provide visual and climatic relief from broad expanses of pavement and shall be designed to channel and define logical areas for pedestrian and vehicular circulation.
- 3. Internal parking lot landscaping, as required by item 1, above, shall contain one deciduous shade tree for every 15 parking spaces. Trees shall be distributed throughout the parking lot as evenly as possible. Trees shall be set back at least 5 feet minimum from the face of the curb. Tree placement and parking lot lighting shall not conflict. Interior parking lot landscaping may be waived in truck parking areas provided they are screened and perimeter plantings, as described in items 5-7 below, are provided.
- 4. All landscaped areas shall be protected from encroachment by vehicles by curbing, landscaping timbers, curb stops, or other acceptable means.
- 5. Shade trees shall be provided around the perimeter of all parking areas at a minimum ratio of 1 tree per 20 feet of parking lot perimeter. In portions of parking areas where screening is required, shade trees shall be provided along the perimeter at a minimum ratio of 1 tree per 50 feet of parking lot perimeter in addition to the required screening. Trees may be clustered or grouped, if desired, as long as clusters/groups are not more than 75 feet apart.
- 6. All off-street parking areas located at the front or side of principal buildings or on vacant lots shall be screened from the public right-of-way with appropriate screening, as described in Section 3.09e, to provide at least 50% vertical opacity on average up to a height of 3-1/2 feet above grade, excluding sight distance areas at vehicular entrances and exits. If vegetation is used a hedge should be planted which is reasonably expected to reach this opacity and height within 1 year. If non-vegetative materials are used, appropriate ground cover, shrubs, and trees shall be planted (or retained) within the front area to soften the development.
- 7. Screening from Residences: All off-street parking areas shall be screened from abutting residences or vacant lots in residential zoning districts (AR-I and R-III) located at the side or rear of the property with a wall, fence, vegetation or other means which provides at least 75% vertical opacity up to a height of six (6) feet above grade. If vegetation is used a hedge should be planted which is reasonably expected to reach this opacity and height within one year (see Section 3.09e).

3.12 BUILDING & GENERAL APPEARANCE DESIGN STANDARDS:

- a. The applicant shall submit a rendering of the proposed building showing front, side and rear view elevations. The building design should be consistent with the character of the Town of Londonderry and sensitive to its natural and man-made surroundings. The design goals of this section are to promote traditional New England style buildings for commercial development; and to encourage high quality building design which improves the aesthetic character of the community. Non-residential buildings are subject to the following design guidelines and standards. In this section, **“Standards”** are mandatory; **“Guidelines”** are not mandatory, but are provided in order to educate planners, design consultants, developers and Town staff about the design objectives. These standards and guidelines are to be used in conjunction with the all other sections of these regulations and Town ordinances. Any waiver from a standard in this section must be made in writing, and be supported by justification in accordance with Section 7.04
- b. SCALE AND PROPORTION OF NON-RESIDENTIAL BUILDINGS
 - 1. Guidelines
 - i. New buildings should not exceed the average height of existing buildings on abutting property and the general area, however, greater distances between buildings may allow for larger differences in height.

- ii. The window and wall openings of new buildings should be in similar proportions to existing structures when they are in close proximity to the site development.
 - 2. Standard
 - i. Because of their mass and typical design characteristics, large scale retail establishments of greater than 25,000 square feet shall be subject to Section 3.12h.
- c. VERTICAL OR HORIZONTAL EMPHASIS GUIDELINES
 - 1. Relate the vertical, horizontal, or non-directional facade characteristics to the predominant directional expression of nearby buildings. This emphasis is created by the arrangement of the structure's door and window openings.
 - 2. Door and window openings should be proportional to facade length and height.
 - i. All windows and doors should be of a traditional New England character.
 - ii. Large plate glass windows are discouraged unless they are broken with mullions or muttons.
 - iii. Mirrored glass or colored metal panels are not acceptable windows.
 - iv. Doorways should be encased with trim.
 - 3. Foundation walls should not be exposed to more than 3 feet in height from grade.
- d. ROOF FORM
 - 1. Guidelines:
 - i. Roof forms should be of various pitch variety, common to traditional New England Architecture
 - ii. Gable, hip roofs, shed, gambrel, mansard style roofs are acceptable. All roofs should have appropriate overhangs.
 - iii. Flat roofs should not be completely eliminated from consideration, but should only be built when the size of the building does not permit a pitched roof.
 - iv. Shingled roofs constructed of asphalt or wooden shingles are preferred. Standing seam, copper, or metal roofs are acceptable under certain circumstances.
 - v. Avoid long unbroken expanses of roofs through the use of dormers, chimneys, and changes in ridgeline.
 - vi. Multiple roof plane slopes are acceptable, but should be limited.
 - 2. Standards:
 - i. Roofs shall be constructed of materials which are commonly found in New England.
 - ii. All rooftop mechanical/ventilation equipment must be placed in such a manner so that it is not visibly apparent at the nearest street right-of-way. This may be accomplished by using architectural treatment/camouflaging (walls, parapets, false chimneys, etc.) or by other appropriate means.
- e. ARCHITECTURAL FEATURES AND DETAILS GUIDELINES
 - 1. Any features and details such as balconies, decks, covered porches, columns, dormers, turrets, towers, skylights and arches should be in proportion with the building.
 - 2. Accurate restoration of existing detail is encouraged, however use of historical details on contemporary structures should be included only when appropriate to the overall design
- f. MATERIALS AND COLORS
 - 1. Guidelines:
 - i. Exteriors of new buildings should utilize materials appropriate for the character of the building. Brick, clapboard, shingles, stone, or architectural concrete block are preferred, and encouraged for wall surfaces.
 - ii. Subtle colors should be used on larger and very plain buildings, while smaller buildings with elaborate detailing can use more colors. Colors should reflect traditional New England colors with accenting trim work.
 - iii. Colors that are disharmonious with other colors used on the building or found on adjacent structures should be avoided.
 - iv. Paint colors should relate to the natural material colors found on the building such as

brick, terra-cotta, stone or ceramic tile and existing elements such as signs or awnings.

- v. Contrasting colors, which accent architectural details and entrances, are encouraged.
- 2. Standards:
 - i. All exterior surfaces visible to the public shall be covered with a siding material and long term maintenance characteristics of all materials should be considered during the selection process.
 - ii. Neon tubing shall not be used as a feature, trim, or accent area for buildings.
 - iii. The rear and side elevations shall incorporate the materials, design details and theme when exposed to public view.

- g. SIGNAGE: Signs should be visible and legible through the use of appropriate details and proper locations. Allowable sign areas and locations are explained in Section 3.11 of the Londonderry Zoning Ordinance. The following design guidelines will give examples and methods of adding interest and quality to a building project while enhancing the overall project.
 - 1. Scale and proportion: Every sign should be an integral, subordinate element within the overall building and site design. The scale and proportion of the signage shall not overpower the building or obscure the building's architectural features.
 - 2. Materials: Sign materials should harmonize with the building's design. A simple and direct message, with upper and lowercase lettering is most effective. A limited number of colors should be used with light colored lettering placed on a matte, dark background which reduces reflected glare.
 - 3. Illumination: Illumination of signs should be from an indirect light source to reduce glare and ensure attention is focused on the sign. The light should be contained within the sign frame and not spill over onto other portions of the building or site. Internally illuminated signage should provide opaque backgrounds with translucent lettering.
 - 4. Coordination: All signage within a building complex should be coordinated by using similar materials, lettering, styles, colors, and overall sign sizes to ensure sign continuity and a uniform appearance throughout the development.
 - 5. Logos and Graphics: Company logos should be incorporated into the overall sign and not become the sign itself.

h. DESIGN GUIDELINES AND STANDARDS FOR LARGE RETAIL ESTABLISHMENTS

- 1. The following standards and guidelines are intended to be used as design aid by developers proposing large retail developments and as an evaluation tool by the Town staff and the Planning Board in their review processes. These standards and guidelines apply to all projects for retail establishments of more than 25,000 square feet.
- 2. FACADES AND EXTERIOR WALLS
 - i. Guidelines:
 - a. Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large retail buildings and provide visual interest that will be consistent with the community's identity character, and scale. The intent is to encourage a more human scale that Londonderry residents will be able to identify with their community.
 - b. Avoid expanses of wall using jogs, pilasters, architectural detailing, changes in surface materials, colors, textures, and rooflines.
 - c. Uninterrupted facades should not exceed 50% of the building wall.
 - ii. Standards:
 - a. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.
 - b. Ground floor facades that face public streets shall have arcades, display

windows, entry areas, awnings, or other such features along no less than 60% of their horizontal length.

3. DETAIL FEATURES

- i. Guideline: Buildings should have architectural features and patterns that provide visual interests, at the scale of the pedestrian, reduce massive aesthetic effects, and recognize local character. The elements in the following standard should be integral parts of the building fabric, and not superficially applied trim or graphics, or paint.
- ii. Standard: Building facades must include a repeating pattern that shall include no less than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.
 - a. Color Change
 - b. Texture Change
 - c. Material Module Change
 - d. Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib.

4. ROOFS:

- i. Guideline: Variations in roof lines should be used to add interest to, and reduce the massive scale of large buildings. Roof features should compliment the character of adjoining neighborhoods.
- ii. Standard: Roofs shall have no less than 2 of the following features:
 - a. Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed 15% of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment.
 - b. Overhanging eaves, extending no less than 3 feet past the supporting walls.
 - c. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to 1 foot of vertical rise for every 1 foot of horizontal run, and less than or equal to 1 foot of vertical rise for every 1 foot of horizontal run.
 - d. Three or more roof slope planes.

5. MATERIALS AND COLORS

- i. Guideline: Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.
- ii. Standards:
 - a. Predominant exterior building materials shall be high quality materials. These include, without limitation: Brick, wood, granite sandstone, other native stone, tinted/textured concrete masonry units.
 - b. Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
 - c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
 - d. Predominant exterior building materials shall not include the following: smooth faced concrete block, tilt-up concrete panels, pre-fabricated steel panels.

6. ENTRYWAYS

- i. Guideline: Entryway design elements and variations should give orientation and

aesthetically pleasing character to the building. The standards identify desirable entryway design features.

- ii. Standard: Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:
 - a. canopies or porticos
 - b. overhangs
 - c. recesses/projections
 - d. arcades
 - e. raised corniced parapets over the door
 - f. peaked roof forms
 - g. arches
 - h. outdoor patios
 - i. display windows
 - j. architectural details such as tile work and moldings which are integrated into the building structure and design
 - k. integral planters or wing walls that incorporate landscaped areas and/or places for sitting

7. BACK AND SIDE FACADES

- i. Guideline: All facades of a building which are visible from adjoining properties and/or public streets should contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to the front facade.
- ii. Standard: All building facades, which are visible from adjoining properties and/or public streets, shall comply with the requirements of Section 3.12h, item 2, above.

3.13 OUTDOOR LIGHTING DESIGN STANDARDS:

- a. The following words and terms related to outdoor lighting are defined as follows:
 - 1. **Disability Glare-** The eye's Line-of-Sight contact with a direct light source, which causes a partial blindness
 - 2. **Footcandle-** A unit of measure for illuminance. A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot
 - 3. **Full cut off type fixture** - A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above 90 degree, horizontal plane from the base of the fixture. Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and disability glare will result.
 - 4. **Horizontal Illuminance-** The measurement of brightness from a light source, usually measured in footcandles or lumens, which is taken through a light meter's sensor at a horizontal position.
 - 5. **Light Trespass-** Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.
 - 6. **Uplighting-** Any light source that distributes illumination above a 90 degree horizontal plane.
 - 7. **Uniformity Ratio (U. Ratio)** - Describes the average level of illumination in relation to the lowest level of illumination for a given area. Example: U. Ratio =4:1 for the given area, the lowest level of illumination (1) should be no less than 25% or "4 times less" than the average (4) level of illumination.
- b. Purpose: It is the goal of this section to provide further guidance to developers in implementing the lighting sections of the Londonderry Zoning Ordinance. Further, it is also the goal of this section to establish minimum requirements for lighting for all non-residential projects (non-residential projects include multi-family proposals). Recognizing that inappropriate and poorly designed or installed outdoor lighting causes unsafe and unpleasant conditions, limits residents ability to enjoy the nighttime sky, and results in unnecessary use of electric power. Conversely, it is also recognized that

some outdoor lighting is appropriate in areas such as civic, commercial and industrial centers. To ensure appropriate lighting while minimizing its undesirable side effects, the following regulations are established.

c. General Requirements

1. That all exterior lights and illuminated signs shall be designed, located, installed and directed in such a manner as to prevent objectionable light, and glare across, the property lines and disability glare at any location on or off the property. The “maintained horizontal illuminance recommendation” set by the Illuminating Engineers Society of North America (IES) shall be observed. (See appendix LIGHT 1)
2. All parking area lighting will be full cut-off type fixtures.
3. Uplighting is prohibited. Externally lit signs, display, building and aesthetic lighting must be shielded to prevent direct glare and/or light trespass in excess of 0.2 footcandles. The lighting must also be, as much as physically possible, contained to the target area. Internally lit signs are acceptable provided that they meet the requirements of the Londonderry Zoning Ordinance.
4. All building lighting for security or aesthetics will be full cut-off or a shielded type, not allowing any upward distribution of light. Flood lighting is discouraged, and if used, must be shielded to prevent:
 - i. Disability glare for drivers or pedestrians,
 - ii. Light trespass beyond the property line, and
 - iii. Light above a 90 degree, horizontal plane. Unshielded wallpack type fixtures are not acceptable.
5. Adjacent to residential property, no direct light source will be visible at the property line at ground level or above.
6. All non-essential lighting will be required to be turned off after business hours, leaving only the necessary lighting for security. (“Non-essential” can apply to: display, aesthetic, parking and sign lighting).
7. When outdoor lighting installation or replacement is part of a development proposal for which site plan approval is required under these regulations, the Planning Board shall review and approve the lighting installation as part of its site plan approval.
8. Lighting of Gas Station/Convenience Store Aprons and Canopies: All of the above standards shall apply, as well as the standards in Appendix LIGHT 2.
9. When an outdoor lighting installation is being modified, extended, expanded or added to, the entire outdoor lighting installation shall be subject to the requirements of this section
10. Expansion, additions, or replacements to outdoor lighting installations shall be designed to avoid harsh contrast in color and or lighting levels
11. Electrical service to outdoor lighting fixtures shall be underground.
12. Proposed lighting installations that are not covered in this section may be approved if the Planning Board finds that they are designed to minimize glare, do not direct light beyond the boundaries in excess of 0.2 footcandles of the area being illuminated or onto adjacent properties or streets, and do not result in excessive lighting levels. The U-Ratio for any site may not be greater than 4:1.
13. For the purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e luminaire).
14. Temporary (3 months) Holiday lighting during the months of November, December and January shall be exempt for the provisions of this section, provided that such lighting does not create dangerous glare or adjacent streets or properties.
15. The Planning Board may modify the requirements of this section if it determines that in so doing, it will not jeopardize the intent of these regulations.

3.14 TRAFFIC IMPACT ANALYSIS

- a. **SUBMITTALS:** All projects must provide a report meeting the requirements outlined for a “short” traffic impact analysis. If any of the following conditions apply, then a “full” traffic impact analysis must be completed:
 1. Trip generation exceeding 1,000 average daily trips or 100 peak hour trips. Peak hour is defined as any of the following:
 - i. AM peak hour (7-9 AM);
 - ii. PM peak hour (4-6 PM);
 - iii. Saturday midday peak hour (11AM-1PM); and
 - iv. peak hour generator for certain land uses (e.g., school, movie theater) if it falls outside the three previously listed periods. Analysis of Saturday midday peak only applies to retail uses.
 2. The Planning Department may require a “Full” analysis because of special circumstances.
- b. **REQUIRED FOR “SHORT” ANALYSES:** The “Short” analysis has two primary objectives: First, to justify that a “Full” analysis is not required, and, second, to determine the appropriate impact fee (as outlined in Section 1.2 of the Zoning Ordinance) imposed on the proponent. At a minimum, the “Short” analysis must include the following:
 1. Description of Site: A brief narrative of the character of the site and adjacent properties, including land uses and other pertinent facts.
 2. Description of Roadways: A brief narrative of the study area roadway facilities, including the number of lanes, speed limit, major intersections, and locations of existing driveways. A description of pedestrian amenities such as sidewalks, crosswalks, and handicap ramps should also be completed.
 3. Sight Distance: Measurements shall be provided for each driveway. A comparison of the available sight distance at each study intersection with Town of Londonderry standards shall be included.
 4. Trip Generation: In all cases, the analysis shall include trip generation based upon the ITE Trip Generation Handbook - latest edition. Where the applicant feels the ITE trip generation is not representative of the proposed development, justification must be provided for alternative trip generation methodology. If counts are performed to determine trip generation rates, the applicant must conduct two separate counts and provide full details of the count locations, including the size of the facility, percent occupancy, location, adjacent road Average Daily Traffic (ADT), time, and date of count.
 5. Trip Distribution: At the “Short” analysis level, trip distribution shall be described in a report that demonstrates knowledge of area-wide land uses, roadway facilities, and predominant traffic flows by time of day. The analysis shall contain a percentage distribution of trips (by direction) to the adjacent roadway facilities and any relevant assumptions. All assumptions made shall be outlined, with justification, in the report.
 6. The report shall be stamped by a professional engineer.
- c. **REQUIRED FOR “FULL” ANALYSES**
 1. The applicant shall meet with the Planning Department to confirm the study area and study area requirements.
 2. General Requirements: All information described in the “Short” analysis must also be contained in the “Full” analysis.
 3. Existing Traffic Counts: In no case shall existing traffic counts used in the analysis be more than two years old (from date of count to date of analysis submittal). If a significant change (e.g., new roadway or development) has occurred within the last two years, the Planning Department and/or Department of Public Works can, at their discretion, require that new counts be conducted. Traffic counts shall include information on date, time, day of week, and name of the firm or individual who performed the counts. Traffic counts shall be seasonally adjusted to average and peak conditions.
 4. Design Year Traffic Projection:

- i. Design Year: The design year for traffic projections shall be 10 years from the current year.
 - ii. The applicant shall obtain a list from the Town of Londonderry containing all proposed developments permitted to date within the study area. The traffic generated by these projects shall be added to the no-build and build analyses. Additionally, the background growth rate should be determined based upon information obtained from the NH Department of Transportation or the Southern New Hampshire Regional Planning Commission. The calculated background growth rate should be completely documented and included in the study for review.
 - iii. Trip Generation: Traffic projection for trip generation growth is described in the “Short” analysis section.
 - iv. Trip Distribution: The applicant shall provide justification for the assumed trip distribution. The trip distribution methodology should be representative of the type of development. Data may be obtained from employee zip code analysis, studies of similar sites, analysis of ADT on adjacent roadways, US Census journey to work and home-based work/non-work trips, or other sources. Graphic presentation shall be provided showing 1) peak hour trips added by the development, and 2) study area peak hour traffic volumes under each of the following scenarios:
 - a. Existing conditions;
 - b. Existing conditions with proposed development;
 - c. No build for design year, and;
 - d. Build for design year.
5. Peak Hour Capacity Analysis: Capacity analysis is to be performed at all study intersections (including driveways) using the most current Highway Capacity Manual Level of Service methodology for signalized and unsignalized intersections. Each of the four scenarios listed above must be analyzed at a minimum. A gap acceptance analysis should be provided in the case of adjustment to the default critical gap in the capacity analysis.
6. Safety Analysis: Accident data for the roadways and intersections included in the study area shall be obtained from the Londonderry Police Department. Accident history for the three most recent years available shall be summarized and compared to the Statewide or national rates established for the corresponding facility type (e.g., rural two-lane highway, urban arterial, etc.).
 - i. The minimum all season sight distance shall be three-hundred sixty-five (365) feet in all directions meeting the requirements for roadway intersections and Exhibit D3 of the Londonderry Subdivision Regulations.
7. Trucks: The location of loading docks and/or delivery drop-off areas shall be given in the analysis. The estimated frequency of trucks by time of day shall be provided when the number of daily truck trips exceeds 30 percent of the ADT on any roadway in the study area.
8. Parking: There should be a defined correlation between estimated trip generation and parking space requirements. The proposal shall contain a comparison of daily and peak hour trip generation estimates to the number of proposed parking spaces on site.
9. Narrative: Discussion of the following shall be provided:
 - i. Travel safety characteristics of any streets substantially impacted by allowing the “build” alternative, considering such things as sight distance limitations, width limitations, horizontal or vertical alignment deficiencies, and surface conditions;
 - ii. Streetside safety of any streets substantially impacted, considering such things as the amount and type of development along such streets, presence of sidewalks, vehicle speeds, and any outstanding limitations in sight distance or road configuration;
 - iii. Impact on pedestrian safety and convenience;
 - iv. Noise impacts on residential premises.
10. Mitigation: Any mitigating measures proposed shall be described in detail and included in the analysis. It is imperative that the applicants identify improvements to intersections even if they don’t fund them fully. Transportation Demand Management (TDM), non-vehicular transportation and mass transit should be strongly considered as mitigating strategies.

d. STANDARDS

1. If not more severely limited under other provisions of other laws or regulations, the absolute increase in calculated intersection delay, under “build” conditions, shall be no more than 10-20 seconds.
2. Average daily traffic volumes shall not be increased by more than one-third above the “no-build” level on any street.

e. PROCEDURE

1. Applicants shall contact the Planning Department early in the project design regarding the scoping of any traffic studies, including consideration of the study area boundary, the definition of “alternative” where involved, and the type of mitigation, if any, which are likely to prove appropriate.
2. Impact studies shall be submitted at the time of application for site plan review, to allow review prior to the public hearing or meeting at which the project will be presented to the Planning Board.

SECTION 4 SPECIFICATIONS FOR SITE PLANS AND DOCUMENTS

4.01 GENERAL

- a. **Preparer:** All site plans shall be prepared and stamped by a professional engineer. Boundary monuments shall be certified by a licensed land surveyor.
- b. **Paper details:** all plans shall be prepared on sheets not less than 34"x 22".
- c. **Scale:**

Horizontal:	Boundary Plans	1" = 100' (maximum)
All	other plans	1" = 40' (maximum)
Vertical:	1"	= 4' (maximum)
Cross Section:		1" = 5' (horizontal and vertical)

4.02 **TITLE BLOCK:** The title block shall be located as shown in Exhibit 2. The Title Block shall be shown on each sheet of the site plans. The following information shall be shown in the title block:

- a. Drawing title;
- b. Name of site plan;
- c. Location of site plan;
- d. Tax map and lot #s of subject parcel(s);
- e. Name and address of owner(s);
- f. Date of plan;
- g. Scale of plan;
- h. Sheet number;
- i. Name, address, and telephone number of design firm;
- j. Name and address of Applicant.

4.03 **PLANNING BOARD SIGNATURE BLOCK:** The signature block shall be located as shown in Exhibit 2. The Signature Block shall be placed on the cover sheet, site plan, and landscape plan.

<div>Approved by the Londonderry, NH Planning Board for Phase _____ on Date: _____</div> <div>Certified by: Chairman _____</div> <div>Secretary: _____</div>
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4.04 **REVISION BLOCK:** The revision block shall be placed on each sheet of the plans.

#	Date	Description	By

During the design process, if revisions are conducted to any sheet in the set of plans, then the revisions shall be noted in the revision block on each sheet in the entire plan set. Individual sheets which do not require revision shall be described as "no change with the revision."

- 4.05 BENCHMARK DATA: Benchmark data shall include the location, elevation (USGS datum) and description of one benchmark per five acres. Benchmark data shall be shown on each sheet of the plans.
- 4.06 NORTH ARROW: The north arrow shall be placed on each sheet of the plans.
- 4.07 PLAN REFERENCE: Plan references shall be placed on the existing conditions plan.
- 4.08 LEGEND. A legend shall be placed on each sheet of the plans. The legend shall show and describe each symbol used on the plan.
- 4.09 VICINITY PLAN: The vicinity plan shall be located as shown in Exhibit 2. The required scale is 1" = 2500'. The vicinity plan shall be placed on the site plan.
- 4.10 INDEX: An index shall be required if more than one sheet is submitted. The index shall be placed on the title sheet or existing conditions plan (top sheet of the plan set).
- 4.11 NOTES: The notes shall be located on the title sheet as shown in Exhibit 2. The following notes shall be shown;
- a. Purpose of plan
 - b. Tax map and lot #s of all subject parcels
 - c. Area of subject parcel(s)
 - d. Zoning designation of subject parcel(s)
 - e. Minimum lot area, frontages and setback dimensions required for district(s)
 - f. Existing and proposed use
 - g. parking requirements, as outlined in the Zoning Ordinance
 - h. % green area, as outlined in the Zoning Ordinance
 - i. % building coverage, as outlined in the Zoning Ordinance
 - j. Sanitary sewer source (name of provider (company) if offsite)
 - k. Water supply source (name of provider (company) if offsite)
 - l. Zoning variances/special exceptions with conditions
 - m. List FEMA sheet(s) used to identify one-hundred (100)-year flood elevation (Note if no flood zone present as applicable)
 - n. List of required permits and permit approval numbers
 - o. List of Planning Board waivers (if applicable)
 - p. Phasing notes, in accordance with Section 4.18h.
 - q. Note the following: "If, during construction, it becomes apparent that deficiencies exist in the approved design drawings, the owner shall be required to correct the deficiencies to meet the requirements of the regulations at no expense to the Town."
 - r. Note the following: "If, during construction, it becomes apparent that additional erosion control measures are required to stop any erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary erosion protection at no expense to the Town."
 - s. Note the following: "All materials and methods of construction shall conform to Town of Londonderry Subdivision Regulations and the latest edition of the New Hampshire Department of Transportation's Standard Specifications for Road and Bridge Construction"
 - t. Note the following: "In accordance with Section 6.01 of the Londonderry Site Plan Regulations and RSA § 676:13, all improvements specified on these site plans shall be constructed, completed, inspected and approved by the Town of Londonderry prior to the issuance of a certificate of occupancy."
 - u. For sites requiring off-site improvements, note the following: "In accordance with Section 6.01 of the Londonderry Site Plan Regulations and RSA § 676:12, all off-site improvements specified on these site plans shall be constructed, completed, inspected and approved by the Town of Londonderry (and/or the NHDOT, if applicable) prior to the issuance of a certificate of occupancy."

4.12 EXISTING CONDITIONS PLAN: The existing conditions plan shall show the following:

- a. The boundary of the entire lot showing bearings to the nearest second and distances to the nearest 0.01 feet on all property lines.
- b. The error of closure for the property boundary should be stated on the plan and shall not be less than one (1) inch in ten thousand (10,000) feet.
- c. Plan requirements:
 1. Surveyor's certification stamped and signed by LLS
 2. Existing lot boundary defined by metes and bounds
 3. Existing topography (2-foot contour interval minimum)
 4. Boundary monuments:
 - i. Monuments found
 - ii. Monuments to be set
 5. Map # and Lot #, name addresses, and zoning of all abutting land owners
 6. Existing streets:
 - i. Name labeled
 - ii. Status noted or labeled
 - iii. Right-of-way dimensioned
 - iv. Pavement width dimensioned
 7. Municipal boundaries (if any)
 8. Existing easements (identified by type)
 9. Designation of each lot by Tax Map and Lot #'s
 10. Area of each lot being developed (in acres and square feet)
 11. North arrow
 12. Locus map (at a scale of 1" = 2,500)
 13. SCS Soils (shown or noted on the plan)
 - i. Boundary
 - ii. Type
 14. Limits of wetlands and Conservation Overlay District Boundaries
 15. Wetland delineation:
 - i. Wetland delineation criteria
 - ii. Wetland Scientist certification
 16. Owner(s) signature(s)
 17. All required setbacks (including any applicable buffers)
 18. Existing streets:
 - i. Name(s) labeled
 - ii. Width of right-of-way dimensioned
 19. Existing features:
 - i. Buildings
 - ii. Wells
 - iii. Septic systems
 - iv. Stone walls
 - v. Paved drives
 - vi. Gravel drives
 - vii. Existing tree lines
 - viii. Trees greater than 15" in diameter, and species
 20. Location and name (if any) of any streams or waterbodies
 21. Location and elevation(s) of one-hundred (100)-year flood zone per FEMA Flood Insurance Study or as determined by drainage study
 22. Clarify extent of existing overhead and underground utility lines, poles, towers, etc.
 23. Plan and deed references
 24. Zoning District boundary lines (if any, and including the CO District) shall be shown for the subject lot and abutting lots as applicable.
 25. Abutting land uses shall be noted

- 4.13 PERMITS: The applicant shall be responsible for obtaining the approvals and necessary permits from governmental or municipal agencies. A copy of each permit shall be submitted to the Town of Londonderry and the permit number shall be shown on the plan. In order for the Planning Board to consider an application complete, as stipulated by Section 2.05 and RSA 676:4, proof of application for any state, federal, or local permits must be provided to the Planning Board.
- 4.14 IMPROVEMENT PLANS: When improvements are proposed to be constructed as part of the site plan application, the Applicant is required to submit improvement plans, including plans required for all off-site improvements. All improvement plans shall be stamped and signed by a professional engineer. The improvement plans shall include:
- a. Grading and Drainage:
(NOTE: All existing features shall be presented as lightly shaded or greyscale, but shall be legible to provide contrast to the proposed features)
1. Existing topography (two (2)-foot contour interval minimum)
 2. Proposed contours
 3. Existing spot elevations
 4. Proposed spot elevations
 5. Existing edge of pavement
 6. Proposed edge of pavement
 7. Existing curb line
 8. Proposed curb line
 9. Existing buildings and structures
 10. Proposed buildings and structures
 11. Existing retaining walls
 12. Proposed retaining walls
 13. Existing stone walls
 14. Reconstructed stone walls
 15. Wetland Mapping
 - i. Wetland limits identified
 - ii. Impact Area in square feet for each individual location
 - iii. Mitigation areas (as may be required)
 16. Existing treeline
 17. Proposed treeline
 18. Benchmarks
 19. Existing drainage systems:
 - i. Pipes/culverts (each location):
 - a. Type
 - b. Size
 - c. Length and slope
 - d. Inverts
 - e. End sections/Headwalls
 - ii. Structures (catchbasins, drain manholes, special structures):
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts
 - iii. Swales/Ditches/Waterways:
 - a. Flow arrows (direction of flow)
 - b. Topography
 - c. Spot elevations
 20. Proposed Drainage Systems:
 - i. Pipes/culverts (each location):

- a. Type
 - b. Size
 - c. Length and slope
 - d. Inverts
 - e. End sections/headwalls
 - f. Identify minimum cover and location
 - g. Outlet erosion protection
 - ii. Structures (catchbasins, drain manholes, special structures):
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts
 - iii. Swales/ditches/waterways:
 - a. Flow arrows (direction of flow)
 - b. Grading
 - c. Spot elevations
 - d. Erosion protection (riprap, matting, etc.)
21. Temporary erosion protection during construction:
- i. Silt fence, haybales, etc.
 - ii. Matting, mulch, etc.

b. Utilities:

- 1. Existing sanitary sewer system:
 - i. Pipes:
 - a. Type
 - b. Size
 - c. Length and slope
 - ii. Structures:
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts
- 2. Proposed sanitary sewer system:
 - i. Pipes (gravity):
 - a. Type
 - b. Size
 - c. Length and
 - d. Separation (eighteen (18) inches)
 - e. Identify minimum cover and locations
 - ii. Force Main:
 - a. Type
 - b. Size
 - c. Direction of flow (flow arrows)
 - d. Bends and thrust blocking
 - e. Air relief valves and structures
 - f. Clean-out structures
 - g. Identify minimum cover and locations
 - iii. Structures:
 - a. Location (sta. and off-set)
 - b. Type
 - c. Size
 - d. Rim elevations
 - e. Inverts

- iv. Service laterals to each individual lot:
 - a. Type
 - b. Size
 - c. Length and slope
 - d. Separation (eighteen (18) inches)
 - e. Minimum cover and locations identified
 - f. Location of connection
- 3. Existing Water System:
 - i. Pipes - Type & Size
 - ii. Hydrants
 - iii. Valves
 - iv. Bends and thrust blocks
 - v. Tees
- 4. Proposed Water System:
 - i. Pipes - Type & Size
 - ii. Hydrants - Locations approved by Fire Department
 - iii. Valves
 - iv. Bends and thrust blocks
 - v. Tees
 - vi. Services to each lot
- 5. Existing Gas Lines:
 - i. Pipes - Type & Size
 - ii. Valves
- 6. Proposed Gas Lines:
 - i. Pipes - Type & Size
 - ii. Valves
 - iii. Services to each lot
- 7. Telephone/Electrical/Cable:
 - i. U-poles
 - ii. Pedestals/transformers
 - iii. Overhead lines
 - iv. Underground lines
 - v. Services to each lot
- c. Construction Detail Drawings:

Note: Construction details to conform with New Hampshire Department of Transportation Standards and Specifications for Road and Bridge Construction, Town of Londonderry Department of Public Works requirements, and the Site Plan Regulations.

 - 1. Typical cross-section of roadway
 - 2. Typical driveway plan and profile apron detail
 - 3. Curbing detail
 - 4. Guardrail detail
 - 5. Sidewalk detail
 - 6. Traffic signs and pavement markings
 - 7. Typical underdrain trench detail
 - 8. Drainage structure(s):
 - i. Catchbasin (including frame and grate)
 - ii. Manhole (including frame and cover)
 - iii. Outlet structure (detention basins)
 - iv. Headwalls
 - v. Flared end sections
 - 9. Outlet protection riprap apron
 - 10. Level spreader
 - 11. Treatment swale

12. Typical section at detention basin
 13. Typical pipe trench:
 - i. Drainage
 - ii. Sewer
 - iii. Water
 - iv. Utilities
 14. Sewer structures:
 - i. Manholes (including frame and cover, inverts
 - ii. Drop manholes
 - iii. Special structures (pump stations, blowoffs, etc.)
 - iv. Pipe manhole joint details
 15. Typical sewer lateral service connection detail
 16. Typical chimney detail
 17. Project specific sewer details (sleeves, etc.)
 18. Typical sewer notes (as per New Hampshire Department of Environmental Services and Sewer Division requirements)
 19. Hydrant
 20. Thrust block details
 21. Valve box detail
 22. Typical water connection service detail
 23. Erosion control details:
 - i. Haybale barriers at waterways
 - ii. Silt fence
 - iii. Stone check dam
 - iv. Stone construction entrance
 - v. Inlet filter basket
 - vi. Haybale barrier at catchbasin
 24. Notes:
 - i. Notes as required by the Town of Londonderry Department of Public Works
 - ii. Construction sequence
 - iii. Erosion control notes
 - iv. Turf establishment notes
 - v. Sewer construction notes (as required by Sewer Ordinance)
 - vi. Water system construction notes (as required by local water company)
 25. Profiles shall be provided (at a scale of 1"=4' V and 1"=40' H) as follows:
 - i. Required for sewer lateral connections
 - ii. Optional for drain systems (however, required where there is a question of utility conflicts)
 - iii. Required at locations of all utility/drainage conflicts.
 26. Cross-Sections (as required to clarify construction requirements):
 - i. Scale of sections at 1"=5' H
 - ii. Proposed pavement, crushed gravel and bankrun gravel limits
 - iii. Embankment slopes
 - iv. Underdrains
 - v. Drainage piping and structures
 - vi. Sewer piping and structures
 - vii. Utilities (Water lines, Gas lines, Telephone/electric/cable)
 - viii. Guardrail
- d. Streets: If streets are to be built as part of a site plan (e.g., for a multi-family residential site plan), then the design of such streets shall comply with Section 3.09 of the Londonderry Subdivision Regulations.
- e. Landscape Plan: The applicant shall be required to submit a landscape plan indicating the location of all areas to be landscaped and proposed items to be planted in accordance with Section 3.09.

- 4.15 BUILDING RENDERINGS: The applicant shall submit a set of renderings showing the front, side and rear view elevations of the proposed building and conform to the Building Design and Materials requirements of Section 3.12.
- 4.16 ILLUMINATION PLANS: The applicant shall submit to the Town sufficient information, in accordance with Section 3.13, in the form of an overall exterior lighting plan, to enable the Town to determine that the applicable provisions will be satisfied. The lighting plan shall include at least the following:
- a. A site plan, drawn to the required scale, showing all buildings, landscaping, parking areas, all proposed exterior lighting fixtures;
 - b. Specification (details) for all proposed lighting fixtures including photometric data, designation as IESNA “cut-off” fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures;
 - c. Proposed mounting height of all exterior lighting fixtures;
 - d. Analyses and illuminance level diagrams showing that the proposed installation conforms to the lighting level standards in this section. Off-site lighting should be considered in the analyses; and
 - e. Drawing of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the illuminance levels of the walls, and the aiming points for any remote light fixtures.
- 4.17 TRAFFIC IMPACT ANALYSIS: The applicant shall submit traffic impact information based upon the standards set in Section 3.14.
- 4.18 DOCUMENTS:
- a. Protective Covenants - covenants for the protection of open space or other purposes.
 - b. Utility Clearance Letters - certificate of approval from the appropriate utilities for extension and layout.
 - c. Deeds - deeds for land to be conveyed to the Town of Londonderry to be used for streets and other public purposes. Deeds shall be written in metes and bounds description.
 - d. Easements and Right-of-ways - deeds of easements and right-of-way. Deeds shall be written in metes and bounds description.
 - e. Permits - (see section 4.13).
 - f. Zoning Variances - documentation of any action of the Town of Londonderry Zoning Board of Adjustment relative to the site. All variances shall be listed on the plans.
 - g. Waivers - (see section 7.04)
 - h. Notes regarding phasing: If the project is to be phased, the Applicant shall submit a document for review stating how the project is to be phased, work to be performed in each phase, and the schedule for each phase. Phasing shall meet the requirements and approval of the Town of Londonderry Department of Public Works and Fire Department. The phasing shall be noted on the plans.
 - i. Agreements - agreements, if any, between the applicant and the Town regarding public improvements or other purpose.
 - j. Other documents as required by the Planning Board

SECTION 5 STANDARDS FOR PARTICULAR OR UNIQUE USES

5.01 COMMERCIAL WIRELESS COMMUNICATION FACILITIES

- a. **Purpose.** It is the goal of the Town of Londonderry to protect the public health, safety, and general welfare of the community while accommodating the communications needs of residents and businesses. The purpose of these regulations and the zoning provisions is to:
 1. facilitate the provision of wireless communication services to the residents and businesses of the town;
 2. minimize adverse visual impacts of wireless communications facilities through design and siting standards;
 3. encourage the location of facilities in non-residential areas;
 4. avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and,
 5. discourage proliferation of antenna support structures through sharing requirements.
- b. **Process.** In addition to the information required for site plans elsewhere in these regulations, development applications for wireless communications facilities shall include the following information:
 1. A report from a NH licensed professional engineer which:
 - i. specifies the facility's height and design including a cross section and elevation,
 - ii. documents the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas;
 - iii. describes the antenna support structure's capacity, including the number and type of antennas that it can accommodate;
 - iv. documents what steps the applicant will take to avoid interference with established public safety telecommunications;
 - v. includes an engineer's stamp and registration number.
 2. For all antenna support structures (towers), a letter of intent committing the owner and his or her successors in interest to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.
 3. The following items shall be submitted as part of any application (at the Planning Board's option they may be submitted as part of precedent conditions on any approval, prior to issuance of a building permit).
 - i. a copy of the FAA's response to the submitted "Notice of Proposed Construction or Alteration" (FAA Form 7460-1);
 - ii. proof of compliance with applicable Federal Communications Commission regulations; and,
 - iii. a report from a qualified professional engineer which demonstrates the facility's compliance with Londonderry's structural and electrical standards (to be submitted to the Building Department).
 4. The following supplemental information:
 - i. Location, uses, and approximate size and height of all buildings and structures within 500 feet of the proposed wireless communication facility.
 - ii. Elevations of all facades, indicating exterior materials and color of the facility.
 - iii. Plans shall be drawn at the scale of 1 inch equals 50 feet, maximum.
 5. As required by RSA § 12-K:7, all municipalities (board of selectmen or city/town council) within a 20-mile radius of any proposed tower shall be notified of the public hearing and shall be identified in the abutters list on the plans.
 6. As provided for in RSA § 12-K:4, the following information shall be submitted with an application for a new antenna support structure:
 - i. Detailed maps showing all of the carrier's current externally visible antenna support structure locations within a 20 mile radius of the proposed antenna support structure.
 - ii. A written description of why less visually intrusive alternatives for the proposed facility were not proposed.

- c. Design. The following design standards apply:
1. The lowest six (6) feet of the facility shall be visually screened by trees, large shrubs, solid walls, fences and/or other structures.
 2. The height and mass of the facility shall not exceed that which is essential for its intended use.
 3. The color of the proposed facility will be of a light tone or color (except where otherwise required by the FAA) so as to minimize the visual impact.
 4. There shall be a security fence around the base of the support structure base or the lot where the support structure is located.
 5. The proposed facility will not unreasonably impair the view of or from any public park, natural scenic vista, historic building or district, or significant view corridor.
 6. All reasonable efforts shall be made to camouflage or disguise the tower to look like trees or other appropriate alternative designs that blend in to the particular environment. Those towers that are not of an alternative design shall be of a monopole design.
- d. Process for antennas mounted on existing structures. The placement of antennas on existing support structures may be approved administratively - by the Administrative Review Committee - provided the proposal meets all applicable Town requirements, as follows:
1. Site and building plans shall be submitted and approved as specified herein.
 2. A report prepared by a professional engineer indicating the existing structure's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure shall be submitted along with complete details of all fixtures and couplings, and the precise point of attachment shall be indicated.
 3. In cases where insignificant additional support structures are needed, such as the erection of a small structure on an existing rooftop which will not be visible from the road, these applications may be approved administratively, at the reasonable discretion of the staff.

5.02 CHURCHES, SYNAGOGUES, TEMPLES, MOSQUES AND OTHER PLACES OF RELIGIOUS WORSHIP

- a. Any religious facility locating on a lot that abuts a residentially zoned parcel (AR-I or R-III) or a parcel containing residential land use, shall provide a landscaped buffer to such parcels. The landscaped buffer to residential property shall be based upon the square footage of the proposed religious facility, in accordance with the following:
1. Building footprint of the religious facility less than 10,000 square feet: 20 foot wide landscaped buffer.
 2. Building footprint of the religious facility 10,001 to 20,000 square feet: 30 foot wide landscaped buffer.
 3. Building footprint of the religious facility 20,001 to 30,000 square feet: 40 foot wide landscaped buffer.
 4. Building footprint of the religious facility greater than 30,001 square feet: 50 foot wide landscaped buffer.
- b. Landscaping within the buffer areas shall comply with Section 3.09.e of these regulations.

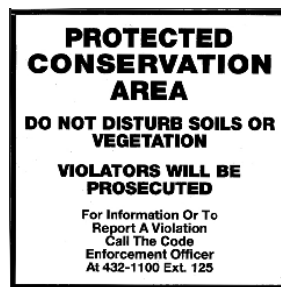
5.03 SUSTAINABLE DEVELOPMENT INCENTIVES (RESERVED FOR FUTURE USE)

5.04 AIRPORT DISTRICT USES (RESERVED FOR FUTURE USE)

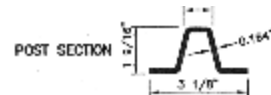
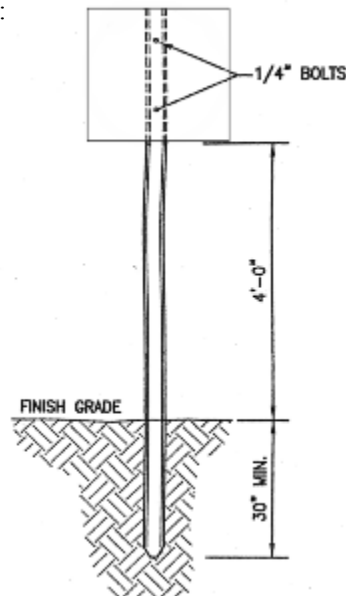
5.05 TRANSPORTATION DEMAND MANAGEMENT INCENTIVES (RESERVED FOR FUTURE USE)

5.06 CO DISTRICT SIGNAGE REQUIREMENTS

- Any project that has a portion of the property within the Conservation Overlay District (See Zoning Ordinance, Section 2.6.3) shall coordinate with the Conservation Commission as to where "Protected Conservation Area" signs (see details below) will be placed on the site along the CO District Boundary at points indicated on the plans.
- The maximum spacing between signs shall be 50 feet.
- Signs shall be placed on trees at the buffer line, or shall be installed on sign posts as shown in the detail below.
- Signs are available for purchase from the Planning & Economic Development Department at a cost determined by the Planning Department to recover the Town's costs of purchasing the signs to be made available.
- Sign Detail:



- Sign Post Detail:



LENGTH: P-12, 12'-0"; P-14, 14'-0"; P-16, 16'-0".
 WEIGHT PER LINEAL FOOT: 2.50 LBS. (MIN.)
 HOLES: 3/8" DIA. 1' O-C FULL LENGTH
 STEEL: SHALL CONFORM TO ASTM A-489 (GRADE 60) OR ASTM A-576 (GRADE 1070-1080).
 FINISH: SHALL BE PAINTED WITH TWO COATS OF AN APPROVED MEDIUM GREEN, BAKED ON OR AIR DRY, PAINT OF WEATHER RESISTANT QUALITY. ALL FABRICATION SHALL BE COMPLETE BEFORE PAINTING.

POST NOTES

- POSTS SHALL BE PLUMB. ANY POST BENT OR OTHERWISE DAMAGED SHALL BE REMOVED AND PROPERLY REPLACED. POSTS MAY BE SET OR BROKEN.
- WHEN POSTS ARE SET, HOLES SHALL BE TO THE PROPER DEPTH. AFTER INSERTING POSTS, THE HOLES SHALL BE BACKFILLED WITH SUITABLE MATERIAL IN LAYERS NO TO EXCEED 6" DEEP. THOROUGHLY COMPACTED, CARE BEING TAKEN TO PRESERVE THE ALIGNMENT OF THE POST.
- WHEN POSTS ARE DRIVEN, A SUITABLE DRIVING CAP SHALL BE USED AND AFTER DRIVING THE TOP OF THE POST SHALL HAVE SUBSTANTIALLY THE SAME CROSS-SECTIONAL DIMENSION AS THE BOTTOM OF THE POST. BATTERED HEADS WILL NOT BE ACCEPTED.
- POSTS SHALL NOT BE DRIVEN WITH THE SIGN ATTACHED TO THE POST.
- SIGNS SHALL BE ERECTED IN CONFORMANCE WITH THE REQUIREMENTS OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
- WHEN SIGN IS IN PLACE NO PART OF POST SHALL EXTEND ABOVE THE SIGN.
- DIMENSIONS SHOWN ARE NOMINAL.
- ALTERNATE SECTIONS MUST BE APPROVED PRIOR TO USE.

SIGN NOTES

- SIGNS SHALL BE PLACED IN NEAREST TREE ALONG 50 FOOT WETLANDS BUFFER AS SHOWN. IN AREAS WHERE THERE ARE NO TREES, SIGN POSTS SHALL BE USED AND INSTALLED.

SECTION 6 ASSURANCES FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

6.01 GENERAL:

- a. Under no circumstances shall any site work commence or any building permits be issued until all the conditions of approval have been met, the plan is signed by the Planning Board, a preconstruction meeting has taken place with the Public Works Department, and until all required performance sureties have been posted.
- b. OFF-SITE IMPROVEMENTS: Off-Site Improvements: Prior to the Planning Board signing the site plan and prior commencement of any work, the applicant shall post a performance surety to guarantee the completion of off-site improvements.
- c. ON-SITE IMPROVEMENTS: All site plans shall be required to submit an erosion control and site restoration bond, in an amount and form determined by the Department of Public Works, prior to commencing construction on the site. Also, in accordance with NH RSA § 676:13, no certificate of occupancy shall be issued by the Building Department until all on-site improvements specified on the approved site-plan are completed and inspected in accordance with section 6.02.
- d. In circumstances that prevent landscaping to be completed (due to weather conditions or other unique circumstance), the Building Department may issue a certificate of occupancy prior to the completion of landscaping improvements, if agreed upon by the Planning & Public Works Departments, when a bond (see forms available from the Public Works Department) and agreement to complete improvements are placed with the Town. The landscaping shall be completed within 6 months from the issuance of the certificate of occupancy, or the Town shall utilize the bond to contract out the work to complete the improvements as stipulated in the agreement to complete landscaping improvements. No other improvements shall be permitted to bond for their completion for purposes of receiving a certificate of occupancy.
- e. All performance sureties shall be in the form of the "Hampton Method Letter of Credit" (a copy of which is on file with the DPW), surety bond, or a cash bond on deposit with the town in an interest bearing account. All Letters of Credit or surety bonds required by these regulations must be posted by a Town approved bank or a surety company listed on the current United States Department of Treasury "Department of the Treasury's listing of approved Sureties (Department Circular 570)" as authorized to do business in the State of New Hampshire.
- f. CO District & No Cut Zones: All Conservation Overlay District Boundaries and other no cut zones indicated on the plans shall be clearly delineated in the field using flagging tape or similar approved methods prior to construction and shall be maintained throughout construction of the project.

6.02 INSPECTION

- a. INSPECTION SERVICE FEE AND COSTS:
 1. All applicants shall be required to deposit an inspection fee escrow with the Town. This fee shall cover all costs incurred by the Town and the cost of the Town's designated agent who shall monitor and inspect improvements for compliance with the approved plans and required engineering standards.
 2. Escrow shall be determined by the Department of Public Works (DPW) but shall not be more than 5% of the estimated cost of all project related improvements. This estimate shall be provided to the DPW within 30 days of conditional approval of the plans by the Planning Board.
 3. 10% of final inspection costs shall be retained by the Town to cover administrative costs.
 4. The DPW may contract with consultants for services. The applicant shall be responsible for all costs of all inspections and associated work, and execute a signed agreement and guarantee as required by the DPW.
 5. If it is determined that any of the required improvements have not been constructed in accordance with the Town's construction standards and specifications, the applicant shall be responsible for reconstruction and reinspection of the improvements.
 6. Escrow accounts shall be periodically reviewed to assure that sufficient funds are available to cover all inspection costs and additional escrow provided as needed.
 7. Upon acceptance of the project and submission of the required as-built site plan, any unused escrow amount shall be returned to the applicant.

- b. **ARRANGEMENT FOR INSPECTIONS:** At least 15 working days prior to commencing construction of any site plan improvements, the applicant shall notify the DPW in writing of the time he/she proposes to commence construction of such improvements and shall pay to the Town the escrow for the inspection fee required by the DPW. The DPW will arrange for inspection by the Town's agent to assure that all standards, specifications and requirements are met during the construction of the required improvements and utilities. The applicant shall request to schedule a preconstruction meeting with the DPW which is mandatory prior to the start of construction.
- c. **PROPER INSTALLATION OF IMPROVEMENTS:** If the Town or the Town's agent finds, upon inspection of the improvements performed before the expiration of any security, that any of the required improvements have not been constructed in accordance with approved plans and specifications of any conditions of approval of the Planning Board, the status shall be reported to the DPW. The DPW shall then notify the Applicant, and if necessary, the bonding company or escrow agent and take all necessary steps to preserve the Town's rights under the bond or agreement. No plan shall be certified (signed by the Planning Board for final approval) by the Planning Board, nor shall a Certificate of Occupancy be issued by the Building Department, as long as the applicant is in default on a previously approved subdivision or site plan.
- d. **FAILURE TO COMPLETE IMPROVEMENTS OR ABANDON PROJECT:**
 - 1. When a performance bond has been posted and required off-site improvements have not been installed or completed in accordance within the terms of said performance, the Planning Board may declare the project in default and direct the DPW to use the bond to complete all outstanding required improvements.
 - 2. When an applicant fails to complete all required on-site improvements as shown on approved site plans, the Planning Board shall proceed with the Site Plan Revocation process as outlined in Section 7.09d.

6.03 AS-BUILTS

- a. The applicant shall submit to the Town Engineer detailed "as-built" plans (electronic as-built file in a form as described in Section 2.05n, mylar reproducible and one paper print) of the site plan. The applicant's engineer shall certify to the Town Engineer that the layout of the line and grade of all public improvements is in accordance with improvement plans of the site plan.
- b. When a revision to the approved plan is proposed, the applicant shall submit a print of the approved plan indicating the proposed revision to the Town Engineer. The revision shall be reviewed by the Town Engineer and if necessary the Board. All approved revisions shall be shown on the "as-built" plan required at the completion of the project.

6.04 MAINTENANCE OF OFF-SITE IMPROVEMENTS

- a. The applicant shall be required to maintain all off-site improvements until the acceptance of said improvements by the Town.
- b. The applicant may request reductions in performance surety prior to final acceptance. However, a minimum 10% retainage on each item shall remain until the final inspection and acceptance of the project by the Department of Public Works. Upon recommendation from the Department of Public Works and acceptance of the project by the Town Council, 2% retainage of the total performance surety, but not less than \$7,500, will remain in place in order to assure the satisfactory condition of the required improvements for a period of one year after the date of acceptance by the Town. The financial guarantee shall be in accordance with section 6.01b.
- c. The Town Council will not release, nor reduce, an assurance until the Public Works Director has submitted a letter stating that all required improvements have been completed, are ready for dedication to the local government, and are free and clear of any and all liens and encumbrances. Upon such approval and recommendation, the Town Council shall accept the improvements for dedication.

SECTION 7 ADMINISTRATION AND ENFORCEMENT

- 7.01 **AMENDMENTS:** For the purpose of providing for the public health, safety and general welfare the Board may amend, change, alter, add or rescind the provisions imposed by these regulations. Notification, public hearings, publications and certification of all proposed amendments shall be accomplished by the Board in accordance with NH RSA § 675:6 and 675:7.
- 7.02 **SAVING PROVISION:** These regulations replace and supercede the former regulations of the Board. Adoption of these regulations is not intended to invalidate any approval or requirement of approval under the former regulations and shall not be considered applicable to any application which has been formally accepted by the planning board pursuant to RSA 676:4, I(b) prior to the first legal notice of a proposed adoption of regulations.
- 7.03 **INTERPRETATION, CONFLICT and SEPARABILITY:** The provisions herein shall be considered the minimum requirements for the protection of public health, safety and welfare. These regulations are not intended to interfere with the application of other laws or regulations or privately imposed restrictions. Where these regulations may differ from other applicable laws or regulations, whichever provisions are more restrictive or impose higher standards shall govern. If any part of these regulations is determined to be invalid, that determination will be construed applicable to that part only and the remainder of these regulations will be construed to continue in full force.
- 7.04 **WAIVERS:** In a case when the strict application of these regulations would:
- a. Result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the affected property; or
 - b. An alternative site planning and building design approach meets the design objectives as stated in the regulations, equally well or better than would compliance with the regulations; and
 - c. In either of the foregoing circumstances, the waiver may be granted without substantial detriment to the public good;
- the Board may waive specific plan requirements where the Board has determined that such a waiver will not affect the purpose and intent of these regulations. The applicant shall submit in writing a “request for waiver” to the Board citing the specific regulation and the reason the regulation cannot be met. Any waiver granted shall be shown on the Site Plan. In the case of proposals having lands designated as “special flood hazard areas,” these waiver provisions shall not apply to the requirements for such areas as cited in Section 1.05 of these Regulations.
- 7.05 **PUBLIC HEARING:** All formal applications shall have a hearing in accordance with Section 2.05 of these regulations. Such public hearing shall be held at the appropriate stage as indicated in Exhibit 1 and shall in accordance with RSA § 676:4d.
- 7.06 **ACTION of the BOARD:**
- a. Within the appropriate time frames as established by NH RSA § 676:4, the Board shall approve, conditionally approve, or disapprove the application. The reasons for disapproval of a plan shall be stated in the record of the Board. Approval of a plan shall be endorsed on the plan by the chairman and the secretary of the Board. The time to act may be extended in accordance with NH RSA § 676:4f
 - b. All conditional approvals are valid for a period of not more than 120 days, unless the Planning Board, at their discretion, chooses to extend the number of days required to meet precedent conditions. All precedent conditions of approval must be met within this 120-day period (or time period established by the Planning Board at time of conditional approval) or the approval shall be considered null and

void. In cases where extenuating circumstances prevent the meeting of precedent conditions within 120 days, the applicant may request an extension, to be filed (in writing and with justification) with the Board no later than 14 days prior to the expiration date of the conditions. The Planning Board shall then vote on whether or not to grant such extensions.

- c. All certified (signed by the Planning Board chair and secretary) site plans must obtain a building permit within 1 year from the date the plan was signed. Failure to obtain a building permit within 1 year will render the approval null and void. In cases where extenuating circumstances prevent the receipt of a building permit within 1 year, the applicant may request an extension of not more than 1 additional year. Such request must be filed (in writing and with justification) with the Board no later than 14 days prior to expiration. The Planning Board shall then vote on whether or not to grant such extensions.
- d. Approved site plans shall be protected from future changes in regulations and ordinances in accordance with NH RSA § 674:39 as summarized by the following:
 1. Every site plan approved by the planning board shall be exempt from all subsequent changes in site plan regulations and zoning ordinances adopted by the Town of Londonderry, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 4 years after the date of certification of the site plan by the Planning Board; provided, however, that once substantial completion of the improvements as shown on the plans have occurred in compliance with the approved plans, or the terms of said approval or unless otherwise stipulated by the planning board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in site plan regulations or zoning ordinances shall operate to affect such improvements; and further provided that:
 - i. Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved plans within 12 months after the date of approval (certification by the Planning Board), or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the Town, at the time of commencement of such development;
 - ii. The development remains in full compliance with the public health regulations and ordinances of the Town of Londonderry; and
 - iii. At the time of approval (certification of the plans by the Planning Board), the site plan conforms to the site plan regulations, and zoning ordinances then in effect at the site of such plan.
 2. For purposes of these regulations, "active & substantial development" shall be defined as:
 - i. Construction of and/or installation of basic infrastructure to support the development (including all of the following: foundation walls and footings of proposed buildings; roadways, access ways, parking lots, etc. to a minimum of gravel base; and utilities placed in underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans; and
 - ii. Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrain, catch basins, etc.) in accordance with the approved plans; and
 - iii. All erosion control measures (as specified on the approved plans) must be in place and maintained on the site; and
 - iv. Items i, ii, and iii shall be reviewed and approved by the Town Department of Public Works or designated agent.

Movement of earth, excavation, or logging of a site without completion of items i, ii, iii, & iv, above, shall not be considered "active and substantial development." Plans approved in phases shall be subject to this definition for the phase currently being developed. The Planning Board

- may, for good cause, extend the 12-month period set forth in 7.06.d.1.i.
- 7.07 FAILURE to ACT: If the Board has not obtained an extension in accordance with NH RSA § 676:4f and has not approved or disapproved the plan within 65 days from the date the plan was accepted as complete the applicant may seek relief in accordance with NH RSA § 676:4c(2).
- 7.08 APPEALS: Any person aggrieved by any decision of the Board may appeal to the Superior Court as provided for in NH RSA § 677:15
- 7.09 ENFORCEMENT and PENALTIES:
- a. General -These regulation shall be enforced under the authority of NH RSA § 676 and such other authorities as may be available.
 - b. Penalties - Any person who fails to comply with or violates any section of these regulations shall be fined in accordance with N.H. RSA § 676:17.
 - c. Civil Enforcement: Appropriate actions may be taken by law or in equity to prevent any violation of these regulations in order to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, or to prevent illegal occupation of a structure or premises. These remedies shall be in addition to the penalties described above.
 - d. Revocation of Site Plan Approval:
 1. The Planning Board may, in accordance with RSA § 676:4-a, revoke, in whole or in part, site plan approval only under the following circumstances:
 - i. When the applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans or specifications upon which the approval was based, or has materially violated any requirement or condition of such approval.
 - ii. When the applicant or successor in interest to the applicant has failed to perform any condition of the approval within a reasonable time specified in the approval, or, if no such time is specified, within the time periods specified in RSA § 674:39.
 - iii. When the time periods specified in RSA § 674:39 have elapsed without any vesting of rights as set forth therein, and the plat, plan or other approval no longer conforms to applicable ordinances or regulations.
 - iv. When the applicant or successor in interest to the applicant has failed to provide for the continuation of adequate security as provided by RSA § 674:36, III(b) and § 674:44, III(d) until such time as the work secured thereby has been completed.
 2. Prior to recording any revocation under this section, the planning board shall give notice, as provided by RSA § 676:4, I(d), to the public, the applicant or the applicant's successor in interest, and all abutters and holders of conservation, preservation, or agricultural preservation restrictions. The notice shall include the board's reasons for the revocation. A hearing with notice as provided in RSA § 676:4, I(d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the planning board determines to hold a hearing.
 3. A declaration of revocation, dated and endorsed in writing by the planning board, and containing reference to the recording information for the plat, plan or other approval being revoked, shall be filed for recording with the register of deeds, no sooner than 30 days after written notification of the revocation is served on the applicant or the applicant's successor in interest, in person or by certified mail, or 30 days after any public hearing, whichever is later. If only part of an approval is revoked, that portion of land subject to revocation shall be clearly identified in the declaration. The declaration shall be recorded under the same name or names as was the original approval, as well as the names of subsequent owners, if any, of the land or part thereof subject to revocation, as identified by the municipality.
 4. A revocation under this section may be appealed pursuant to RSA § 677:15. Nothing in this section shall affect the municipality's ability, either before or after such a revocation, to pursue other remedies or penalties as set forth in § RSA 676:15-17.

EXHIBIT 1 - SITE PLAN REVIEW PROCESS

(To be added at a later date)

EXHIBIT 2 - SITE PLAN LAYOUT - TITLE SHEET


 North Arrow	Plan Reference		Vicinity Plan	Index
	<div>Boundary Plan</div>		<u>Notes</u>	
P.E. Stamp				
Legend	Benchmark Data	Revision Block	Planning Board Signature Block	Title Block

EXHIBIT 3 - SITE PLAN FEE SCHEDULE

ITEM	Multi-family	Commercial	Industrial
Site*	\$0.005/sf	\$0.004/sf	\$0.005/sf
Municipal Storm Drainage/increment	\$75	\$150	\$150
Municipal Roads/increment	\$75	\$150	\$150
Notice to Abutters	\$12/abutter	\$12/abutter	\$12/abutter
Advertising	\$40	\$40	\$40

* Fee is based on the square footage of the entire lot.

Roads and Drainage length increments will be determined from the following schedule:

Storm Drainage

0 - 500 '	= 1 increment
501 - 1000	= 2 increments
1001 - 1500	= 3 increments
1501 - 2000	= 4 increments
2001 - 2500	= 5 increments

Drainage lengths shall be based on the length of all drainage pipes, swales, channels, and travel length of overland flow.

Roads

0 - 1000 '	= 1 increment
1001 - 2000	= 2 increments
2001 - 3000	= 3 increments
3001 - 4000	= 4 increments
4001 - 5000	= 5 increments

Road length shall be based on the length of all roads that are to be improved or constructed.

EXHIBIT 4

LONDONDERRY PLANNING BOARD SITE PLAN APPLICATION & CHECKLIST

☐ Design Review ☐ Formal Application

All information provided and submitted with this Application Checklist shall conform to the Londonderry Site Plan Regulations. **Please note that the Planning Board may not accept and consider the application complete if the required items as outlined in the checklist are missing from the submittal.**

I. General Information:

A. Name of Project: _____

B. Location of Project: _____
(street) (Map) (lot)

C. Owner: _____
(zoning)

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Signature: _____

D. Applicant:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

Signature: _____

E. Design Firm:
Name: _____
Address: _____

Phone: _____
Fax: _____
E-Mail: _____

F. Name of Licensed Land Surveyor: _____
(in responsible charge)
Signature: _____

G. Name of Licensed Professional Engineer: _____
(in responsible charge)
Signature: _____

H. Name of Certified Soil Scientist: _____

I. Name of Certified Wetland Scientist: _____

J. Date of Submittal to Planning Department: _____

***For Planning Department Use Only (Date
Received Stamp)***

II. General Requirements (All Applications):		Provided	N/A
1.	Executed Site Plan Application Form	<input type="checkbox"/>	<input type="checkbox"/>
2.	Complete abutters list	<input type="checkbox"/>	<input type="checkbox"/>
3.	All Required Fees	<input type="checkbox"/>	<input type="checkbox"/>
4.	Four (4) sets of plans and electronic "PDF" plans (12 sets if electronic plans not possible) submitted with all required information in accordance with the site plan regulations and this checklist	<input type="checkbox"/>	<input type="checkbox"/>
5.	Copies of any proposed easement deeds, protective Covenants or other legal documents	<input type="checkbox"/>	<input type="checkbox"/>
6.	Any waiver request(s) submitted with justification in writing	<input type="checkbox"/>	<input type="checkbox"/>
7.	Technical reports and supporting documents (Drainage report, Traffic Study, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
8.	Completed Site Plan Application Checklist	<input type="checkbox"/>	<input type="checkbox"/>
III. General Plan Information (All Plans):			
1.	Size and presentation of sheet(s) per requirements of the site plan regulations	<input type="checkbox"/>	<input type="checkbox"/>
2.	Title block information:		
a.	Drawing title	<input type="checkbox"/>	<input type="checkbox"/>
b.	Name of site plan	<input type="checkbox"/>	<input type="checkbox"/>
c.	Location of site plan	<input type="checkbox"/>	<input type="checkbox"/>
d.	Tax map & lot #s of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
e.	Name & address of owner(s)	<input type="checkbox"/>	<input type="checkbox"/>
f.	Date of plan	<input type="checkbox"/>	<input type="checkbox"/>
g.	Scale of plan	<input type="checkbox"/>	<input type="checkbox"/>
h.	Sheet number	<input type="checkbox"/>	<input type="checkbox"/>
i.	Name, address, & telephone number of design firm	<input type="checkbox"/>	<input type="checkbox"/>
j.	Name and address of Applicant	<input type="checkbox"/>	<input type="checkbox"/>
3.	Revision block	<input type="checkbox"/>	<input type="checkbox"/>
4.	Planning Board approval block provided on appropriate sheets (Cover sheet, site plan, landscape plan only)	<input type="checkbox"/>	<input type="checkbox"/>
5.	Certification block (for engineer, surveyor, soil scientist, or wetland scientist)	<input type="checkbox"/>	<input type="checkbox"/>
6.	Match lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>

IV. Title Sheet:

(may be consolidated with Site Plan)

		Provided	N/A
1.	The following notes shall be provided:		
a.	Purpose of plan	<input type="checkbox"/>	<input type="checkbox"/>
b.	Tax map and lot #s of all subject parcels	<input type="checkbox"/>	<input type="checkbox"/>
c.	Area (existing & proposed) of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
d.	Zoning designation of subject parcel(s)	<input type="checkbox"/>	<input type="checkbox"/>
e.	Min. lot area, frontages & setback dimensions	<input type="checkbox"/>	<input type="checkbox"/>
f.	Existing and proposed use	<input type="checkbox"/>	<input type="checkbox"/>
g.	parking requirements, as outlined in the Zoning Ordinance	<input type="checkbox"/>	<input type="checkbox"/>
h.	% green area, as outlined in the Zoning Ordinance	<input type="checkbox"/>	<input type="checkbox"/>
i.	% building coverage, as outlined in the Zoning Ordinance	<input type="checkbox"/>	<input type="checkbox"/>
j.	Sanitary sewer source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
k.	Water supply source (name of provider (company) if offsite)	<input type="checkbox"/>	<input type="checkbox"/>
l.	Zoning variances/special exceptions with conditions	<input type="checkbox"/>	<input type="checkbox"/>
m.	List FEMA sheet(s) used to identify 100-year flood elevation. (Note if no flood zone present as applicable)	<input type="checkbox"/>	<input type="checkbox"/>
n.	List of required permits and permit approval numbers	<input type="checkbox"/>	<input type="checkbox"/>
o.	List of Planning Board waivers (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>
p.	Note identifying which plans are on file at the town	<input type="checkbox"/>	<input type="checkbox"/>
q.	Note the following: "If, during construction, it becomes apparent that deficiencies exist in the approved design drawings, the Owner shall be required to correct the deficiencies to meet the requirements of the regulations at no expense to the Town."	<input type="checkbox"/>	<input type="checkbox"/>
r.	Note the following: "If, during construction, it becomes apparent that additional erosion control measures are required to stop any erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary erosion protection at no expense to the Town."	<input type="checkbox"/>	<input type="checkbox"/>
s.	Note the following: "All materials and methods of construction shall conform to Town of Londonderry Site Plan Regulations and the latest edition of the New Hampshire Department of Transportation's Standard Specifications for Road & Bridge Construction."	<input type="checkbox"/>	<input type="checkbox"/>
t.	Note the following: "In accordance with Section 6.01 of the Londonderry Site Plan Regulations and RSA § 676:13, all improvements specified on these site plans shall be constructed, completed, and inspected and approved by the Town of Londonderry prior to the issuance of a certificate of occupancy."	<input type="checkbox"/>	<input type="checkbox"/>
u.	For sites requiring off-site improvements, note the following: "In accordance with Section 6.01 of the Londonderry Site Plan Regulations and RSA § 676:12, all off-site improvements specified on these site plans shall be constructed, completed, and inspected and approved by the Town of Londonderry (and/or the NHDOT, if applicable) prior to the issuance of a certificate of occupancy."	<input type="checkbox"/>	<input type="checkbox"/>

	Provided	N/A
2. Vicinity plan (at a scale of 1"=2500')	<input type="checkbox"/>	<input type="checkbox"/>
3. Plan index indicating all sheets	<input type="checkbox"/>	<input type="checkbox"/>
V. Existing Conditions Plan:		
1. Surveyor's certification stamped and signed by LLS	<input type="checkbox"/>	<input type="checkbox"/>
2. Boundary of entire property by metes and bounds	<input type="checkbox"/>	<input type="checkbox"/>
3. Boundary monuments:		
a. Monuments found	<input type="checkbox"/>	<input type="checkbox"/>
b. Monuments to be set	<input type="checkbox"/>	<input type="checkbox"/>
4. Map # and Lot #, name addresses, and zoning of all abutting land owners	<input type="checkbox"/>	<input type="checkbox"/>
5. Existing streets:		
a. Name labeled	<input type="checkbox"/>	<input type="checkbox"/>
b. Status noted or labeled	<input type="checkbox"/>	<input type="checkbox"/>
c. Right-of-way dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
d. Pavement width dimensioned	<input type="checkbox"/>	<input type="checkbox"/>
6. Municipal boundaries (if any)	<input type="checkbox"/>	<input type="checkbox"/>
7. Existing easements (identified by type)	<input type="checkbox"/>	<input type="checkbox"/>
8. Proposed easements defined by metes & bounds. Check each type of proposed easement applicable to this application:		
a. Drainage easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
b. Slope easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
c. Utility easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
d. Temporary easement(s) (such as temporary turnaround)	<input type="checkbox"/>	<input type="checkbox"/>
e. No-cut zone(s), including those along streams & wetlands (as may be requested by the Conservation Commission)	<input type="checkbox"/>	<input type="checkbox"/>
f. Vehicular & pedestrian access easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
g. Visibility easements	<input type="checkbox"/>	<input type="checkbox"/>
h. Fire pond/cistern easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
i. Roadway widening easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
j. Walking trail easement(s)	<input type="checkbox"/>	<input type="checkbox"/>
k. Other easement(s) _____ Note type(s) _____	<input type="checkbox"/>	<input type="checkbox"/>
i. North arrow	<input type="checkbox"/>	<input type="checkbox"/>
10. Locus map (at a scale of 1" = 2,500)	<input type="checkbox"/>	<input type="checkbox"/>
11. Limits of wetlands & CO District Boundary	<input type="checkbox"/>	<input type="checkbox"/>
12. Wetland delineation:		
a. Wetland delineation criteria & Certification	<input type="checkbox"/>	<input type="checkbox"/>
13. SCS Soils (Boundary & Type)	<input type="checkbox"/>	<input type="checkbox"/>
14. Owner(s) signature(s)	<input type="checkbox"/>	<input type="checkbox"/>

15.	All required setbacks (including any applicable buffers)	Provided <input type="checkbox"/>	N/A <input type="checkbox"/>
16.	Physical features:		
a.	Existing features --		
	Buildings	<input type="checkbox"/>	<input type="checkbox"/>
	Wells	<input type="checkbox"/>	<input type="checkbox"/>
	Septic systems	<input type="checkbox"/>	<input type="checkbox"/>
	Stone walls	<input type="checkbox"/>	<input type="checkbox"/>
	Paved drives	<input type="checkbox"/>	<input type="checkbox"/>
	Gravel drives	<input type="checkbox"/>	<input type="checkbox"/>
17.	Location & name (if any) of any streams or waterbodies	<input type="checkbox"/>	<input type="checkbox"/>
18.	Location & elevation(s) of 100-year flood zone per FEMA Flood Insurance Study or as determined by drainage study	<input type="checkbox"/>	<input type="checkbox"/>
19.	Location of existing overhead utility lines, poles, towers, etc.	<input type="checkbox"/>	<input type="checkbox"/>
20.	Plan and deed references	<input type="checkbox"/>	<input type="checkbox"/>
21.	Zoning District boundary lines (if any)	<input type="checkbox"/>	<input type="checkbox"/>

**VI. Improvement Plans (Site Plan, Grading Plan, Utility Plan, etc.
- Stamped by Engineer Licensed in NH):**

1.	Grading and Drainage:		
a.	Existing topography (two-foot contour interval minimum)	<input type="checkbox"/>	<input type="checkbox"/>
b.	Proposed contours	<input type="checkbox"/>	<input type="checkbox"/>
c.	Existing spot elevations	<input type="checkbox"/>	<input type="checkbox"/>
d.	Proposed spot elevations	<input type="checkbox"/>	<input type="checkbox"/>
e.	Existing edge of pavement	<input type="checkbox"/>	<input type="checkbox"/>
f.	Proposed edge of pavement	<input type="checkbox"/>	<input type="checkbox"/>
g.	Existing curb line	<input type="checkbox"/>	<input type="checkbox"/>
h.	Proposed curb line	<input type="checkbox"/>	<input type="checkbox"/>
i.	Existing buildings and structures	<input type="checkbox"/>	<input type="checkbox"/>
j.	Proposed buildings and structures	<input type="checkbox"/>	<input type="checkbox"/>
k.	Existing retaining walls	<input type="checkbox"/>	<input type="checkbox"/>
l.	Proposed retaining walls	<input type="checkbox"/>	<input type="checkbox"/>
m.	Existing stone walls	<input type="checkbox"/>	<input type="checkbox"/>
n.	Reconstructed stone walls	<input type="checkbox"/>	<input type="checkbox"/>
o.	Wetland Mapping		
	1.) Wetland limits identified	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Impact Area in square feet for each individual location	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Mitigation areas (as may be required)	<input type="checkbox"/>	<input type="checkbox"/>
p.	Existing treeline	<input type="checkbox"/>	<input type="checkbox"/>
q.	Proposed treeline	<input type="checkbox"/>	<input type="checkbox"/>
r.	Benchmarks	<input type="checkbox"/>	<input type="checkbox"/>
s.	Existing drainage systems:		
	1.) Pipes/culverts (each location):		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
	v. End sections/Headwalls	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
	2.) Structures (catchbasins, drain manholes, special structures):		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim Elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Swales/Ditches/Waterways:		
	i. Flow arrows (direction of flow)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Topography	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Spot elevations	<input type="checkbox"/>	<input type="checkbox"/>
t.	Proposed Drainage Systems:		
	1.) Pipes/culverts (each location):		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
	v. End sections/headwalls	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Identify minimum cover and location	<input type="checkbox"/>	<input type="checkbox"/>
	vii. Outlet erosion protection	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Structures (catchbasins, drain manholes, special structures):		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Swales/ditches/waterways:		
	i. Flow arrows (direction of flow)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Grading	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Spot elevations	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Erosion protection (riprap, matting, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
u.	Temporary erosion protection during construction:		
	1.) Silt fence, haybales, etc.	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Matting, mulch, etc.	<input type="checkbox"/>	<input type="checkbox"/>
2.	Utilities:		
	a. Existing sanitary sewer system:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Structures:		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
b	Proposed sanitary sewer system:		
	1.) Pipes (gravity):		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Separation (18" below water)	<input type="checkbox"/>	<input type="checkbox"/>
	v. Identify minimum cover and locations	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Force Main :		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Direction of flow (flow arrows)	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Bends and thrust blocking	<input type="checkbox"/>	<input type="checkbox"/>
	v. Air relief valves and structures	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Clean-out structures	<input type="checkbox"/>	<input type="checkbox"/>
	vii. Identify minimum cover and locations	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Structures:		
	i. Location (sta. and off-set)	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Type	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Rim elevations	<input type="checkbox"/>	<input type="checkbox"/>
	v. Inverts	<input type="checkbox"/>	<input type="checkbox"/>
	4. Service laterals to each individual lot:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	iii. Length and slope	<input type="checkbox"/>	<input type="checkbox"/>
	iv. Separation (18" below water)	<input type="checkbox"/>	<input type="checkbox"/>
	v. Minimum cover and locations identified	<input type="checkbox"/>	<input type="checkbox"/>
	vi. Location of connection	<input type="checkbox"/>	<input type="checkbox"/>
c.	Existing Water System:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Hydrants	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
	4.) Bends and thrust blocks	<input type="checkbox"/>	<input type="checkbox"/>
	5.) Tees	<input type="checkbox"/>	<input type="checkbox"/>
d.	Proposed Water System:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Hydrants		
	i. Locations approved by Fire Department	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
	4.) Bends and thrust blocks	<input type="checkbox"/>	<input type="checkbox"/>
	5.) Tees	<input type="checkbox"/>	<input type="checkbox"/>
e.	Existing Gas Lines:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Valves	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
f.	Proposed Gas Lines:		
	1.) Pipes:		
	i. Type	<input type="checkbox"/>	<input type="checkbox"/>
	ii. Size	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Valves	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Services to each lot	<input type="checkbox"/>	<input type="checkbox"/>
g.	Telephone/Electrical/Cable:		
	1.) U-poles	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Pedestals/transformers	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Overhead lines	<input type="checkbox"/>	<input type="checkbox"/>
	4.) Underground lines	<input type="checkbox"/>	<input type="checkbox"/>
	5.) Services to each lot	<input type="checkbox"/>	<input type="checkbox"/>
3.	Roadways: If streets are to be built as part of a site plan (e.g., for a multi-family residential site plan), then the design of such streets shall comply with Section 3.09 of the Londonderry Subdivision Regulations, please see Subdivision Application Checklist.		
VII.	Landscape Plan (Section 3.09):		
		Provided	N/A
1.	General Information		
a.	Native Plants as suggested by Appendix LS1	<input type="checkbox"/>	<input type="checkbox"/>
b.	No use of Invasive materials as listed in Appendix LS2	<input type="checkbox"/>	<input type="checkbox"/>
c.	Plant materials meet winter hardiness requirement	<input type="checkbox"/>	<input type="checkbox"/>
d.	Proposed materials are of proper caliper or height	<input type="checkbox"/>	<input type="checkbox"/>
e.	Stone walls incorporated into landscape plan	<input type="checkbox"/>	<input type="checkbox"/>
f.	Existing vegetation preservation (no-cut) areas described by metes and bounds and monumented	<input type="checkbox"/>	<input type="checkbox"/>
2.	Parking Lot Landscaping		
a.	Interior landscaping percentage based on Section 3.11e	<input type="checkbox"/>	<input type="checkbox"/>
b.	Interior trees @ 1 per 15 parking spaces	<input type="checkbox"/>	<input type="checkbox"/>
c.	Perimeter trees @ 1 per 20 parking spaces AND 1 tree per 50 feet of perimeter	<input type="checkbox"/>	<input type="checkbox"/>
d.	Screening provides proper vertical opacity per Section 3.11e	<input type="checkbox"/>	<input type="checkbox"/>

VIII. Illumination Plan & Lighting Details (Section 3.13):

	Provided	N/A
1. Full Cut-Off Fixtures	<input type="checkbox"/>	<input type="checkbox"/>
2. Shielded, downcast building/external signage lighting	<input type="checkbox"/>	<input type="checkbox"/>
3. No direct light source at residential property lines	<input type="checkbox"/>	<input type="checkbox"/>
4. Plan, drawn to scale with illumination levels shown in footcandles	<input type="checkbox"/>	<input type="checkbox"/>
5. Specification (details) for all proposed lighting fixtures including photometric data, designation as IESNA "cut-off" fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures	<input type="checkbox"/>	<input type="checkbox"/>
6. Proposed mounting height of all exterior lighting fixtures	<input type="checkbox"/>	<input type="checkbox"/>
7. Illumination levels not to exceed 0.2 footcandles at any property line	<input type="checkbox"/>	<input type="checkbox"/>
8. Gas Station Canopies to meet requirements of Appendix Light 2	<input type="checkbox"/>	<input type="checkbox"/>

IX. Building Design & Renderings (Section 3.12):

1. Building Elevations/Renderings in compliance with Section 3.13	<input type="checkbox"/>	<input type="checkbox"/>
2. Signage renderings/details	<input type="checkbox"/>	<input type="checkbox"/>
3. Large Retail Establishments - Comply with Section 3.13H	<input type="checkbox"/>	<input type="checkbox"/>

X. Construction Detail Drawings:

Note: Construction details to conform with NHDOT Standards & Specifications for Roads & Bridges, Town of Londonderry Department of Public Works requirements, and Subdivision & Site Plan Regulations

1. Typical cross-section of pavement	<input type="checkbox"/>	<input type="checkbox"/>
2. Typical driveway apron detail	<input type="checkbox"/>	<input type="checkbox"/>
3. Curbing detail	<input type="checkbox"/>	<input type="checkbox"/>
4. Guardrail detail	<input type="checkbox"/>	<input type="checkbox"/>
5. Sidewalk detail	<input type="checkbox"/>	<input type="checkbox"/>
6. Traffic signs and pavement markings	<input type="checkbox"/>	<input type="checkbox"/>
7. Typical underdrain trench detail	<input type="checkbox"/>	<input type="checkbox"/>
8. Drainage structure(s):		
a. Catchbasin (including frame and grate)	<input type="checkbox"/>	<input type="checkbox"/>
b. Manhole (including frame and cover)	<input type="checkbox"/>	<input type="checkbox"/>
c. Outlet structure (detention basins)	<input type="checkbox"/>	<input type="checkbox"/>
d. Headwalls	<input type="checkbox"/>	<input type="checkbox"/>
e. Flared end sections	<input type="checkbox"/>	<input type="checkbox"/>

		Provided	N/A
9.	Outlet protection riprap apron	<input type="checkbox"/>	<input type="checkbox"/>
10.	Level spreader	<input type="checkbox"/>	<input type="checkbox"/>
11.	Treatment swale	<input type="checkbox"/>	<input type="checkbox"/>
12.	Typical section at detention basin	<input type="checkbox"/>	<input type="checkbox"/>
13.	Typical pipe trench:		
	a. Drainage	<input type="checkbox"/>	<input type="checkbox"/>
	b. Sewer	<input type="checkbox"/>	<input type="checkbox"/>
	c. Water	<input type="checkbox"/>	<input type="checkbox"/>
	d. Utilities	<input type="checkbox"/>	<input type="checkbox"/>
14.	Sewer structures:		
	a. Manholes (including frame and cover, inverts)	<input type="checkbox"/>	<input type="checkbox"/>
	b. Drop manholes	<input type="checkbox"/>	<input type="checkbox"/>
	c. Special structures (pump stations, blowoffs, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
	d. Pipe manhole joint details	<input type="checkbox"/>	<input type="checkbox"/>
15.	Typical sewer lateral service connection detail	<input type="checkbox"/>	<input type="checkbox"/>
16.	Project specific sewer details (sleeves, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
17.	Typical sewer notes (as per NHDES and Sewer Division requirements)	<input type="checkbox"/>	<input type="checkbox"/>
18.	Hydrant detail	<input type="checkbox"/>	<input type="checkbox"/>
19.	Thrust block details	<input type="checkbox"/>	<input type="checkbox"/>
20.	Valve box detail	<input type="checkbox"/>	<input type="checkbox"/>
21.	Typical water connection service detail	<input type="checkbox"/>	<input type="checkbox"/>
22.	Erosion control details:		
	a. Haybale barriers at waterways	<input type="checkbox"/>	<input type="checkbox"/>
	b. Silt fence	<input type="checkbox"/>	<input type="checkbox"/>
	c. Stone check dam	<input type="checkbox"/>	<input type="checkbox"/>
	d. Stone construction entrance	<input type="checkbox"/>	<input type="checkbox"/>
	e. Inlet filter basket	<input type="checkbox"/>	<input type="checkbox"/>
	f. Haybale barrier at catchbasin	<input type="checkbox"/>	<input type="checkbox"/>
24.	Notes:		
	a. General notes as required by the Department of Public Works	<input type="checkbox"/>	<input type="checkbox"/>
	b. Construction sequence	<input type="checkbox"/>	<input type="checkbox"/>
	c. Erosion control notes	<input type="checkbox"/>	<input type="checkbox"/>
	d. Turf establishment notes	<input type="checkbox"/>	<input type="checkbox"/>
	e. Sewer construction notes (as required by Sewer Ordinance)	<input type="checkbox"/>	<input type="checkbox"/>
	f. Water system construction notes (as required by local water company)	<input type="checkbox"/>	<input type="checkbox"/>

XI.	Supporting Documentation:	Provided	N/A
1.	Traffic Impact Analysis:		
	a. Traffic Impact analysis as required by Section 3.14	<input type="checkbox"/>	<input type="checkbox"/>
2.	Stormwater management report including the following:		
	a. Table of contents	<input type="checkbox"/>	<input type="checkbox"/>
	b. Narrative statement (including conclusions)	<input type="checkbox"/>	<input type="checkbox"/>
	c. Summary table comparing existing and post-development conditions	<input type="checkbox"/>	<input type="checkbox"/>
	d. Summary table of data for each pipe & piping system:		
	1.) Discharge	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Depth of flow	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Velocity	<input type="checkbox"/>	<input type="checkbox"/>
	e. Summary table of data for each swale & channel:		
	1.) Discharge	<input type="checkbox"/>	<input type="checkbox"/>
	2.) Depth of flow	<input type="checkbox"/>	<input type="checkbox"/>
	3.) Velocity	<input type="checkbox"/>	<input type="checkbox"/>
	f. Project location plan (on USGS quadrangle)	<input type="checkbox"/>	<input type="checkbox"/>
	g. Watershed area plan for existing condition	<input type="checkbox"/>	<input type="checkbox"/>
	h. Watershed area plan for post-development condition	<input type="checkbox"/>	<input type="checkbox"/>
	i. Runoff calculations for existing & post-development conditions	<input type="checkbox"/>	<input type="checkbox"/>
	j. Flood routing calculations for each detention basin	<input type="checkbox"/>	<input type="checkbox"/>
	k. Design for water quality treatment facilities (level spreaders, treatment swales, etc.)	<input type="checkbox"/>	<input type="checkbox"/>
	l. Riprap design calculations	<input type="checkbox"/>	<input type="checkbox"/>
	m. Report stamped by licensed professional engineer in NH	<input type="checkbox"/>	<input type="checkbox"/>
3.	Fiscal impact study provided (if required)	<input type="checkbox"/>	<input type="checkbox"/>
4.	Off-site improvements:		
	a. Design plans included in the project drawings	<input type="checkbox"/>	<input type="checkbox"/>
	b. Arrangements and agreements	<input type="checkbox"/>	<input type="checkbox"/>
	c. Easements	<input type="checkbox"/>	<input type="checkbox"/>
5.	Utility clearance letters (as applicable):		
	a. Electric	<input type="checkbox"/>	<input type="checkbox"/>
	b. Telephone	<input type="checkbox"/>	<input type="checkbox"/>
	c. Cable television	<input type="checkbox"/>	<input type="checkbox"/>
	d. Gas	<input type="checkbox"/>	<input type="checkbox"/>
	e. Water	<input type="checkbox"/>	<input type="checkbox"/>
	f. Sewer	<input type="checkbox"/>	<input type="checkbox"/>
6.	Other project-specific information as required by the Design Review Committee (DRC)	<input type="checkbox"/>	<input type="checkbox"/>

XII. Required Project Permits (as applicable to applications):

		Provided	N/A	App Submitted
1.	NHDES site-specific approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	NHDES wetlands permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	NHDES sewer discharge permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	NHDES water supply permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	NHDES dam permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	NHDOT driveway permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	Londonderry ZBA variance(s)/special exception(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	Londonderry sewer discharge permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Army Corps of Engineers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	Federal Aviation Administration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Other federal, state or local permits (if applicable) for project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIII. Acknowledgment and Signature:

The undersigned acknowledges he/she has read and understands all of the Town's current zoning, subdivision, site plan, and health regulations and requirements for obtaining all required local, state, and federal permits. .

(Signature of person preparing plans)

(Name)

(Title)

(Date)

APPENDIX LS1

NOTES ON NATIVE TREES AND SHRUBS AND THEIR USE IN LANDSCAPING - RECOMMENDED NATIVE TREES

Common Name	Latin Name	Low Maint	Salt Tolerance	Screen	Interest	Notes
Arborvitae	<i>Thuja occidentalis</i>		Intermediate	Yes		
Ash, Black	<i>Fraxinus nigra</i>					Wet Areas
Ash, White	<i>Fraxinus americana</i>		Intermed./Tolerant		Fall Color	
Basswood, Am. Or Linden	<i>Tilia americana</i>		Sensitive			
Beech, American	<i>Fagus grandifolia</i>		Sensitive			Large/Long lived
Birch, Paper	<i>Betula papyrifera</i>		Intermed./Tolerant		Fall Color/White Bark	
Black Gum	<i>Nyssa sylvatica</i>	Yes			Fall Color/Winter Shape	DRED suggests to try more
Cedar, Eastern Red	<i>Juniperis virginianus</i>		Intermediate	Yes		Disturbed areas
Cottonwood, Eastern	<i>Populus deltoides</i>		Tolerant			Disturbed, wet sites
Dogwood, Pagoda	<i>Cornus alterniflora</i>				Flowers/nice shape/Fruits	Wet areas/Mod. Sun
Fir, Balsam	<i>Abies balsmifera</i>		Sensitive	Yes		
Hawthorne, Fleshy	<i>Crataegus succulenta</i>		Intermediate		Fruits/Fall Color	One of the best Hawthornes
Hopthornbeam, American	<i>Ostrya virginiana</i>		Sensitive		Winter Interest	Winter Tolerant, DRED suggests to try more
Hornbeam, American	<i>Carpinus caroliniana</i>	Yes	Sensitive		Fall Color	Wet areas, DRED suggests to try more
Juniper, common	<i>Juniperis communis</i>					Ground cover
Larch, American	<i>Larix laricina</i>		Tolerant			Good in masses
Maple, Red	<i>Acer rubrum</i>	Yes	Sensitive		Fall Color	
Maple, Sugar	<i>Acer saccharum</i>		Sensitive			Needs large areas
Oak, Scarlet	<i>Quercus coccinea</i>				Fall Color	
Oak, Red	<i>Quercus rubra</i>		Tolerant			High Maintenance tree
Oak, Swamp White	<i>Quercus bicolor</i>		Sensitive			Wet areas
Pine, Jack	<i>Pinus banksiana</i>					Sandy, disturbed areas
Pine, Pitch	<i>Pinus resinosa</i>		Sensitive			Harsh, sandy soils
Pine, White	<i>Pinus strobus</i>		Sensitive	Yes		Handsome native
Plum, Canadian	<i>Prunus nigra</i>				Flowers/Fruit	
Shadbush	<i>Amelanchier arborea</i>		Sensitive		Flowers/Fruit	Wet areas
Shadbush	<i>Amelanchier canadensis</i>		Sensitive		Flowers/Fruit	Natural settings
Spruce, White	<i>Picea glauca</i>		Intermed./Tolerant	Yes		Winter Tolerant

NOTES ON NATIVE TREES AND SHRUBS AND THEIR USE IN LANDSCAPING - RECOMMENDED NATIVE SHRUBS

Common Name	Latin Name	Low Maint	Salt Tolerance	Screen	Interest	Notes
Arrowwood	<i>Viburnum dentatum</i>		Tolerant		Flowers/Fruit/Fall Color	Withstands adverse city conditions.
Bayberry	<i>Myrica pensylvanica</i>	Yes	Tolerant		Semi-Evergreen	No serious insect or disease problems
Blueberry, Highbush	<i>Vaccinium corymbosum</i>		Tolerant		Flowers/Fruit/Fall Color, colorful winter twigs	Withstands adverse city conditions/attractive to birds.
Cranberry. Highbush or American Cranberrybush	<i>Viburnum trilobum</i>	Yes	Unknown		Showy white flowers, glossy red berries	generally free of insect and disease problems; attractive to birds.
Dogwood, Panicle	<i>Cornus racemosa</i>		Sensitive		Flowers/Fruit/Colored Stalks/fall color	Will tolerate adverse city conditions.
Dogwood, Red Osier	<i>Cornus sericea</i>		Sensitive		Red stems, white berries	Tolerant of most adverse city conditions
Elderberry	<i>Sambucus canadensis</i>		Unknown		White flowers, purple berries	Tolerates adverse city conditions; attractive to birds.
Spicebush	<i>Lindera benzoin</i>	Yes			Yellow flowers/red fruits	no serious insect or disease problems
Mountain Laurel	<i>Kalmia latifolia</i>		No	Yes	Evergreen/Flowers	
Rhododendron, Rosebay	<i>Rhododendron maximum</i>			Yes	Flowers/Evergreen	some pollution tolerance
Viburnum, Sweet	<i>Viburnum lentago</i>		Sensitive		Flowers/Fruit/Fall Color	tolerates adverse city conditions
Viburnum, Mapleleaf	<i>Viburnum acerifolium</i>		Sensitive		Fall Color	withstands adverse city conditions
Winterberry, Black Alder	<i>Ilex verticillata</i>	Yes	Intermediate		Gorgeous red berries in fall	cool, moist, acid soils; shade OK; relatively free of insect and disease; need male and female plants.
Witch Hazel	<i>Hamamelis virginiana</i>	Yes				

APPENDIX LS2

NOTES ON NATIVE TREES AND SHRUBS AND THEIR USE IN LANDSCAPING - PLANTS TO BE AVOIDED

INVASIVE NON-NATIVE TREES AND SHRUBS TO BE COMPLETELY AVOIDED*

Common Name	Latin Name	Reason
Autumn Olive	<i>Eleagnus umbellata</i>	Crowds out native vegetation.
Bayberry, Common	<i>Berberis vulgaris</i>	Forms thorny thickets preventing native herbaceous and shrub growth.
Bayberry, Japanese	<i>Berberis thunbergii</i>	Forms thorny thickets preventing native herbaceous and shrub growth.
Buckthorn, Common	<i>Rhamnus cathartica</i>	Buckthorn invading drier areas.
Buckthorn, Glossy	<i>Rhamnus frangula</i>	Tolerant of dense shade and invades wet areas.
Euonymus, Winged**	<i>Euonymus alatus</i>	Dense shade and dense root system crowd out everything but own seedlings.
Honeysuckle	<i>Lonicera morrowii and tatarica</i>	Form impenetrable thickets and displace vegetation in young forests and floodplains.
Honeysuckle, Japanese	<i>Lonicera japonica</i>	Vine that chokes supporting trees and shrubs.
Locust, Black	<i>Robinia pseudoacacia</i>	Crowds out native vegetation.
Maple, Norway**	<i>Acer platanoides</i>	Crowds out native vegetation.
Rose, Multiflora	<i>Rosa multiflora</i>	Crowds out native vegetation.

NATIVE TREES NOT RECOMMENDED BY DRED OR EXT LITERATURE

Common Name	Latin Name	Reason
Box Elder	<i>Acer negundo</i>	Brittle wood, subject to snow and wind breakage.
Dogwood, Flowering	<i>Cornus florida</i>	Disease problem.
Elm, American	<i>Ulmus americanus</i>	Disease problem.
Hemlock, Eastern	<i>Tsuga canadensis</i>	Wooly adelgid heading north; recommend not to plant as there is no solution to the adelgid problem at this time.
Maple, Silver	<i>Acer saccharinum</i>	Disease problem, structurally weak wood.
Mulberry	<i>Morus sp.</i>	Abundant fruit is a litter problem.
Sycamore	<i>Plantanus occidentalis</i>	Disease problems make it very unattractive.
Willow, Weeping	<i>Salix sp.</i>	Root problems, tree litter, attracts beetles.
Aicantus	<i>Salix sp. altissima</i>	Crowds out native vegetation, toxin in bark, leaves and bark in soil endanger other plants.

NON-NATIVE TREES NOT RECOMMENDED BY DRED OR COOPERATIVE EXTENSION LITERATURE

Common Name	Latin Name	Reason
Birch, European White	<i>Betula pendula</i>	Disease problems make it very unattractive, spring, summer and fall.
Elm, Siberian	<i>Ulmus pumila</i>	Weak wooded, susceptible to wind breakage. Invasive in some locations.
Pear, Bradford Callery**	<i>Pyrus calleryana 'Bradford'</i>	Serious structural splitting at branch junctions.
Plane Tree, London	<i>Plantanus X acerfolia</i>	Disease problems.
Poplar, Lombardy	<i>Populus nigra</i>	Insect and disease problems make it short lived.

* These may not be invasive in all locations, however it is not recommended that they be used as part of any landscaping plans.

** *These plants occur regularly on plans and should be replaced with alternative plants.*

APPENDIX LIGHT-1

IES

Parking lot
Levels of activity (Examples)

IES Maintained Horizontal Illuminance
Recommendations (Footcandles)

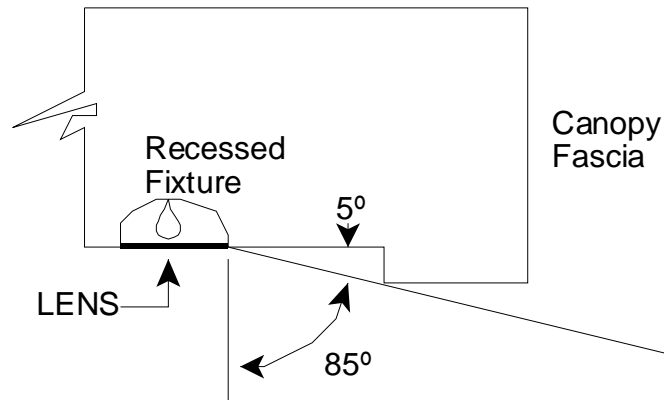
General		Parking & Pedestrian		Vehicles		Only	
Ave.		Min.	U Ratio	Ave.	Min.	U Ratio	
High	3.6	.9	4:1	2.0	.67	3:1	
Civic Recreational Facilities							
Major Cultural or Civic Ctr.							
Regional Shopping Centers							
Fast Food Facilities							
Gas/Convenience Store							
Medium	2.4	.6	4:1	1.0	.33	3:1	
Community Shopping Ctr.							
Office Parks							
Hospital Parking							
Transportation Parking							
(Airport, Commuter Lots, Etc.)							
Residential Complex Parking							
Low	.8	.2	4:1	.5	.13	4:1	
Neighborhood Shopping							
Industrial Employee Parking							
Educational Facility Parking							
Church Parking							

IES States: "This recommendation is based on the requirement to maintain security at any time where there is low level of nighttime activity."

APPENDIX LIGHT-2

Lighting levels on gas station/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Signs allowed under the appropriate section of the Londonderry Zoning Ordinance shall be used for that purpose.

1. Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking areas set forth elsewhere in this section. If no gasoline pumps are provided, the entire apron shall be treated as a parking area;
2. Areas around the pump islands and under canopies shall be illuminated in accordance with Appendix A of these regulations;
3. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and /or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical, as shown in the sketch below.





4.11 Typical Details for Site and Roadway Infrastructure, May 2009

4.0 Supplemental Documents

WOODMONT COMMONS

PLANNED UNIT DEVELOPMENT MASTER PLAN
SEPTEMBER 2013

TYPICAL DETAILS FOR SITE AND ROADWAY INFRASTRUCTURE

TOWN OF LONDONDERRY, NH
Rockingham County



May 2009

Prepared by

Department of Public Works
268B Mammoth Road
Londonderry, NH 03053
(603) 432-1100 – x 193

PREFACE

This first edition of the Town of Londonderry Typical Details is prepared for the purpose of expediting the Town's review process and is applicable to all projects designed and submitted for approval to upgrade Town facilities, or submitted under the Town's Subdivision or Site Plan Regulations. These construction standards and standard construction details shall be referenced in the project drawings. If a construction detail is not included in this booklet but is a standard construction detail available from New Hampshire Department of Transportation (NHDOT), the Applicant can reference the specific NHDOT detail in the project drawings, if desired. All other construction details pertinent to the project which are not specifically included in this booklet, or those that are not a NHDOT standard and properly referenced on the plans, shall be included in the project drawing set and subject to review.

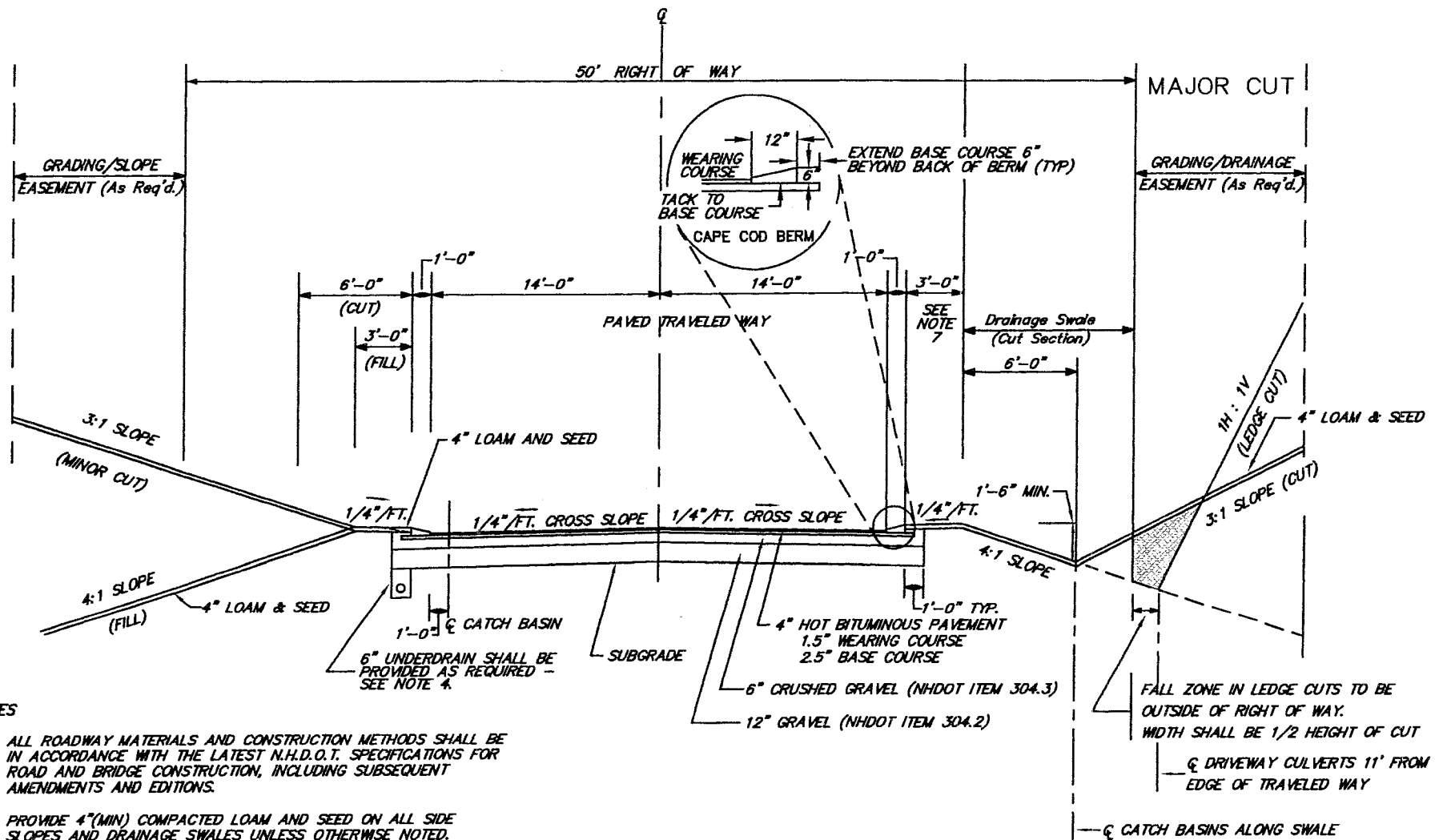
TABLE OF CONTENTS**I REFERENCES****II STANDARD CONSTRUCTION DETAILS**

<u>EXHIBIT</u>	<u>TITLE</u>
R101	TYPICAL ROADWAY SECTION
R102	TYPICAL MINOR ROADWAY SECTION
R103	SIDEWALK AND GRANITE CURB DETAIL
R104	TYPICAL CAPE COD BERM
R105	TYPICAL PERMANENT PAVEMENT REPAIR
R106	TYPICAL STONE FILL SLOPE SECTION
D101	TYPICAL DRAIN PIPE TRENCH
D102	TYPICAL UNDERDRAIN PIPE TRENCH
D103	PRECAST DRAIN MANHOLE DETAIL
D104	CATCH BASIN DETAIL
D105	TYPICAL PIPE END SECTION (FLARED END) WITH STONE FILL APRON
D106	HEADWALL (MASONRY & CONCRETE)
D107	HEADWALL WITH STONEFILL APRON
D108	TYPICAL OUTLET STRUCTURE AT DETENTION BASINS
D109	TYPICAL LOW FLOW OUTLET STRUCTURE AT DETENTION BASINS
SW1	TYPICAL SEWER PIPE TRENCH
SW2	TYPICAL SEWER MANHOLE
SW3	TYPICAL SEWER MANHOLE WITH INTERNAL DROP CONNECTION
SW4	PIPE TO SEWER MANHOLE JOINTS
SW5	DETAIL FOR SEWER SERVICE CONNECTION
SW6	DETAIL FOR SEWER SERVICE CHIMNEY CONNECTION
EC1	DETAILS FOR HAY BALE AND SILT FENCE INSTALLATION
EC2	DETAILS FOR SEDIMENT CONTROL AT CATCH BASINS
EC3	DETAILS FOR HAY BALE CHECK DAM
EC4	DETAILS FOR SILT FENCE WITH HAY BALES
EC5	DETAIL FOR CRUSHED STONE CONSTRUCTION ENTRANCE
EC6	DETAIL FOR INLET FILTER BASKET

I. REFERENCES:

Standards and Specifications: The following standards and specifications shall include but not be limited to the following in the design and construction of all improvements in the Town of Londonderry:

1. ZONING ORDINANCE - Town of Londonderry, current edition;
2. SUBDIVISION REGULATIONS - Town of Londonderry, current edition;
3. SITE PLAN REGULATIONS - Town of Londonderry, current edition;
4. MANUAL ON DRAINAGE DESIGN FOR HIGHWAYS - State of New Hampshire, Department of Public Works and Highways, April 1998;
5. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) - U.S. Department of Transportation, Federal Highway Administration, current edition;
6. STANDARDS SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION - State of New Hampshire, Department of Transportation, 2006 or latest revision;
7. HIGHWAY DESIGN MANUAL - State of New Hampshire, Highway Design Division, current edition;
8. A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS - AASHTO – current edition;
9. NEW HAMPSHIRE STORMWATER MANUAL – VOLUMES 1, 2 AND 3, December 2008, prepared by New Hampshire Department of Environmental Services, United States Environmental Protection Agency and Comprehensive Environmental, Inc.;
10. STATE OF NEW HAMPSHIRE STANDARDS OF DESIGN AND CONSTRUCTION FOR SEWERAGE AND WASTEWATER TREATMENT FACILITIES - New Hampshire Department of Environmental Services, Code of Administrative Rules, Env-Wq 700, 3-25-06 (or latest revision);
11. SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES - New Hampshire Department of Environmental Services, Code of Administrative Rules, Env-Wq 1000, 2-9-08 (or latest revision);
12. STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, ALTERATION OF TERRAIN RULES, Env-Wq 1500, 1-01-09 (or latest revision);
13. STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, WETLANDS BUREAU RULES, Env-Wt 100-800, 11-30-05 (or latest revision);
14. STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, SHORELAND PROTECTION RULES, Env-Wq 1400, 7-01-08 (or latest revision);
15. Other standards and specifications as approved by the Town of Londonderry.



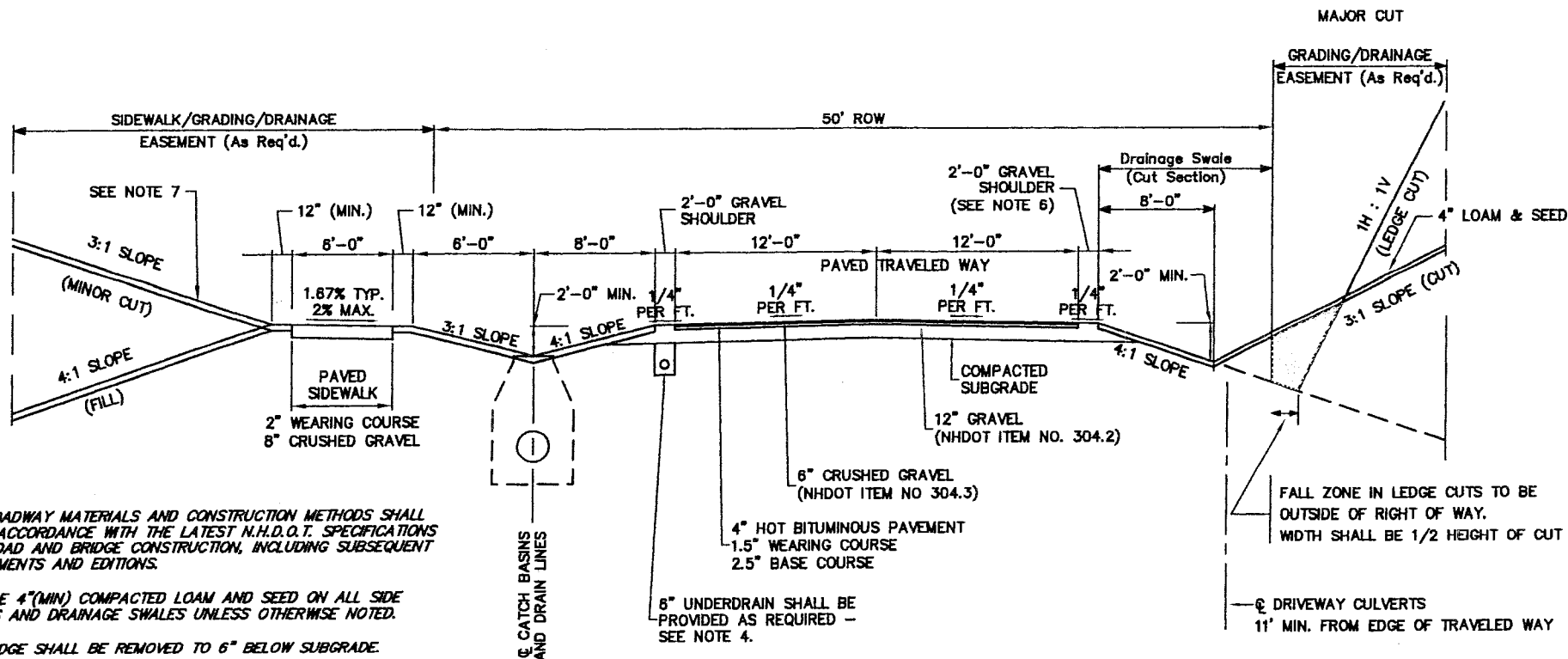
NOTES

1. ALL ROADWAY MATERIALS AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH THE LATEST N.H.D.O.T. SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, INCLUDING SUBSEQUENT AMENDMENTS AND EDITIONS.
2. PROVIDE 4"(MIN) COMPACTED LOAM AND SEED ON ALL SIDE SLOPES AND DRAINAGE SWALES UNLESS OTHERWISE NOTED.
3. ALL LEDGE SHALL BE REMOVED TO 6" BELOW SUBGRADE.
4. ROADWAY UNDERDRAIN SHALL BE PROVIDED IN ALL CUT SECTIONS (AT SIDE WITH CUT) AND WHERE SEASONAL HIGH WATER IS WITHIN FOUR (4) FEET OF FINISHED GRADE IN ALL OTHER AREAS. UNDERDRAIN SHALL HAVE A MINIMUM OF FOUR (4) FEET OF COVER.
5. GRANITE CURB SHALL BE PROVIDED WHERE SIDEWALK IS REQUIRED IN ACCORDANCE WITH EXHIBIT D4. FOR MINOR ROADWAYS SEE EXHIBIT D7 AND SECTION 3.09.
6. DIMENSIONS ARE FOR LOCAL ROADWAYS. SEE SECTION 3.09 - TABLE 1 FOR OTHER ROADWAY DIMENSIONS.
7. WHERE GUARDRAIL IS USED, MINIMUM WIDTH OF SHOULDER SHALL BE 6'-0" WITH FACE OF GUARDRAIL AT 4'-0" FROM EDGE OF TRAVELED WAY.

TYPICAL ROADWAY SECTION

NOT TO SCALE

EXHIBIT R101



NOTES

1. ALL ROADWAY MATERIALS AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH THE LATEST N.H.D.O.T. SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, INCLUDING SUBSEQUENT AMENDMENTS AND EDITIONS.
2. PROVIDE 4" (MIN) COMPACTED LOAM AND SEED ON ALL SIDE SLOPES AND DRAINAGE SWALES UNLESS OTHERWISE NOTED.
3. ALL LEDGE SHALL BE REMOVED TO 6" BELOW SUBGRADE.
4. ROADWAY UNDERDRAIN SHALL BE PROVIDED IN ALL CUT SECTIONS (AT SIDE WITH CUT) AND WHERE SEASONAL HIGH WATER IS WITHIN FOUR (4) FEET OF FINISHED GRADE IN ALL OTHER AREAS. UNDERDRAIN SHALL HAVE A MINIMUM OF FOUR (4) FEET OF COVER.
5. DIMENSIONS ARE FOR MINOR ROADWAYS. SEE SECTION 3.09 - TABLE 1 FOR OTHER ROADWAY DIMENSIONS.
6. WHERE GUARDRAIL IS USED, MINIMUM WIDTH OF SHOULDER SHALL BE 6'-0" WITH FACE OF GUARDRAIL AT 3'-0" FROM EDGE OF TRAVELED WAY.
7. DRAINAGE SWALE REQUIRED ADJACENT TO SIDEWALK ALONG ALL MAJOR CUTS.

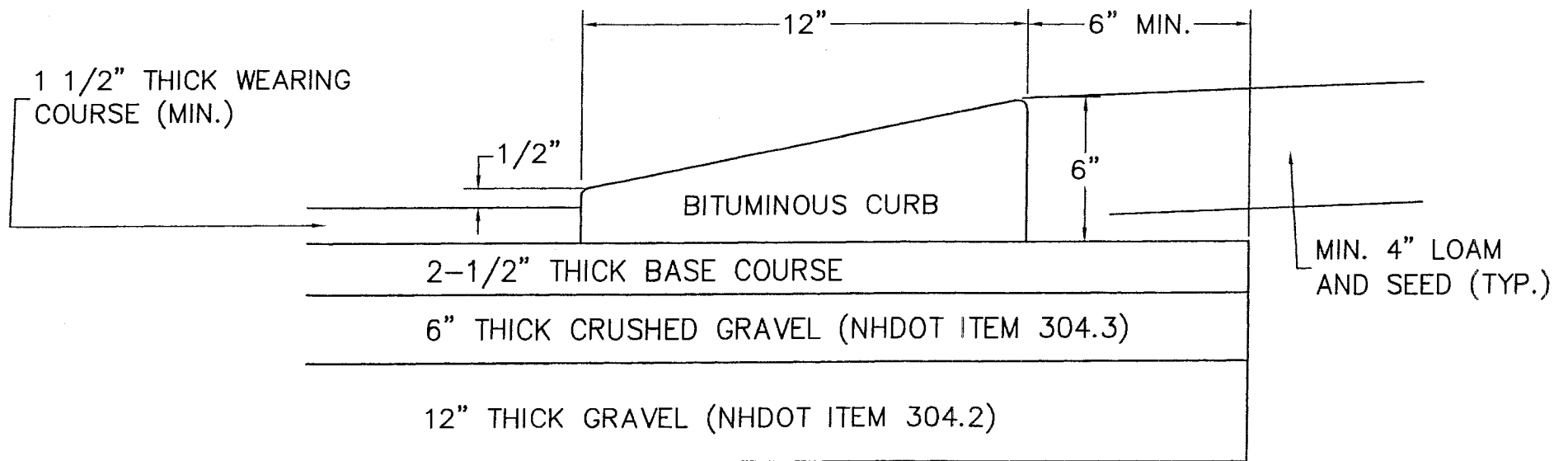
TYPICAL MINOR ROADWAY SECTION

NOT TO SCALE

EXHIBIT R102



- EXHIBIT R103



NOTES:

1. APPLY TACK COAT PRIOR TO PLACEMENT OF CURB
2. BITUMINOUS CURB MATERIAL SHALL MEET THE REQUIREMENTS OF NHDOT SECTION 609.
3. CAPE COD BERM DIMENSIONS SHALL MATCH THOSE GIVEN IN THIS DETAIL.

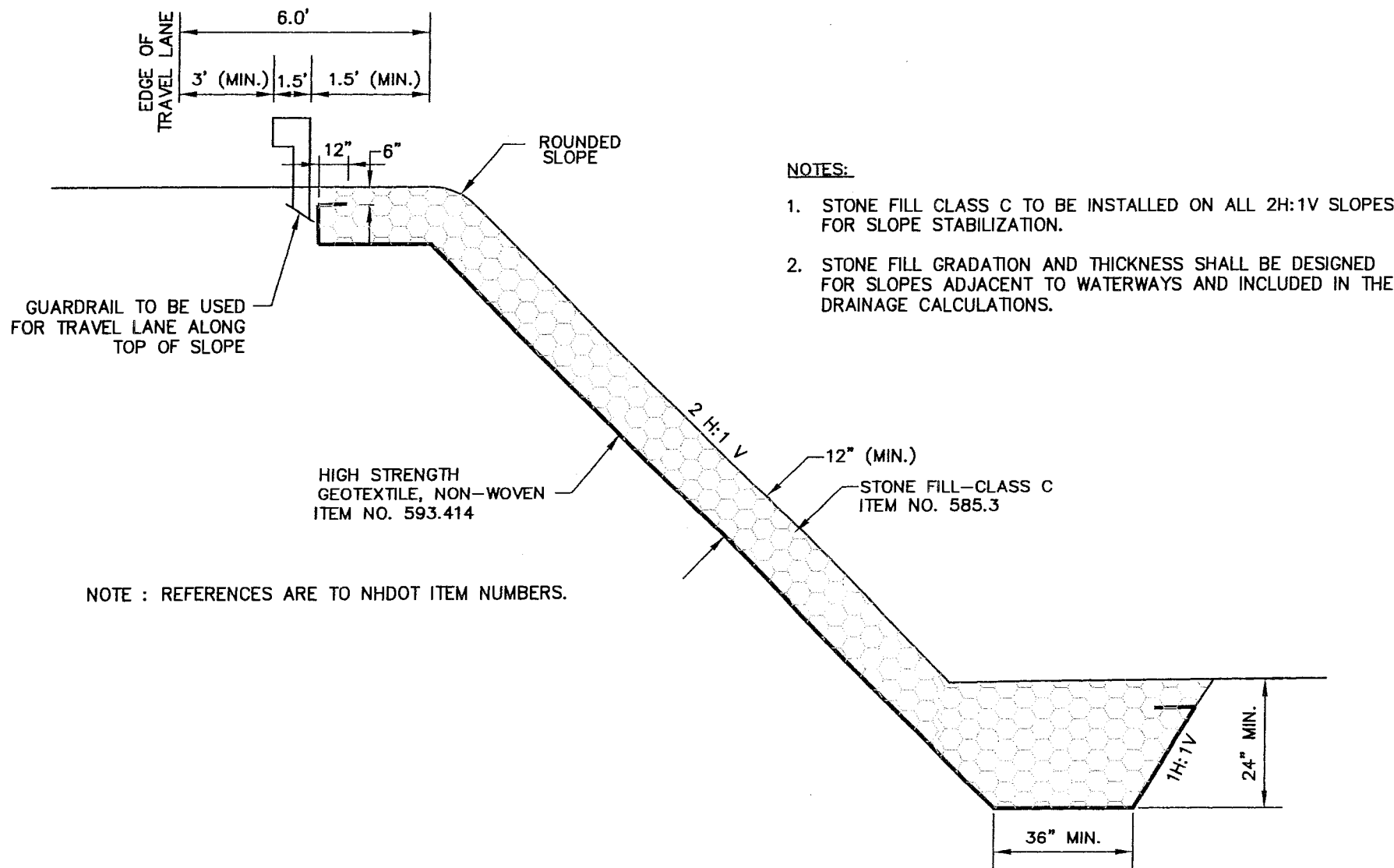
TYPICAL CAPE COD BERM

NOT TO SCALE

EXHIBIT R104



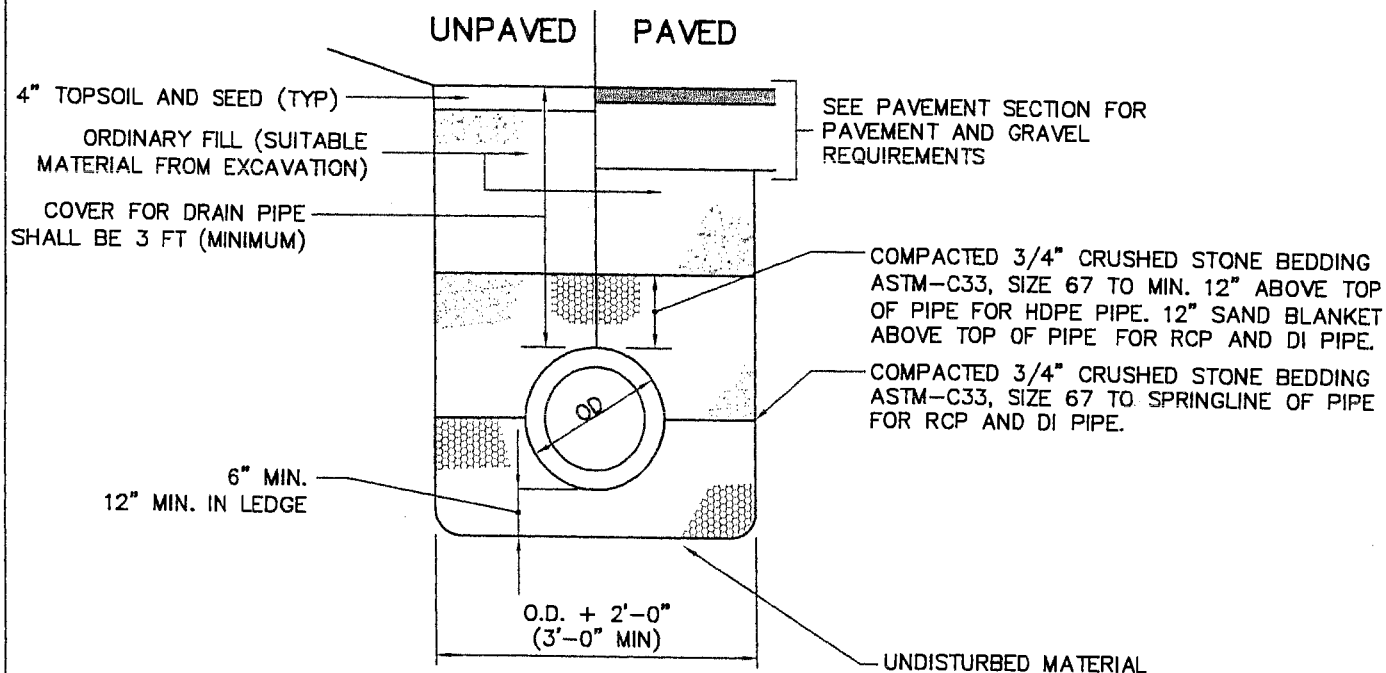
EXHIBIT R105



TYPICAL STONE FILL SLOPE SECTION

NOT TO SCALE

EXHIBIT R106



NOTE:

DRAIN PIPE SHALL BE 15" DIAMETER MIN.

PLASTIC DRAIN PIPE (HDPE) SHALL BE ADS N-12
(CORRUGATED EXTERIOR/SMOOTH INTERIOR) OR EQUAL
MEETING AASHTO M-252 AND H-20 LOADING.

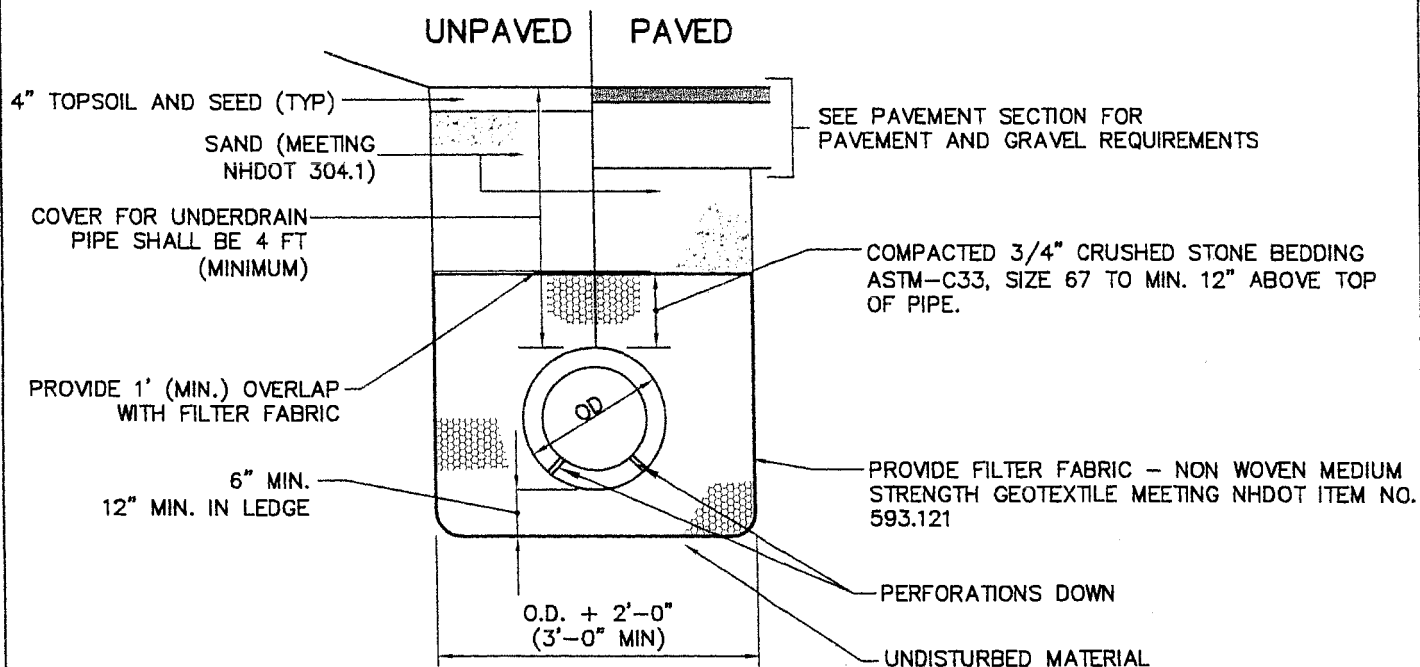
DI DRAIN PIPE SHALL BE CL. 50.

RC DRAIN PIPE SHALL BE CLASS III UNLESS OTHERWISE
NOTED.

TYPICAL DRAIN PIPE TRENCH

NOT TO SCALE

EXHIBIT D101



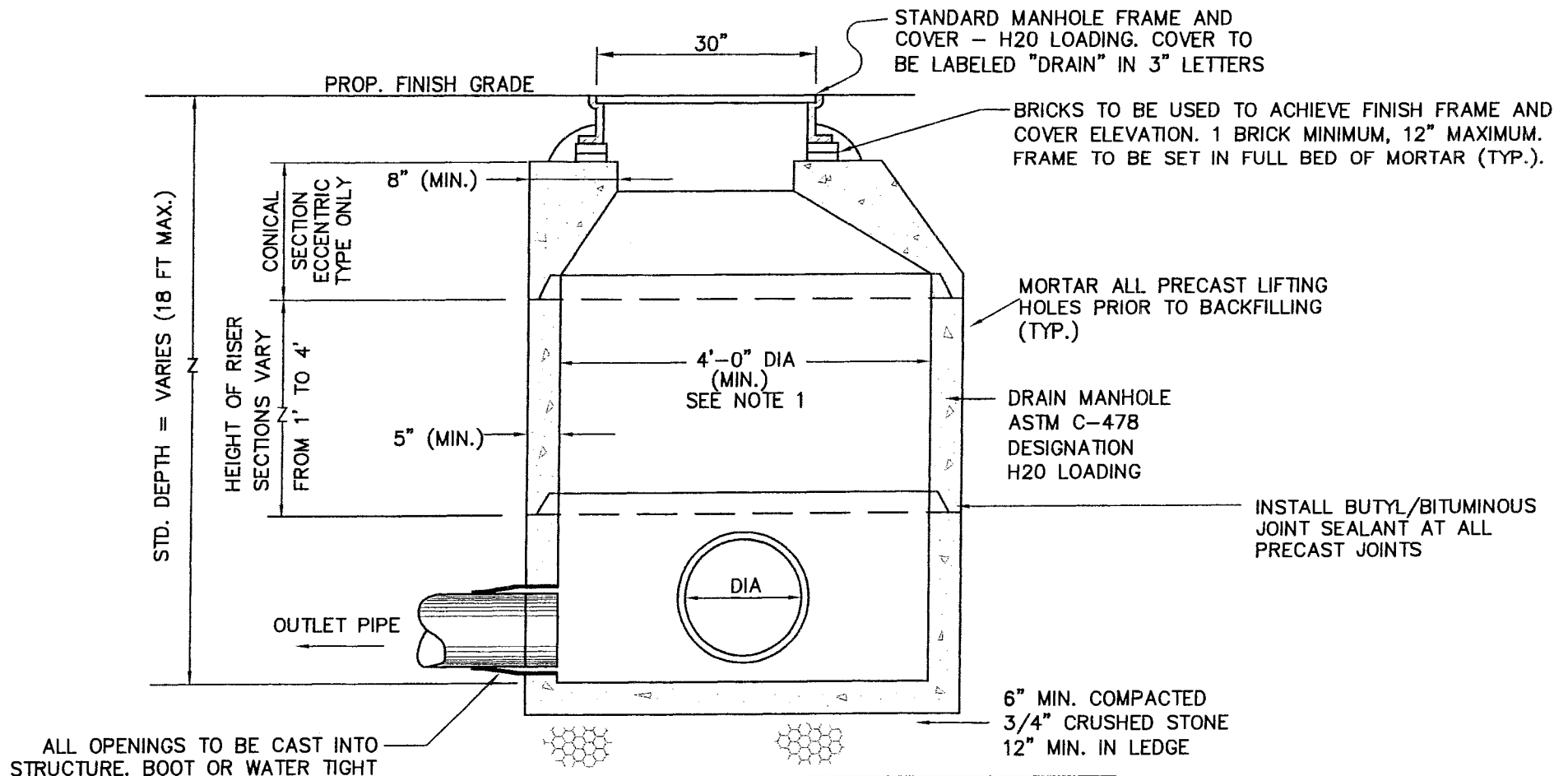
NOTE:

PLASTIC UNDERDRAIN PIPE (HDPE) SHALL BE 6" DIAMETER (MIN.) ADS N-12 (CORRUGATED EXTERIOR/SMOOTH INTERIOR) OR EQUAL MEETING AASHTO M-252 AND H-20 LOADING.

TYPICAL UNDERDRAIN PIPE TRENCH

NOT TO SCALE

EXHIBIT D102



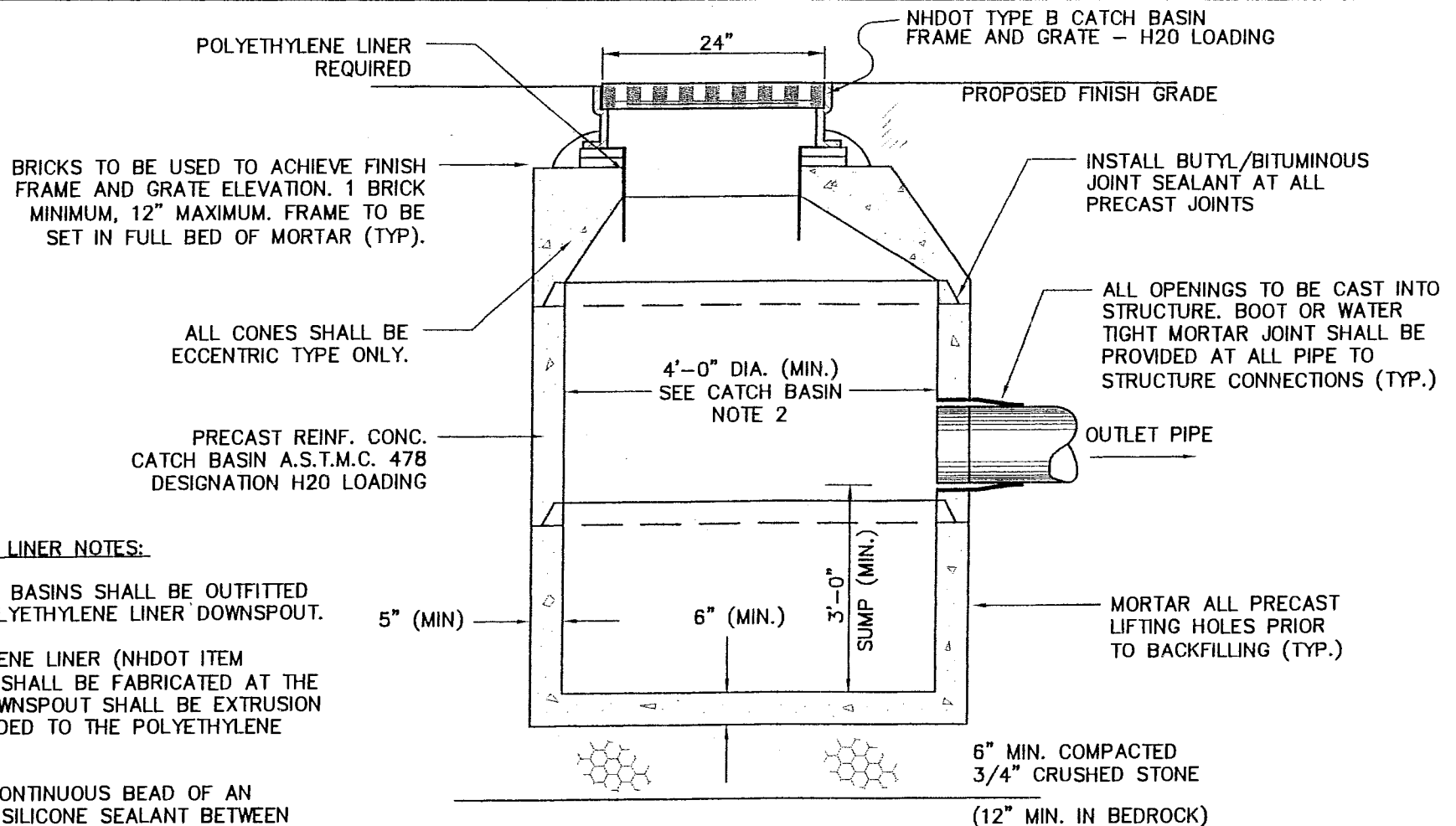
NOTES:

1. WHERE DEPTH EXCEEDS 12 FT, USE 5'-0" DIAMETER (MIN.)
2. MINIMUM PIPE DROP (INLET TO OUTLET) SHALL BE 3" UNLESS OTHERWISE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
3. ALL BOOTS, GASKETS AND SEALANTS SHALL BE IN ACCORDANCE WITH MANUFACTURES WRITTEN INSTRUCTIONS

PRECAST DRAIN MANHOLE DETAIL

NOT TO SCALE

EXHIBIT D103



POLYETHYLENE LINER NOTES:

1. ALL CATCH BASINS SHALL BE OUTFITTED WITH A POLYETHYLENE LINER DOWNSPOUT.
2. POLYETHYLENE LINER (NHDOT ITEM 604.0007) SHALL BE FABRICATED AT THE SHOP. DOWNSPOUT SHALL BE EXTRUSION FILLET WELDED TO THE POLYETHYLENE SHEET.
3. PLACE A CONTINUOUS BEAD OF AN APPROVED SILICONE SEALANT BETWEEN FRAME AND POLYETHYLENE SHEET.
4. PLACE CLASS AA CONCRETE TO 2" BELOW THE TOP OF GRATE ELEVATION (SUBSIDIARY TO DRAINAGE STRUCTURE).
5. TRIM POLYETHYLENE SHEET A MAXIMUM OF 4" OUTSIDE THE FLANGE ON THE FRAME FOR THE CATCH BASIN BEFORE PLACING CONCRETE (EXCEPT AS SHOWN WHEN USED WITH CURB).
6. THE CENTER OF THE GRATE & FRAME MAY BE SHIFTED A MAXIMUM OF 3" FROM THE CENTER OF THE DOWNSPOUT IN ANY DIRECTION.

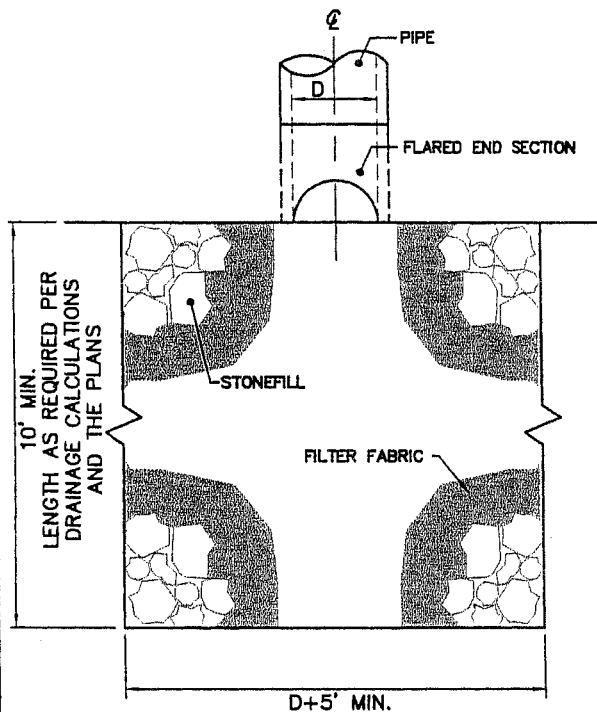
CATCH BASIN NOTES:

1. WHERE DEPTH EXCEEDS 12 FT, USE 5'-0" DIAMETER (MIN.)
MAXIMUM DEPTH = 18 FEET
2. MINIMUM PIPE DROP (INLET TO OUTLET) SHALL BE 3" UNLESS OTHERWISE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING.
3. ALL BOOTS, GASKETS AND SEALANTS SHALL BE IN ACCORDANCE WITH MANUFACTURES WRITTEN INSTRUCTIONS

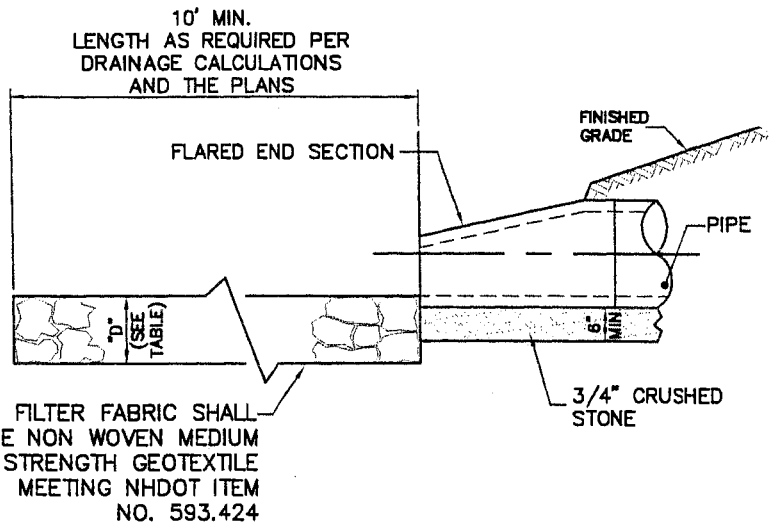
CATCH BASIN DETAIL

NOT TO SCALE

EXHIBIT D104



PLAN



ELEVATION

NOTE: STONEFILL SHALL CONFORM TO THE LATEST EDITION OF THE NHDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, SECTION 585, STONE FILL WITH THE FOLLOWING REQUIREMENTS:

	STONE SIZES		
	C1	C2	C3
% OF PASSING BY WEIGHT	D = BLANKET THICKNESS		
	12"	18"	24"
100%	8"	12"	18"
85%	7"	11"	16"
50%	5"	8"	12"
15%	2"	3"	4"

NOTE: ALL STONEFILL TO BE SIZE "C1" MIN. EXCEPT WHERE OTHERWISE REQUIRED PER DRAINAGE CALCULATIONS AND THE PLANS.

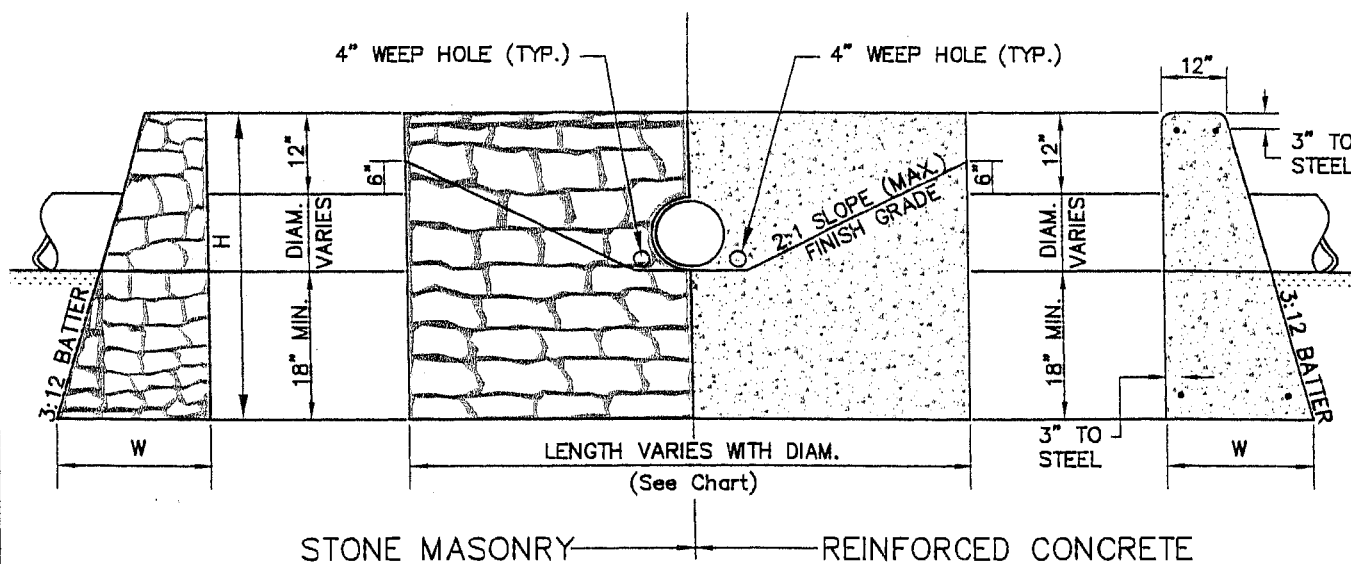
TYPICAL PIPE END SECTION (FLARED END) WITH STONEFILL APRON

NOT TO SCALE

EXHIBIT D105

DRAIN PIPE DIAMETER	12"	15"	18"	24"	30"
LENGTH	3'-6"	4'-6"	5'-6"	7'-6"	9'-6"
HEIGHT (H)	3'-6"	3'-9"	4'-0"	4'-6"	5'-0"
BOTTOM WIDTH (W)	1'-10.5"	1'-11.25"	2'-0"	2'-1.5"	2'-3"
CONC. (Cu.Yd.)	0.61	0.85	1.13	1.78	2.58
STEEL (Lbs.)	9	11	14	20	25

ALL STEEL SHALL BE #4 BARS, MEETING NHDOT REQUIREMENTS



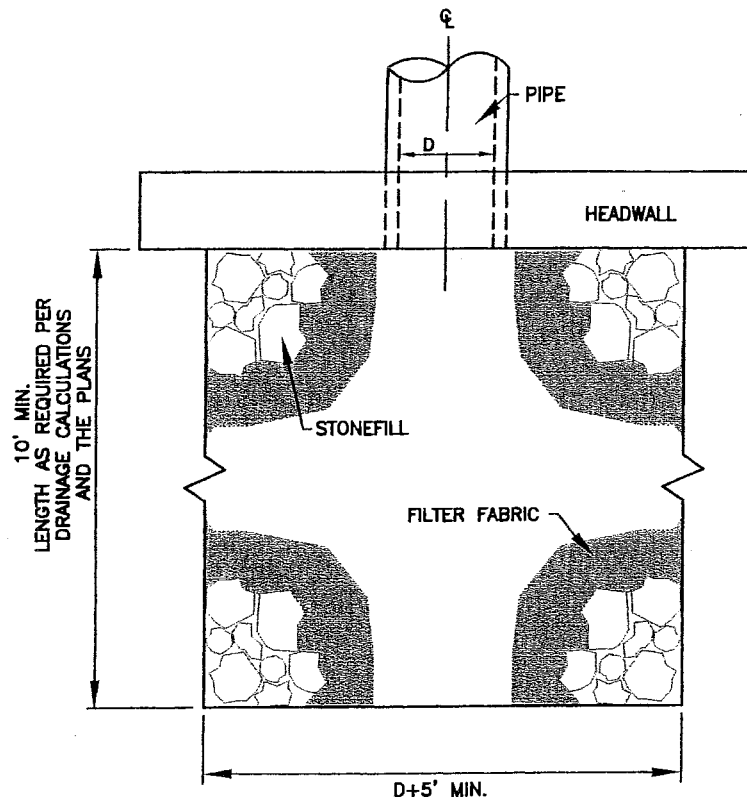
NOTES:

1. ALL CONCRETE SHALL BE CLASS A
2. ALL HEADWALLS SHALL MEET NHDOT REQUIREMENTS. FOR LARGER PIPE DIAMETERS, USE THE NHDOT STANDARD PLANS.

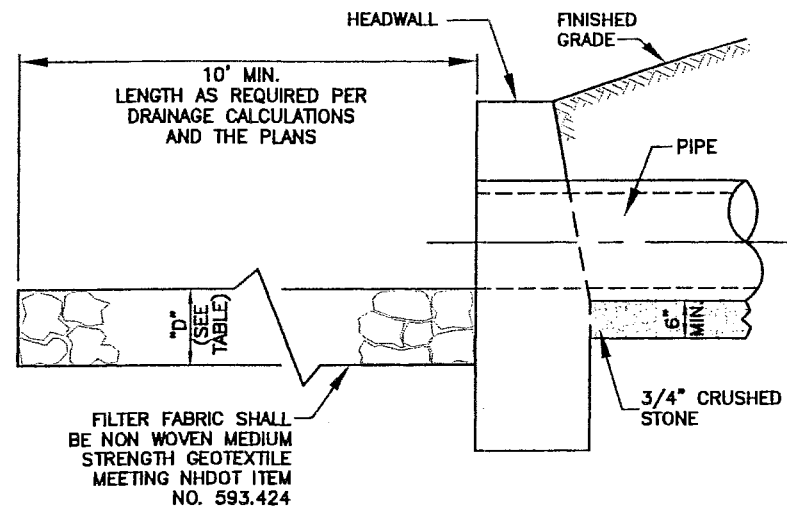
HEADWALLS (MASONRY & CONCRETE)

NOT TO SCALE

EXHIBIT D106



PLAN



ELEVATION

NOTE: STONEFILL SHALL CONFORM TO THE LATEST EDITION OF THE NHDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, SECTION 585, STONE FILL WITH THE FOLLOWING REQUIREMENTS:

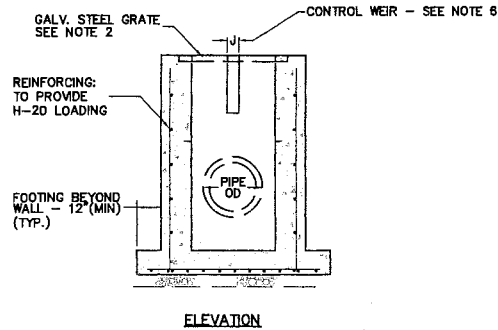
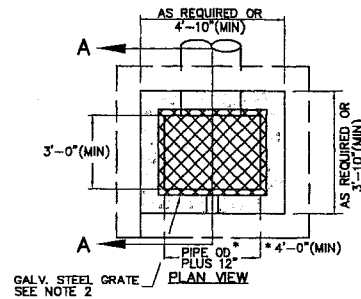
% OF PASSING BY WEIGHT	STONE SIZES		
	C1	C2	C3
	D = BLANKET THICKNESS		
	12"	18"	24"
100%	8"	12"	18"
85%	7"	11"	16"
50%	5"	8"	12"
15%	2"	3"	4"

NOTE: ALL STONEFILL TO BE SIZE "C1" MIN. EXCEPT WHERE OTHERWISE REQUIRED PER DRAINAGE CALCULATIONS AND THE PLANS.

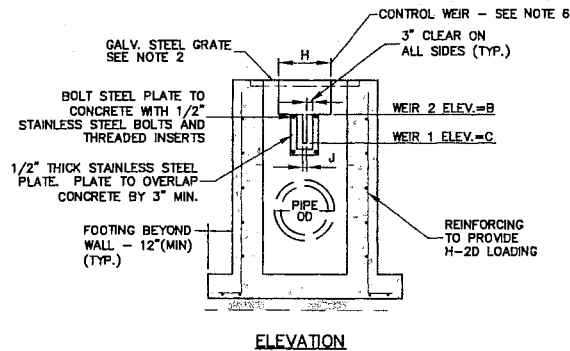
HEADWALL WITH STONEFILL APRON

NOT TO SCALE

EXHIBIT D107



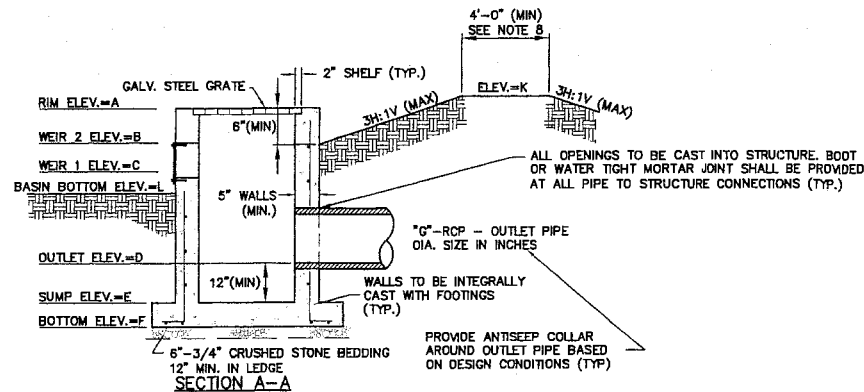
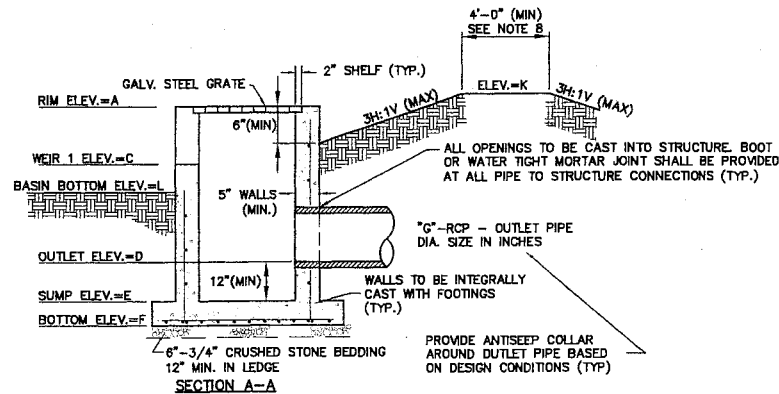
SINGLE WEIR OUTLET STRUCTURE



DOUBLE WEIR OUTLET STRUCTURE

THIS TABLE MUST BE PROVIDED WITH THE PROJECT PLANS

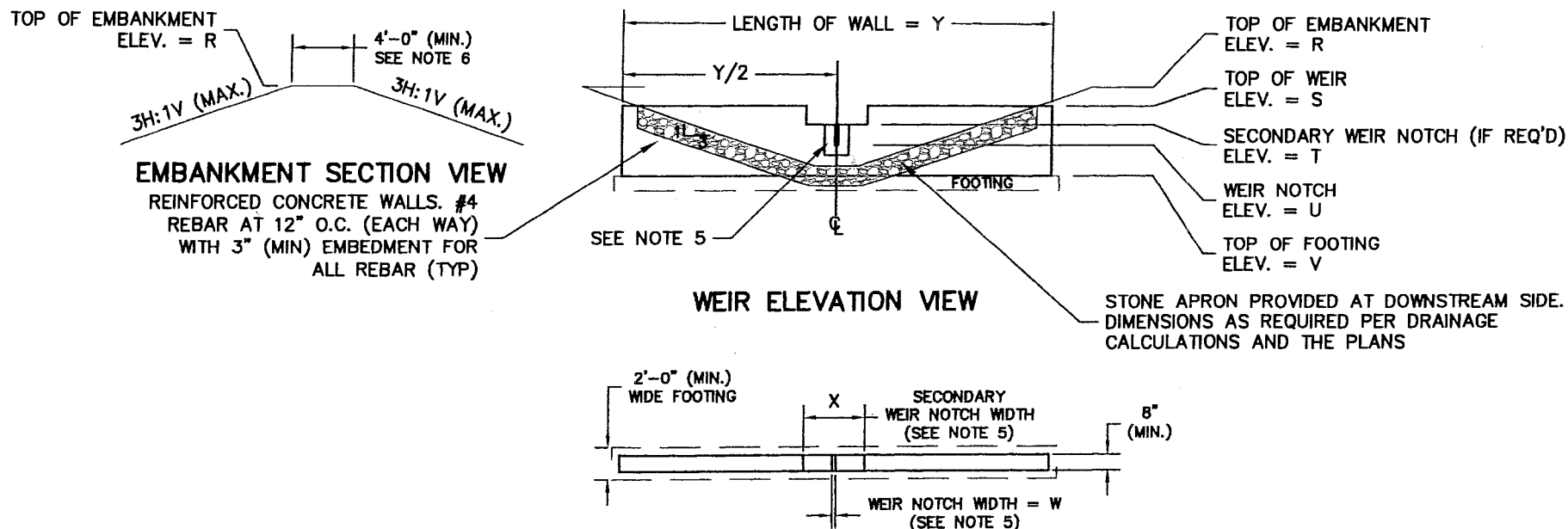
STRUCTURE ID#	ELEVATIONS/DIMENSIONS											
	OUTLET STRUCTURE	A	B	C	D	E	F	G	H	J	K	L
OS#1												
OS#2												



NOTES:

1. ALL CEMENT CONCRETE TO BE 4000 PSI(MIN).
2. GALVANIZED STEEL GRATE SHALL BE BOLTED TO TOP OF STRUCTURE WITH 1/2" STAINLESS STEEL BOLTS AND THREADED INSERTS.
3. OUTLET PIPE SHALL NOT BE LESS THAN 15" DIAMETER AND SHALL BE SIZED FOR A 50-YEAR STORM.
4. ALL OPENINGS SHALL BE CAST IN AS REQUIRED. MINIMUM CONCRETE WEIR WIDTH SHALL BE 2 INCHES.
5. PRECAST REINFORCED CONCRETE STRUCTURE TO MEET ASTM C-478 DESIGNATION AND H-20 LOADING.
6. CONTROL WEIR SHALL BE SIZED TO MITIGATE DESIGN STORM AS REQUIRED BY THE REGULATIONS AND IN ACCORDANCE WITH THE APPROVED DRAINAGE CALCULATIONS. STAINLESS STEEL PLATE SHALL BE USED FOR CONTROL WEIRS LESS THAN 2 INCHES WIDE.
7. ALL STAINLESS STEEL SHALL BE GRADE 316.
8. MINIMUM EMBANKMENT ELEVATION TO BE 12" ABOVE 50-YEAR STORM ELEVATION.

**TYPICAL OUTLET STRUCTURE AT
DETENTION BASINS**
(PRECAST CONCRETE CONTROL STRUCTURE)
NOT TO SCALE
EXHIBIT D108



NOTES:

1. ALL CEMENT CONCRETE TO BE 4000 PSI (MIN).
2. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS INDICATING DESIGN DETAILS AND STEEL REINFORCING PREPARED BY A NEW HAMPSHIRE LICENSED PROFESSIONAL ENGINEER FOR APPROVAL PRIOR TO CONSTRUCTION.
3. LOW FLOW STRUCTURE CAN BE USED AT DETENTION BASINS WITH INFLOWS OF LESS THAN 3 CFS.
4. CONTROL WEIRS SHALL BE CAST IN AS REQUIRED. MINIMUM CONCRETE WEIR WIDTH SHALL BE 2 INCHES.
5. CONTROL WEIR(S) SHALL BE SIZED TO MITIGATE DESIGN STORM AS REQUIRED BY THE REGULATIONS AND IN ACCORDANCE WITH THE APPROVED DRAINAGE CALCULATIONS. STAINLESS STEEL PLATE SHALL BE USED FOR CONTROL WEIR LESS THAN 2 INCHES ATTACHED PER EXHIBIT D107. STAINLESS STEEL SHALL BE GRADE 316.
6. MINIMUM EMBANKMENT ELEVATION TO BE 12" ABOVE 50-YEAR STORM ELEVATION.

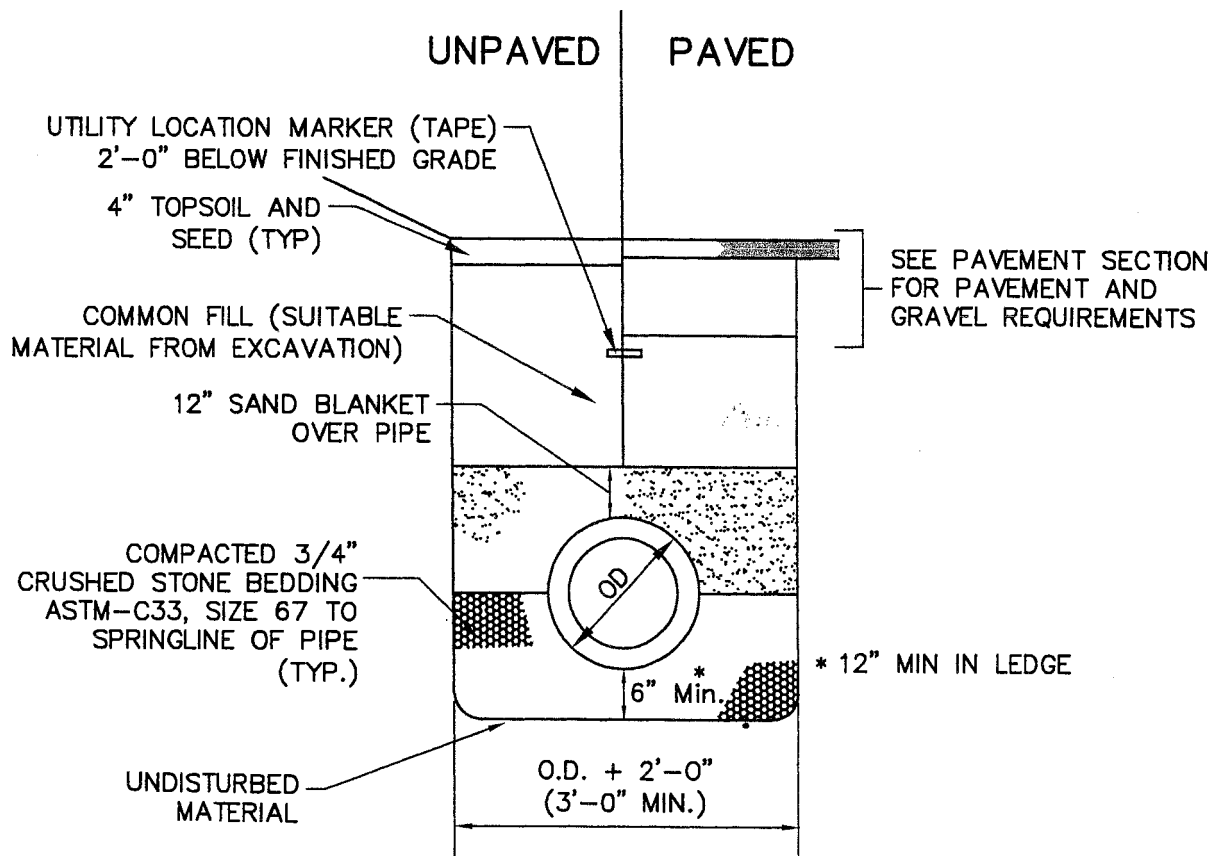
WEIR PLAN VIEW

LOCATION	ELEVATIONS/DIMENSIONS							
	R	S	T	U	V	W	X	Y

TYPICAL LOW FLOW OUTLET STRUCTURE AT DETENTION BASINS

NOT TO SCALE

EXHIBIT D109



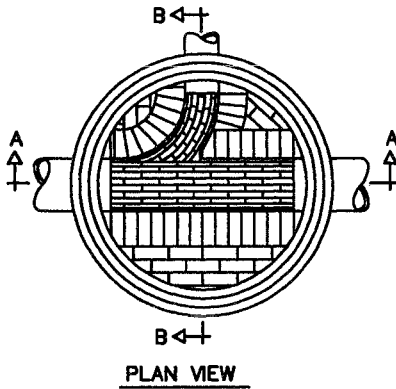
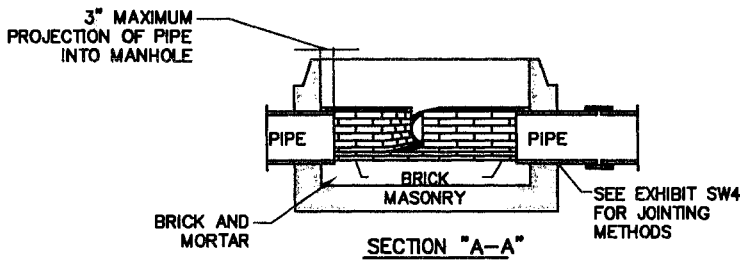
TYPICAL SEWER PIPE TRENCH

NOT TO SCALE

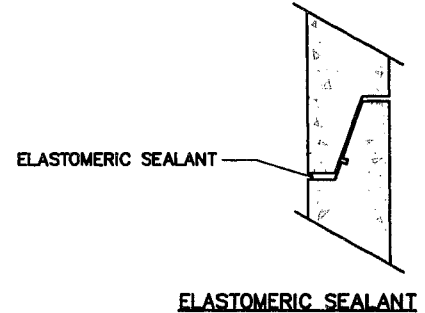
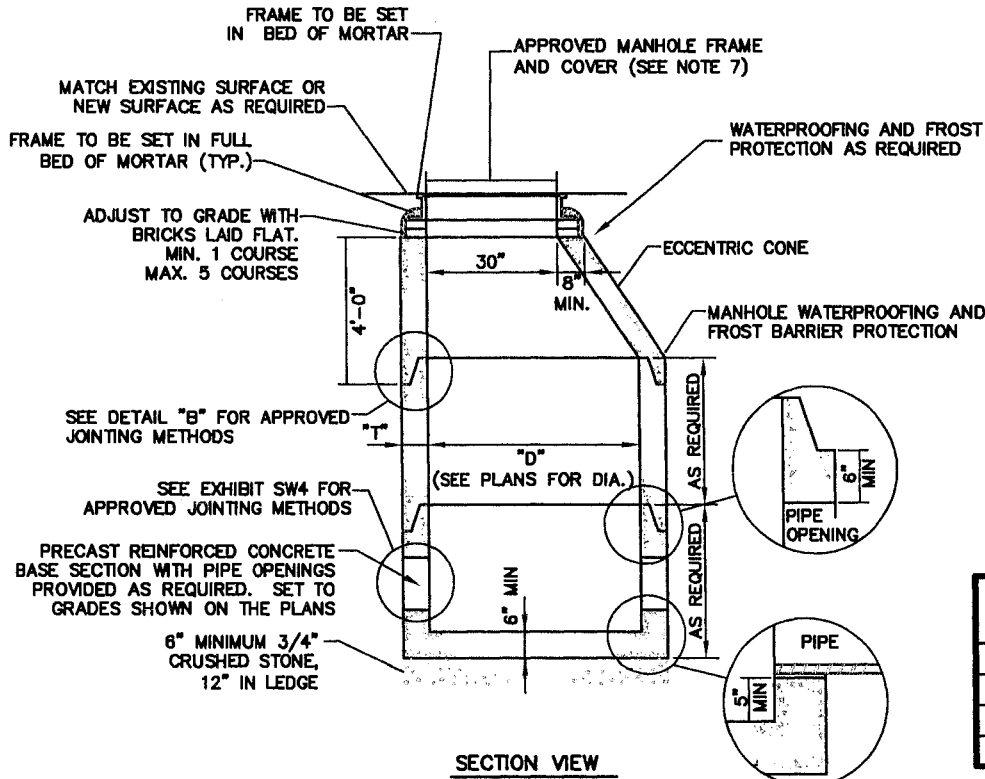
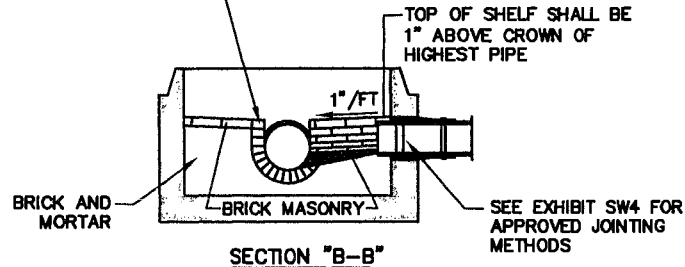
EXHIBIT SW1

NOTES:

- 1) IT IS THE INTENTION THAT THE MANHOLE, INCLUDING ALL COMPONENT PARTS, HAVE ADEQUATE SPACE, STRENGTH AND LEAKPROOF QUALITIES CONSIDERED NECESSARY FOR THE INTENDED SERVICE. SPACE REQUIREMENTS AND CONFIGURATIONS, SHALL BE AS SHOWN ON THE DRAWING. MANHOLES SHALL BE AN ASSEMBLY OF PRECAST SECTIONS, WITH STEEL REINFORCEMENT AND ADEQUATE JOINTING. THE COMPLETE STRUCTURE SHALL BE OF SUCH MATERIAL AND QUALITY AS TO WITHSTAND HS-20-44 LOADING INCLUDING THE FRAME AND COVER.
- 2) SEWER MANHOLE DIAMETER SHALL BE AS INDICATED ON THE PLANS.
- 3) LEAKAGE TEST SHALL BE PERFORMED IN ACCORDANCE WITH THE TOWN OF LONDONDERRY AND NHDES REQUIREMENTS. INVERT AND SHELF TO BE PLACED AFTER PASSING THE LEAKAGE TEST
- 4) CARE SHALL BE TAKEN TO ENSURE THAT THE BRICK INVERT IS A SMOOTH CONTINUATION OF THE SEWER INVERT. INVERT BRICKS SHALL BE LAID ON EDGE. BASE SECTION TO BE FULL
- 5) MANHOLE CHANNELS REQUIRING CHANGE IN ALIGNMENT ARE TO BE BUILT ON A SMOOTH RADIUS
- 6) IN CROSS COUNTRY AREAS BEYOND ROADWAY RIGHT-OF-WAYS, THE MANHOLE FRAME ELEVATION SHALL BE A MINIMUM OF 6" ABOVE FINISHED GRADE. GRADE TO PROVIDE POSITIVE DRAINAGE AWAY FROM THE MANHOLE.
- 7) FRAMES AND COVERS: MANHOLES FRAMES AND COVERS SHALL BE OF HEAVY DUTY DESIGN AND PROVIDE A 30-INCH CLEAR OPENING. 3-INCH (MINIMUM HEIGHT) LETTERS WITH THE WORD "SEWER" SHALL BE PLAINLY CAST INTO THE CENTER OF EACH MANHOLE COVER



CARRY CHANNEL VERTICALLY FROM SPRING LINE TO CROWN



NOTE:
ALL GASKETS AND SEALANTS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS' WRITTEN INSTRUCTIONS

DETAIL "B" HORIZONTAL JOINTS

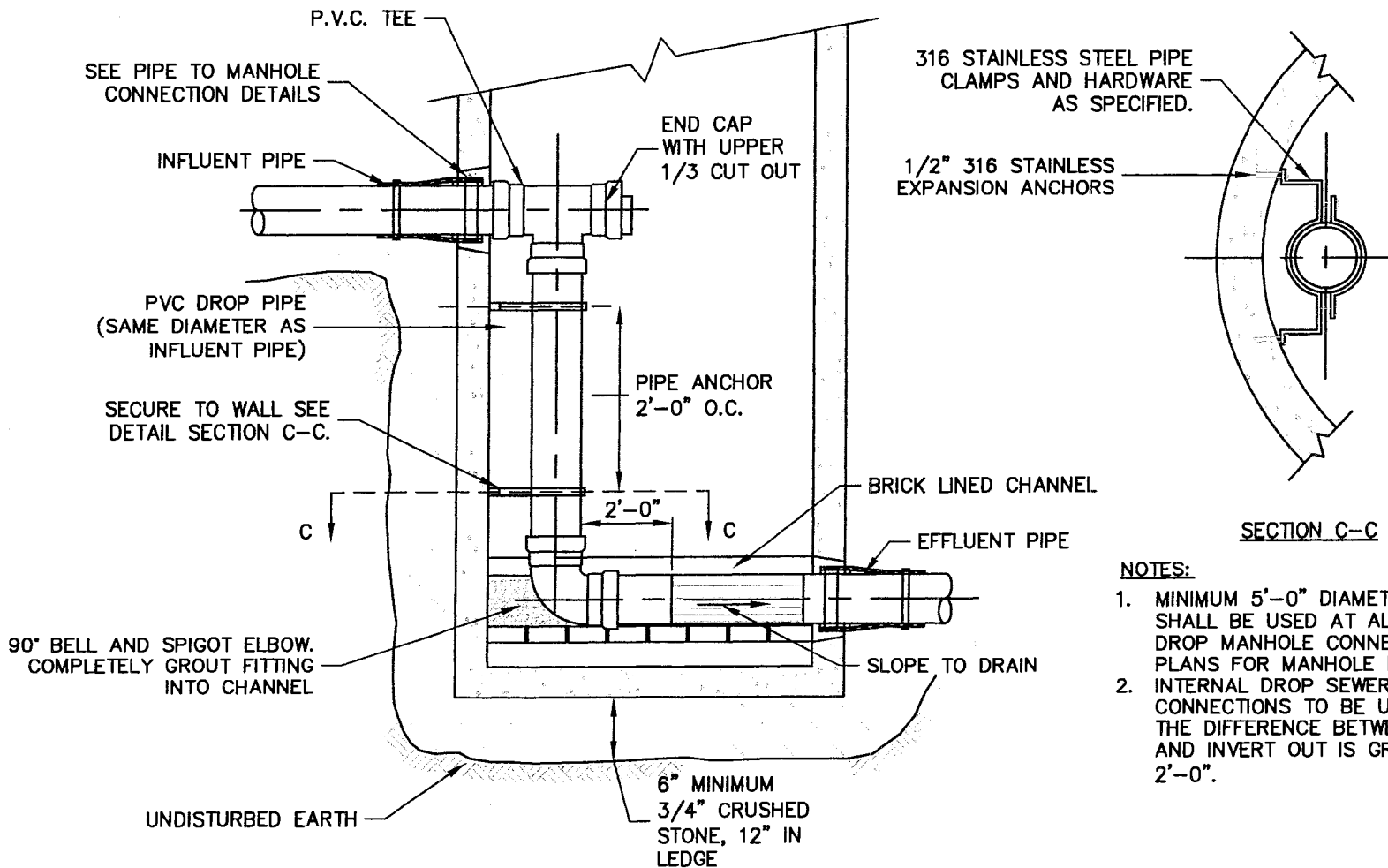
(NOT TO SCALE)

MANHOLE DIAMETER "D"	MAX. PIPE DIAMETER STRAIGHT THROUGH TO 45° DEFLECTION	"T" (WALL THICKNESS)
48" (MIN.)	30" OD MAX.	5" (MIN.)
60"	44" OD MAX.	6"
72"	51" OD MAX.	7"
96"	72" OD MAX.	9"

TYPICAL SEWER MANHOLE

NOT TO SCALE

EXHIBIT SW2



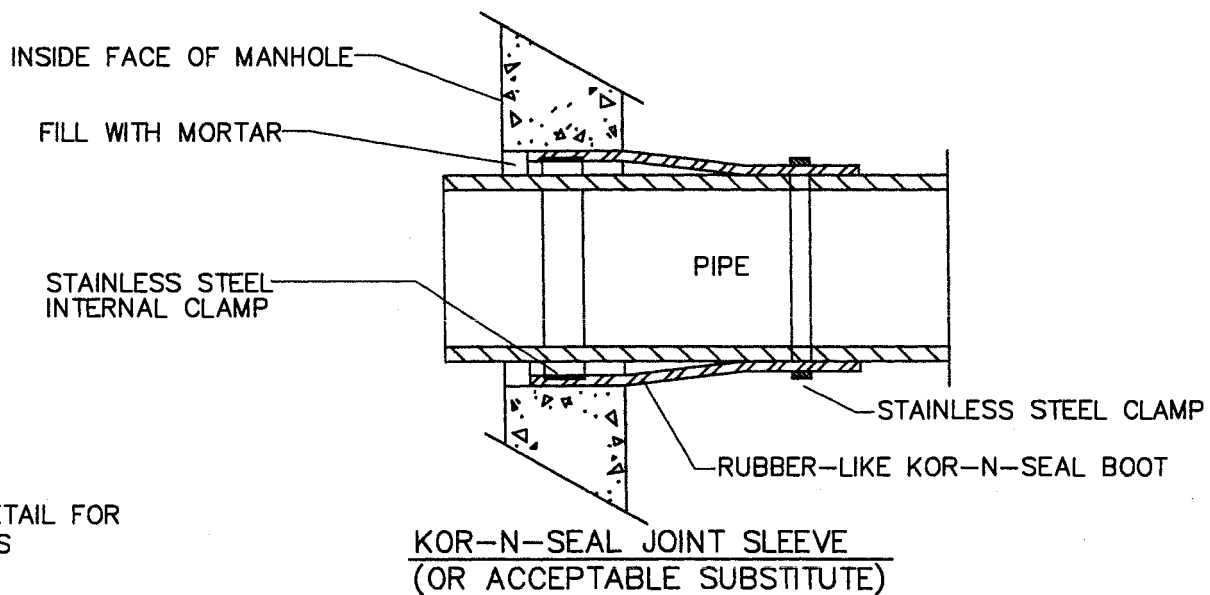
NOTES:

1. MINIMUM 5'-0" DIAMETER MANHOLES SHALL BE USED AT ALL INTERNAL DROP MANHOLE CONNECTIONS. SEE PLANS FOR MANHOLE DIAMETER.
2. INTERNAL DROP SEWER MANHOLE CONNECTIONS TO BE USED WHERE THE DIFFERENCE BETWEEN INVERT IN AND INVERT OUT IS GREATER THAN 2'-0".

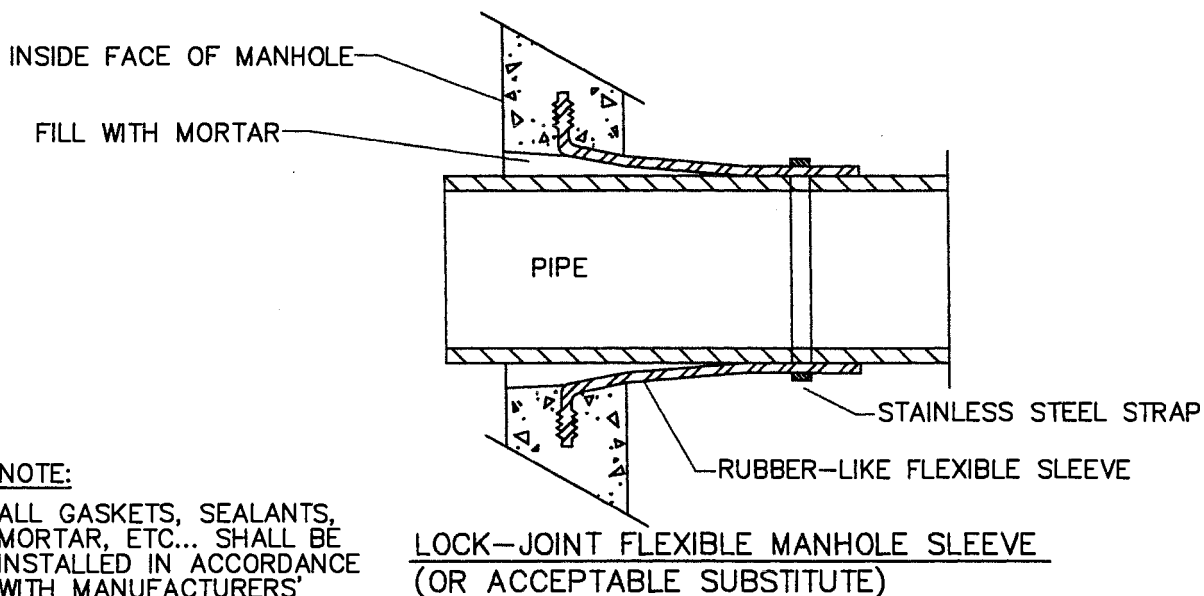
TYPICAL SEWER MANHOLE WITH INTERNAL DROP CONNECTION

NOT TO SCALE

EXHIBIT SW3



PATCH DETAIL FOR
REQUIREMENTS



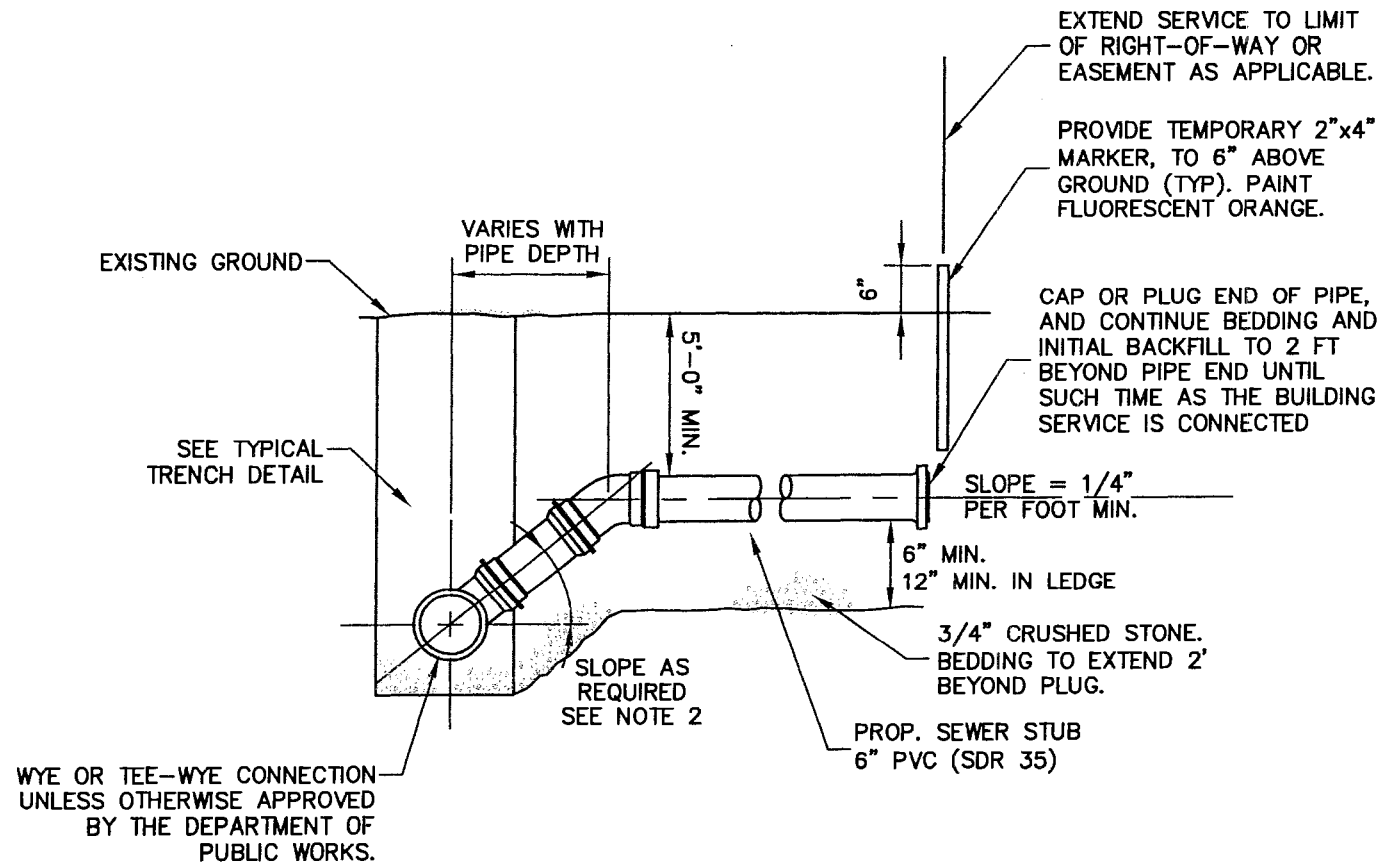
NOTE:

ALL GASKETS, SEALANTS,
MORTAR, ETC... SHALL BE
INSTALLED IN ACCORDANCE
WITH MANUFACTURERS'
WRITTEN INSTRUCTIONS

PIPE TO SEWER MANHOLE JOINTS

NOT TO SCALE

EXHIBIT SW4



NOTES:

1. ALL SERVICE CONNECTIONS TO BE 6" MINIMUM UNLESS OTHERWISE SHOWN ON THE DRAWINGS.
2. USE CHIMNEY DETAIL WHERE SERVICE CONNECTION ENTERS SEWER AT GREATER THAN 60° TO THE HORIZONTAL.

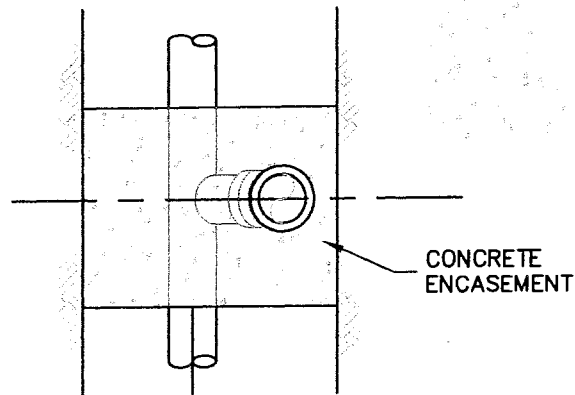
DETAIL FOR SEWER SERVICE CONNECTION

NOT TO SCALE

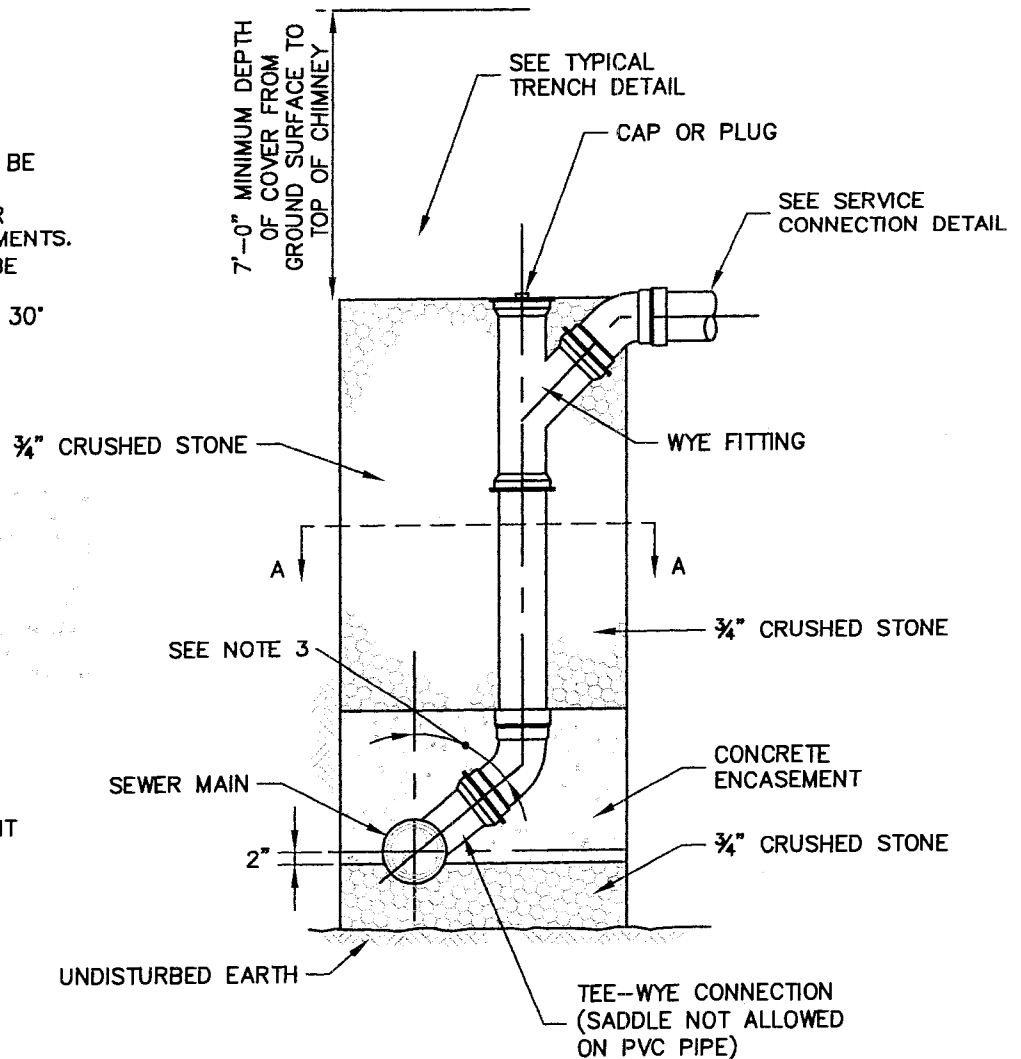
EXHIBIT SW5

NOTES:

- 1) MINIMUM CHIMNEY HEIGHT SHALL BE 3.0 V.F.
- 2) SEE TYPICAL TRENCH DETAIL FOR BEDDING AND BACKFILL REQUIREMENTS.
- 3) CHIMNEY CONSTRUCTION SHALL BE USED WHENEVER A SERVICE CONNECTION ENTERS THE SEWER 30° FROM VERTICAL.



SECTION A-A

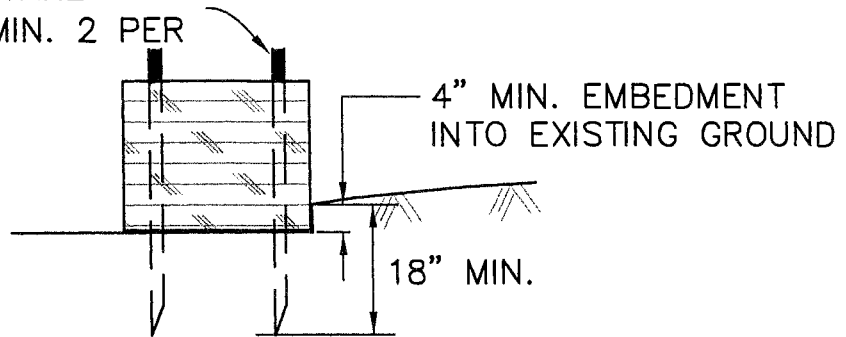


DETAIL FOR SEWER SERVICE CHIMNEY CONNECTION

NOT TO SCALE

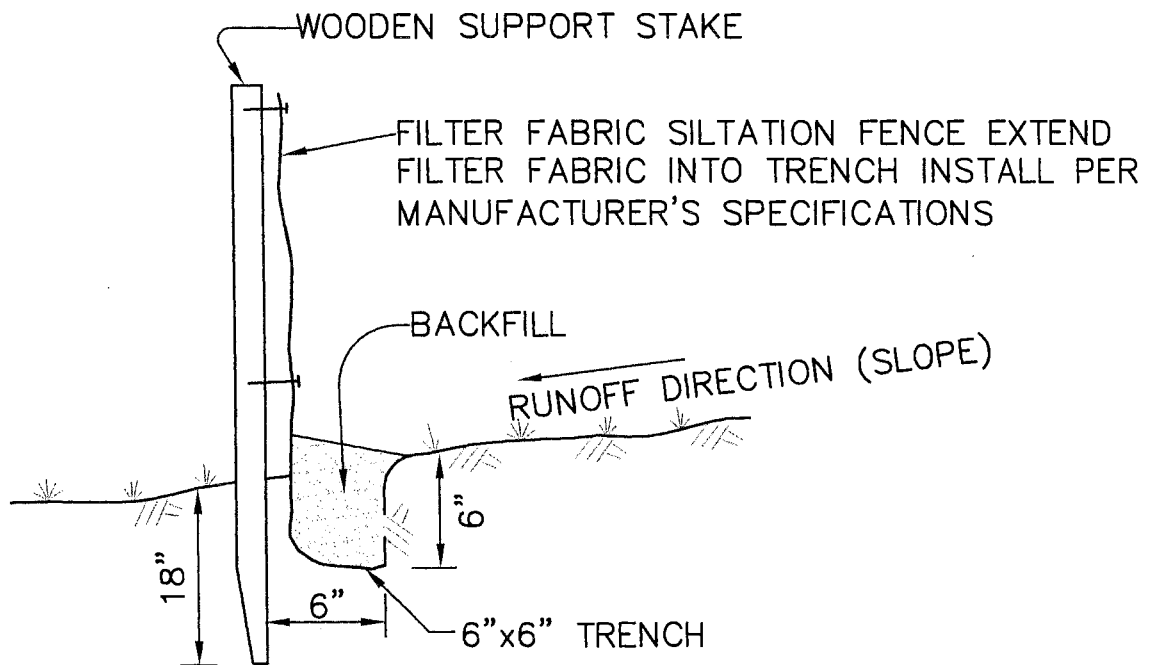
EXHIBIT SW6

WOOD STAKE
(TYP.) MIN. 2 PER
BALE



STAKED HAYBALE DETAIL

(NOT TO SCALE)



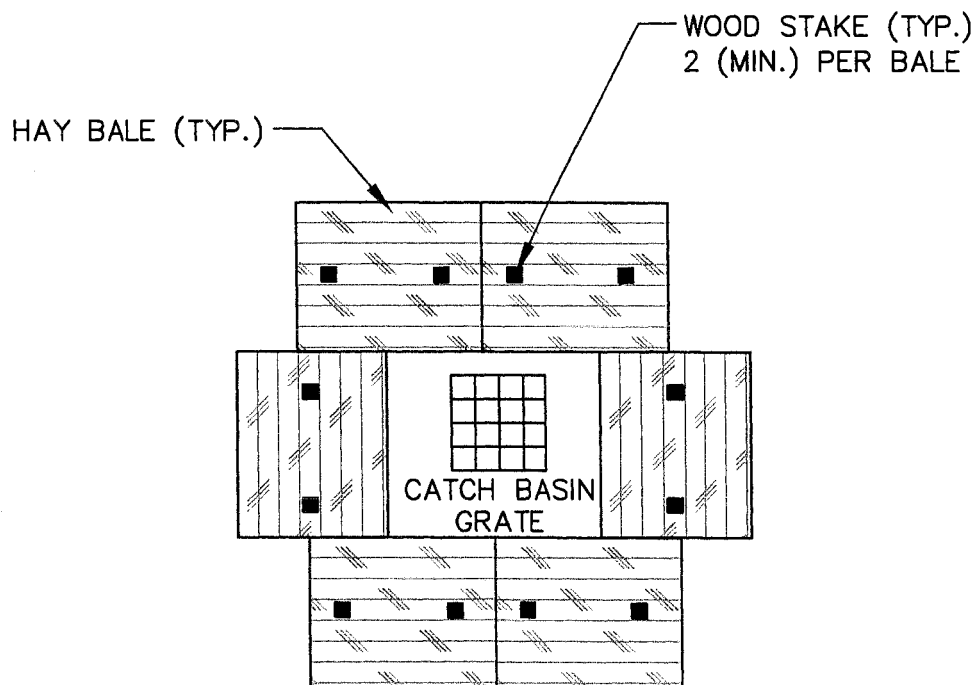
SILT FENCE DETAIL

(NOT TO SCALE)

DETAILS FOR HAYBALE AND SILT FENCE INSTALLATION

NOT TO SCALE

EXHIBIT EC1



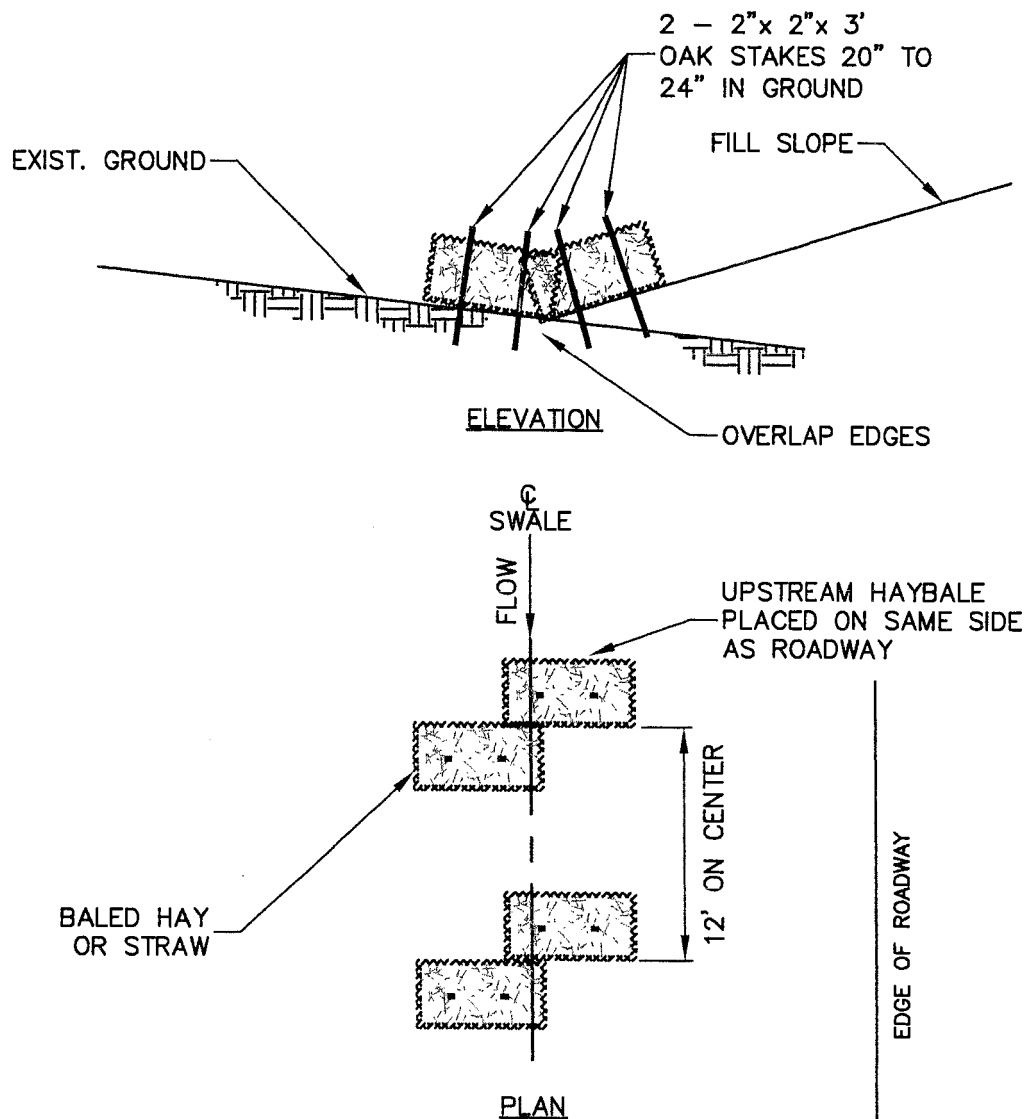
NOTES:

1. BALES TO REMAIN UNTIL SUBBASE PREPARATION IS COMPLETE AND ROADWAY PAVING IS TO BEGIN OR UNTIL ALL UPSTREAM AREAS ARE STABILIZED WITH VEGETATION.
2. HAYBALES AROUND CATCH BASINS TO BE USED IN NON-PAVED AREAS ONLY. FOR CATCH BASINS IN PAVED AREAS USE INLET FILTER BASKETS. SEE EXHIBIT EC6.
3. EACH CATCH BASIN LOCATION SHALL BE INSPECTED WITHIN 24 HOURS AFTER EACH RAINFALL OR DAILY DURING EXTENDED PERIODS OF PRECIPITATION. REPAIRS SHALL BE MADE IMMEDIATELY, AS NECESSARY, TO PREVENT PARTICLES FROM ENTERING THE DRAINAGE PIPING SYSTEM AND/OR CAUSING SURFACE FLOODING.

DETAILS FOR SEDIMENT CONTROL AT CATCH BASINS

NOT TO SCALE

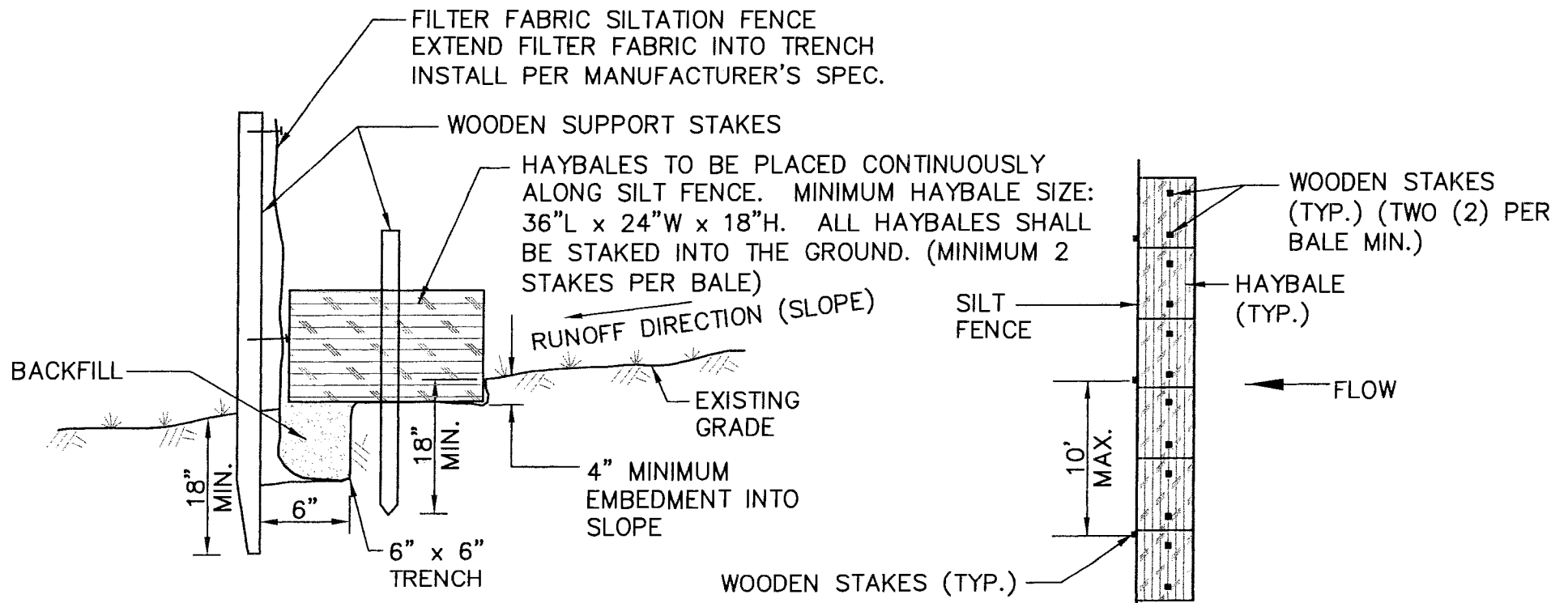
EXHIBIT EC2



DETAILS FOR HAY BALE CHECK DAM

NOT TO SCALE

EXHIBIT EC3



SECTION VIEW

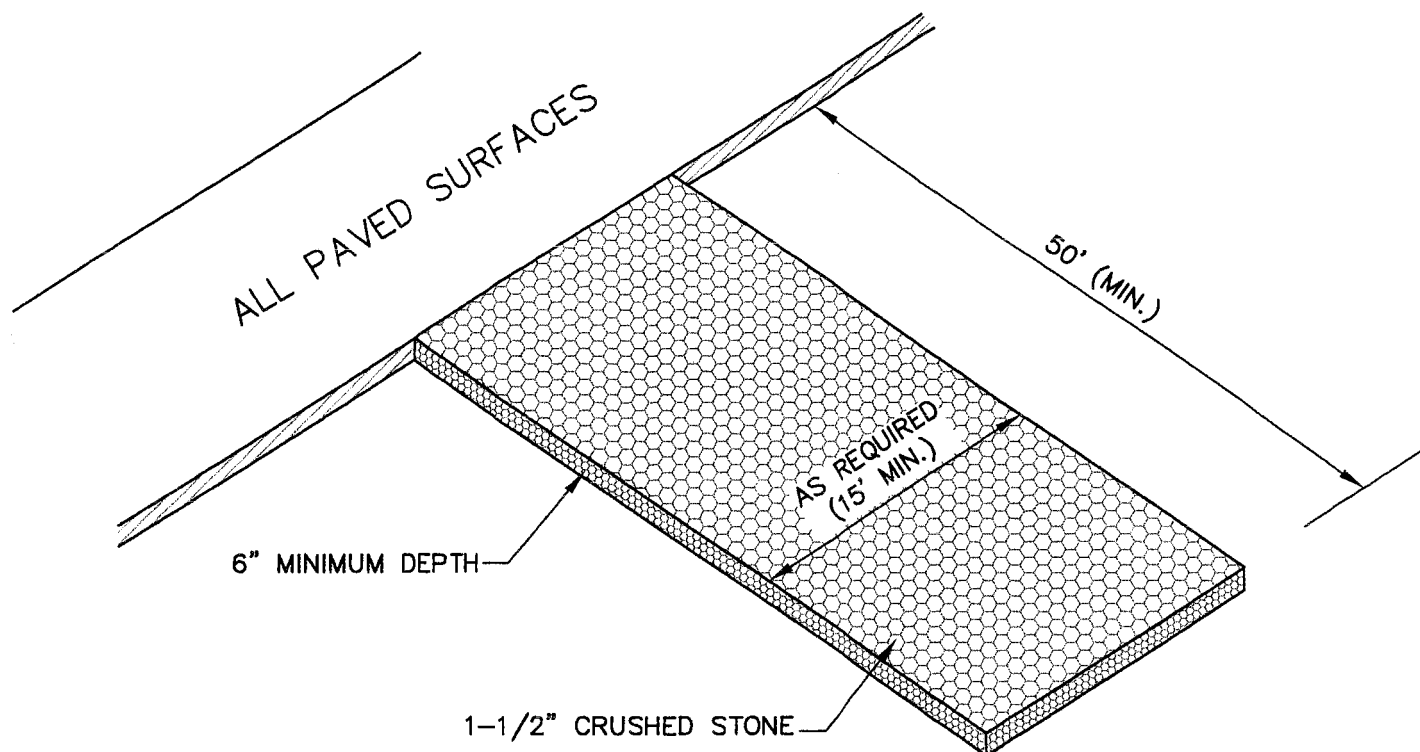
PLAN VIEW

NOTE: TO BE USED AT INLET END OF ALL CULVERTS AND DRAINAGE STRUCTURES.

DETAIL FOR SILT FENCE WITH HAY BALES

NOT TO SCALE

EXHIBIT EC4



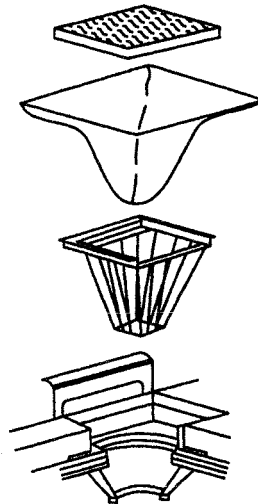
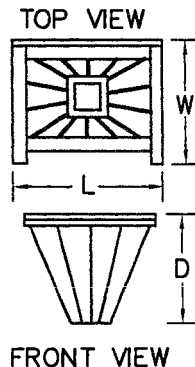
TO BE USED AT ALL STOCKPILE AND/OR STAGING AREAS.

DETAIL FOR CRUSHED STONE CONSTRUCTION ENTRANCE

NOT TO SCALE

EXHIBIT EC5

SQUARE OR
RECTANGULAR



FILTER BASKET NOTES:

1. INLET BASKETS SHALL BE USED ON ALL CATCH BASINS WITHIN THE PROJECT LIMITS WITHIN PAVED AREAS. INLET FILTER BASKETS SHALL BE "SILT SACK®" OR APPROVED EQUAL.
2. FILTER FABRIC SHALL BE PUSHED DOWN AND FORMED TO THE SHAPE OF THE BASKET. THE SHEET OF FABRIC SHALL BE LARGE ENOUGH TO BE SUPPORTED BY THE BASKET FRAME WHEN HOLDING SEDIMENT AND EXTEND AT LEAST 6 INCHES PAST THE FRAME. THE INLET GRATE SHALL BE PLACED OVER THE BASKET/FRAME AND WILL SERVE AS THE FABRIC ANCHOR.
3. THE FILTER FABRIC SHALL BE A GEO-TEXTILE FABRIC: POLYESTER, POLYPROPYLENE, STABILIZED NYLON, POLYETHYLENE OR POLYVINYLIDENE CHLORIDE MEETING THE FOLLOWING SPECIFICATIONS:
GRAB STRENGTH: 300 lb. MINIMUM IN ANY PRINCIPAL DIRECTION (ASTM D-4632).
MULLEN BURST STRENGTH: MINIMUM 800 psi (ASTM D-3786).
4. THE FABRIC SHALL HAVE AN OPENING NO GREATER THAN A NUMBER 40 U.S. STANDARD SIEVE AND MINIMUM PERMEABILITY OF 40 gpm/sq. ft.
5. THE INLET BASKET SHALL BE INSPECTED WITHIN 24 HOURS AFTER EACH RAINFALL OR DAILY DURING EXTENDED PERIODS OF PRECIPITATION. REPAIRS SHALL BE MADE IMMEDIATELY, AS NECESSARY, TO PREVENT PARTICLES FROM ENTERING THE DRAINAGE PIPING SYSTEM AND/OR CAUSING SURFACE FLOODING.
6. INLET BASKETS SHALL BE MAINTAINED IN PLACE UNTIL ALL PAVING IS COMPLETED AND ALL UNPAVED AREAS HAVE BEEN STABILIZED WITH VEGETATION.

DETAIL FOR INLET FILTER BASKET

NOT TO SCALE

EXHIBIT EC6