

ORDINANCE #2002-09

An Ordinance Relative to the

Amend Zoning Ordinance - (New) Section XIV - Residential Dev. Phasing

First Reading: 06/17/02

Second Reading: 07/15/02

Adopted: 07/15/02

WHEREAS the Londonderry Planning Board, on June 5, 2002, adopted the provisions of a new Section XIV - Residential Development Phasing; and,

WHEREAS the Londonderry Town Council wishes to amend the Zoning Ordinance to reflect the Planning Board's action; and,

WHEREAS the Londonderry Town Council is desirous of maintaining its policies and municipal code through periodic update as administrative conditions require;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Municipal Code, Title III - Land Use Codes, Chapter I - Zoning Ordinance, is hereby revised by adding a new Section XIV - Residential Development Phasing a revised copy of which is attached, is hereby adopted. Further, that all subsequent sections of the Zoning Ordinance be renumbered to accommodate the addition.

John Silvestro - Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:

***07/15/02 Londonderry Municipal Code Title III - Land Use Codes Rev. July 15,
2002***

SECTION XIV — RESIDENTIAL DEVELOPMENT PHASING

1401 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.

1402 Purposes - The purposes of this section of the Zoning Ordinance are as follows:

- A. 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;**
- B. To provide for the current and future housing need of existing residents and their families;**
- C. 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**
- D. To provide a mechanism to allow for phased development of residential projects to manage the impact on municipal services.**

1403 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 §1404), and at the applicant's option may be submitted for smaller developments. Such plans shall comply with the following phasing requirements:

- A. For development proposed under the provisions of Section 407 Planned Residential Development: twenty five (25) dwelling units per year from the date of final approval;**
- B. For development located in the R-III district: Two (2) multi-family buildings, the total number of dwelling units not to exceed forty eight (48) per year from the date of final approval;**
- C. 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;**
- D. For all other residential developments: fifteen (15) dwelling units per year from the date of final approval.**

1404 Exemptions from Phasing

The Planning Board shall grant exemption to the phasing requirements of §1403 under the following condition: The proposed project is for Elderly Housing as defined in Section XIV. 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).

~~End of Section~~