



LONDONDERRY TOWN COUNCIL AGENDA

APRIL 10, 2023 • 7:00 P.M. • MOOSE HILL COUNCIL CHAMBERS

John Farrell • Chair
Chad Franz • Vice Chair
Ted Combes • Councilor
Jim Butler • Councilor
Ron Dunn • Councilor

Michael Malaguti • Town Manager
Kellie Caron • Assistant Town Manager | Director of Economic Development
Justin Campo • Finance Director
Kirby Brown • Executive Assistant

A. CALL TO ORDER

B. PUBLIC COMMENT

C. PUBLIC HEARINGS

1. **Resolution #2023-08** - Acceptance of Unanticipated Revenue 31:95-b, III(a) (**NH Chartable Foundation Fire Department Training**)
(Justin Campo, Finance Director)
2. **Resolution #2023-09** - Acceptance of Unanticipated Revenue 31:95-b, III(a) (**Community Project Funding for Pillsbury Pump Station & Force Main**)
(Michael Malaguti, Town Manager)
3. **Ordinance #2023 – 02** – An Amendment to the Zoning Ordinance Relative to the Rezoning Map 15, Lot 26
(Kellie Caron, Assistant Town Manager & Economic Development Director)

D. NEW BUSINESS

1. **Lease of 122 Pillsbury Road to Sunnycrest Farm**
(Michael Malaguti, Town Manager)

2. **Council Order 2023-02 Executive Summary**
(Bo Butler, Deputy Chief; Bruce Hallowell, Battalion Chief; Chris Lamy, Lieutenant)

3. **PPT Presentation of Thermal Imaging Cameras (TICs)**
(Bo Butler, Deputy Chief; Bruce Hallowell, Battalion Chief; Chris Lamy, Lieutenant)

E. OLD BUSINESS

F. APPROVAL OF MINUTES

April 10, 2023 Town Council Minutes

G. APPOINTMENTS/REAPPOINTMENTS

1. Planning Board Appointments
(One (1) Three-Year Alternate Position)
2. Appointment of Joy Muller as Alternate on Utilities Committee
3. Trustee of the Trust Fund Interviews (2 Applicants)
(One (1) One-Year Full Member Position & One (1) Two-Year Full Member Position)

H. OTHER BUSINESS

1. Liaison Reports
2. Town Manager Report
3. Assistant Town Manager Report

I. ADJOURNMENT

J. MEETING SCHEDULE

1. Town Council Meeting 05/15/2023
Moose Hill Council Chambers, 7:00 P.M.

In addition to the items listed on the agenda the Town Council may consider other matters not on the posted agenda and may enter a non-public session or convene in a non-meeting in accordance with RSA 91-A if the need arises.

LEGAL NOTICE

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

Acceptance of Unanticipated Revenue 31:95-b, III(a)
From the New Hampshire Charitable Foundation to support Fire Department Training.

Acceptance of Unanticipated Revenue 31:95-b, III(a)
From the Department of Housing and Urban Development (HUD) to assist with Sewer infrastructure costs.

The public hearings will occur on Monday, April 24th at 7:00 PM in the Moose Hill Council Chamber at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053.

Londonderry Town Council

RESOLUTION 2023-08

A Resolution Relative to the

Acceptance of Unanticipated Revenue Under RSA 31:95-b

First Reading: 04/24/23
Second Reading: Waived
Adopted: 04/24/23

WHEREAS the Town of Londonderry adopted the provisions of RSA 31:95-b with the passage of warrant article 18 at their March, 1994 town meeting; and,

WHEREAS the Town Council desires to and has complied with RSA 31:95-b, III (a) relative to unanticipated moneys received in amounts greater than \$10,000; and,

WHEREAS the Town of Londonderry was awarded \$10,000.00 from the New Hampshire Charitable Foundation.

WHEREAS these funds are intended to assist in the providing additional training to the Fire department.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council accepts the funding of \$10,000.00 and further authorizes the Town Manager, Mr. Michael Malaguti, to sign any paperwork associated with the award on behalf of the Town.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
04/24/23

RESOLUTION 2023-09

A Resolution Relative to the

Acceptance of Unanticipated Revenue Under RSA 31:95-b

First Reading: 04/24/23
Second Reading: Waived
Adopted: 04/24/23

WHEREAS the Town of Londonderry adopted the provisions of RSA 31:95-b with the passage of warrant article 18 at their March, 1994 town meeting; and,

WHEREAS the Town Council desires to and has complied with RSA 31:95-b, III (a) relative to unanticipated moneys received in amounts greater than \$10,000; and,

WHEREAS the Town of Londonderry has received a Community Project Funding grant through the Department of Housing and Urban Development (HUD).

WHEREAS the award of the grant is in the amount of \$4,000,000 and the funds received are to be used towards the Pillsbury pump station and force main project to help with the associated costs.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council accepts the grant award of \$4,000,000.00 and further authorizes the Town Manager, Mr. Michael Malaguti, to enter into and sign any paperwork associated with the award on behalf of the Town.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
04/24/23

**FY 2023 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-23-CP-NH-0975**

Grantee Name: Town of Londonderry

Grantee Address: 268B Mammoth Rd. Londonderry, NH 03053

Grantee's Unique Entity Identifier (UEI):

Grantee's Employer Identification Number (EIN)

Federal Award Identification Number (FAIN) B-23-CP-NH-0975

Assistance Listing Number and Name 14.251 Economic Development Initiative,
Community Project Funding, and Miscellaneous Grants

Period of Performance/Budget Period Start Date Date of grant obligation

Period of Performance/Budget Period End Date August 31, 2031

This Grant Agreement between the Department of Housing and Urban Development (HUD) and Town of Londonderry (the Grantee) is made pursuant to the authority of the Consolidated Appropriations Act, 2023 (Public Law 117-328) and the Explanatory Statement for Division L of that Act, which was printed in the Senate section of the Congressional Record on December 20, 2022 (Explanatory Statement).

In reliance upon and in consideration of the mutual representations and obligations under this Grant Agreement, HUD and the Grantee agree as follows:

ARTICLE I. Definitions

The definitions at 2 CFR 200.1 apply to this Grant Agreement, except where this Grant Agreement specifically states otherwise.

Budget period is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

Period of Performance is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

ARTICLE II. Total Grant Amount

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of \$4,000,000 available to the Grantee.

ARTICLE III. Award-Specific Requirements

A. Federal Award Description. The Grantee must use the Federal funds provided under this Grant Agreement (Grant Funds) to carry out the Grantee's "Project." Unless changed in accordance with Article III, section C of this Grant Agreement, the Grantee's Project shall be as described in the Project Narrative that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved Project Narrative as Appendix 1 to the Grant Agreement on the date that HUD signs this Grant Agreement.

B. Approved Budget. The Grantee must use the Grant Funds as provided by the Approved Budget. Unless changed in accordance with Article III, section C of this Grant Agreement, the Approved Budget shall be the line-item budget that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved line-item budget as Appendix 2 to this Grant Agreement on the date that HUD signs this Grant Agreement.

C. Project and Budget Changes. All changes to the Grantee's Project or Approved Budget must be made in accordance with 2 CFR 200.308 and this Grant Agreement. To request HUD's approval for a change in the Project or Approved Budget, the Grantee must submit a formal letter to the Director of HUD's Office of Economic Development - Congressional Grants Division through the assigned Grant Officer. The letter must be submitted by email to the assigned Grant Officer and must provide justification for the change. The email submitting the letter must also include a revised project narrative or revised line-item budget, as applicable, that includes the requested change. The Grantee is prohibited from making project or budget changes that would conflict with the Applicable Appropriations Act Conditions described in Article III, section D of this Grant Agreement. The assigned Grant Officer for this grant is provided in the Award Letter for this grant and found on HUD's website. The HUD Office of Economic Development - Congressional Grants Division will notify the Grantee in writing, by email, whether HUD approves or disapproves the change. Before the Grantee expends Grant Funds in accordance with any change approved by HUD or otherwise allowed by 2 CFR 200.308, the Grantee must update its grant information in Disaster Recovery Grant Reporting (DRGR) to reflect that change.

D. Applicable Appropriations Act Conditions. The conditions that apply to the Grant Funds as provided by the Consolidated Appropriations Act, 2023 and the Explanatory Statement are hereby incorporated and made part of this Grant Agreement. In the event of a conflict between those conditions, the conditions provided by the Act will govern. The Grant Funds are not subject to the Community Development Block Grants regulations at 24 CFR part 570 or Title I of the Housing and Community Development Act of 1974.

E. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. As authorized under 2 CFR 200.307(e)(2), program income may be treated as an addition to the Federal award, provided that the Grantee uses that income for allowable costs under this Grant Agreement. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. Any program income that cannot be expended on allowable costs under this Grant Agreement must be paid to HUD before closeout of the grant, unless otherwise specified by an applicable Federal statute.

F. The Grantee must use the Grant Funds only for costs (including indirect costs) that meet the applicable requirements in 2 CFR part 200 (including appendices). The Grantee's indirect cost rate information is as provided in Appendix 3 to this Grant Agreement. Unless the Grantee is an Institution of Higher Education, the Grantee must immediately notify HUD upon any change in the Grantee's indirect cost rate during the Period of Performance, so that HUD can amend the Grant Agreement to reflect the change if necessary. Consistent with 2 CFR Part 200, Appendix III (C.7), if the Grantee is an Institution of Higher Education and has a negotiated rate in effect on the date this Grant Agreement is signed by HUD, the Grantee may use only that rate for its indirect costs during the Period of Performance.

G. The Grantee must comply with any specific award conditions that HUD may attach to this Grant Agreement as provided by 2 CFR 200.208. If applicable, these conditions will be listed or added as Appendix 5 to this Grant Agreement.

H. The Grantee is responsible for managing the Project and ensuring the proper use of the Grant Funds. The Grantee is also responsible for ensuring the completion of the Project, the grant closeout, and compliance with all applicable federal requirements. The Grantee may subaward all or a portion of its funds to one or more subrecipients, as identified in the Project Narrative (Appendix 1) or as may be approved by HUD in accordance with 2 CFR 200.308. All subawards made with funding under this Grant Agreement are subject to the subaward requirements under 2 CFR Part 200, including 2 CFR 200.332, and other requirements provided by this Grant Agreement. The Grantee is responsible for ensuring each subrecipient complies with all requirements under this Grant Agreement, including the general federal requirements in Article IV. A subaward may be made to a for-profit entity only if HUD expressly approves that subaward and the for-profit entity is made subject to the same Federal requirements that apply to all other subrecipients, including the requirements 2 CFR part 200 provides for a "non-Federal entity" that receives a subaward.

ARTICLE IV. General Federal Requirements

A. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee is the Responsible Entity (as defined in 24 CFR part 58) and agrees to assume all of the responsibilities for environmental review and decision-making and action, as specified and required in regulations issued by the Secretary pursuant to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.

B. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe or Alaskan Native Village, within which the Project is located and which exercises land use responsibility, to act as Responsible Entity and assume all of the responsibilities for environmental review and decision-making and action as specified in paragraph A above, and the Grantee shall carry out all of the responsibilities of a grantee under 24 CFR Part 58.

C. After December 29, 2022, neither the Grantee nor any of its contractors, subrecipients and other funding and development partners may undertake, or commit or expend Grant Funds or local funds for, project activities (other than for planning, management, development and administration activities), unless a contract requiring those activities was already executed on or before December 29, 2022, until one of the following occurs: (i) the Responsible Entity has completed the environmental review procedures required by 24 CFR part 58, and HUD has approved the environmental certification and given a release of funds; (ii) the Responsible Entity has determined and documented in its environmental review record that the activities are exempt under 24 CFR 58.34 or are categorically excluded and not subject to compliance with environmental laws under 24 CFR 58.35(b); or (iii) HUD has performed an environmental review under 24 CFR part 50 and has notified Grantee in writing of environmental approval of the activities.

D. Following completion of the environmental review process, the Grantee (recipient) shall exercise oversight, monitoring, and enforcement as necessary to assure that decisions and mitigation measures adopted through the environmental review process are carried out during project development and implementation.

E. The Grantee must comply with the generally applicable HUD and CPD requirements in 24 CFR Part 5, subpart A, including all applicable fair housing, and civil rights requirements. If the Grantee is a Tribe or a Tribally Designated Housing Entity (TDHE) as established under 24 CFR 1000.206, the Grantee must comply with the nondiscrimination requirements in 24 CFR 1000.12 in lieu of the nondiscrimination requirements in 24 CFR 5.105(a). The Grantee must report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of the Grantee's Project, consistent with the instructions and forms provided by HUD in order to carry out its responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987 (e.g. HUD-27061).

F. The Grantee must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR part 200, as may be amended from time to time. If 2 CFR part 200 is amended to replace or renumber sections of part 200 that are cited specifically in this Grant Agreement, the part 200 requirements as renumbered or replaced by the amendments will govern the obligations of HUD and the Grantee after those amendments become effective.

G. The Grantee must comply with the Award Term in Appendix A to 2 CFR Part 25 ("System for Award Management and Universal Identifier Requirements") and the Award Term in Appendix A to 2 CFR Part 170 ("Reporting Subawards and Executive Compensation"), which are hereby incorporated into and made part of this Grant Agreement.

H. If the Total Grant Amount, as provided in Article II of this Grant Agreement, is greater than \$500,000, the Grantee must comply with the Award Term and Condition for Grantee Integrity and Performance Matters in Appendix 4 to this Grant Agreement.

I. Unless the Grantee is exempt from the Byrd Amendment as explained below, the Grantee must comply with the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR Part 87, which prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, loan, or cooperative agreement. The Grantee must include in its award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements), the requirements for the certification required by Appendix A to 24 CFR Part 87 and for disclosure using Standard Form- LLL (SF-LLL), "Disclosure of Lobbying Activities." In addition, the Grantee must obtain the executed certification required by Appendix A and an SF-LLL from all covered persons. "Person" is as defined by 24 CFR Part 87. Federally recognized Indian tribes and TDHEs established by Federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment. State-recognized Indian tribes and TDHEs established only under state law must comply with this requirement.

J. The Grantee must comply with drug-free workplace requirements in Subpart B of 2 CFR Part 2429, which adopts the governmentwide implementation (2 CFR Part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988, Pub. L. 100-690, Title V, Subtitle D (41 U.S.C. 701-707).

K. The Grantee must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) as implemented by regulations at 49 CFR Part 24. The URA applies to acquisitions of real property and relocation occurring as a direct result of the acquisition, rehabilitation, or demolition of real property for Federal or Federally funded programs or projects. Real property acquisition that receives Federal financial assistance for a program or project, as defined in 49 CFR 24.2, must comply with the acquisition requirements contained in 49 CFR part 24, subpart B. Unless otherwise specified in law, the relocation requirements of the URA and its implementing regulations at 49 CFR part 24, cover any displaced person who moves from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD financial assistance

L. If Grant Funds are used for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead- based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead- based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

M. The Grantee must comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u, and HUD's regulations at 24 CFR part 75, as applicable, including the reporting requirements in 24 CFR 75.25. Grants made to Tribes and TDHEs are subject to Indian Preference requirements in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)). As stated in 24 CFR 75.3(c), grants to Tribes and TDHEs are subject to Indian Preference requirements in lieu of Section 3. Grantees that are not exempt from Section 3 must submit annual reports of Section 3

accomplishment Performance Measures in DRGR in January of the calendar year.
This report reflects Section 3 accomplishments for the previous calendar year.

N. The Grantee must not use any Grant Funds to support any Federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use includes use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118). Public use does not include economic development that primarily benefits private entities.

O. The Grantee must not use any Grant Funds to maintain or establish a computer network that does not block the viewing, downloading, and exchanging of pornography. This requirement does not limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

P. The Grantee must administer its Grant Funds in accordance with the Conflict of Interest requirements set forth in Appendix 6 of this Grant Agreement.

Q. The Grantee must comply with the governmentwide debarment and suspension requirements in 2 CFR part 180 as incorporated and supplemented by HUD's regulations at 2 CFR part 2424.

R. The Grantee must comply with the award term and condition regarding trafficking in persons in Appendix 7 of this Grant Agreement.

S. The assurances and certifications the Grantee has made and submitted to HUD are incorporated by this reference and made part of this Grant Agreement.

ARTICLE V. Drawdown Requirements

A. The Grantee may not draw down Grant Funds until HUD has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying, if applicable.

B. The Grantee must use HUD's Disaster Recovery Grant Reporting (DRGR) system to draw down Grant Funds and report to HUD on activities.

C. The Grantee must enter activity and budget information in DRGR that is consistent with the Grantee's Project and Approved Budget as described in Article III, sections A and B of this Grant Agreement and complies with HUD's instructions for entering information in DRGR found in the document titled "Grant Award Instructions" that accompanies the Grant Agreement.

D. The Grantee must only enter activities in DRGR that are described in the Approved Budget.

E. The Grantee must expend all Grant Funds in accordance with the activity and budget information in DRGR.

F. Each drawdown of Grant Funds constitutes a representation by the Grantee that the funds will be used in accordance with this Grant Agreement.

G. The Grantee must use DRGR to track the use of program income and must report the receipt and use of program income in the reports the Grantee submits to HUD under Article VI of this Grant Agreement. The Grantee must expend program income before drawing down Grant Funds through DRGR.

H. Notwithstanding any other provision of this grant agreement, HUD will not be responsible for payment of any Grant Funds after the date Treasury closes the account in accordance with 31 U.S.C. § 1552. Because Treasury may close the account up to one week before the September 30 date specified by 31 U.S.C. § 1552, the Grantee is advised to make its final request for payment under the grant no later than September 15, 2031.

ARTICLE VI. Program-Specific Reporting Requirements

In addition to the general reporting requirements that apply under other provisions of this Agreement, the following program-specific reporting requirements apply to the Grantee:

A. The Grantee must submit a performance report in DRGR on a semi-annual basis and must include a completed Federal financial report as an attachment to each performance report in DRGR. Performance reports shall consist of a narrative of work accomplished during the reporting period. During the Period of Performance, the Grantee must submit these reports in DRGR no later than 30 calendar days after the end of the 6-month reporting period. The first of these reporting periods begins on the first of January or June (whichever occurs first) after the date this Grant Agreement is signed by HUD.

B. The performance report must contain the information required for reporting program performance under 2 CFR 200.329(c)(2) and (d), including a comparison of actual accomplishments to the objectives of the Project as described in Article III, section A of this Grant Agreement, the reasons why established goals were not met, if appropriate, and additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

C. Financial reports must be submitted using DRGR or such future collections HUD may require and as approved by OMB and listed on the Grants.gov website (<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>).

D. The performance and financial reports will undergo review and approval by HUD. If a report submission is insufficient, HUD will reject the report in DRGR and identify the corrections the Grantee must make.

E. No drawdown of funds will be allowed through DRGR while the Grantee has an overdue performance or financial report.

F. The Grantee must report and account for all property acquired or improved with Grant Funds as provided by 2 CFR part 200 using the applicable common forms approved by OMB and provided on the Grants.gov website (<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>). This reporting obligation includes submitting status reports on real property at least annually as provided by 2 CFR 200.330, accounting for real and personal property acquired or improved with Grant Funds as part of Project Closeout, and promptly submitting requests for disposition instructions as provided by 2 CFR 200.311(c), 200.313(e), and 200.314(a).

ARTICLE VII. Project Closeout

A. The grant will be closed out in accordance with 2 CFR part 200, as may be amended from time to time, except as otherwise specified in this Grant Agreement.

B. The Grantee must submit to HUD a written request to closeout the grant no later than 30 calendar days after the Grantee has drawn down all Grant Funds and completed the Project as described in Article III, section A of this Grant Agreement. HUD will then send the Closeout Agreement and Closeout Certification to the Grantee.

C. At HUD's option, the Grantee may delay initiation of project closeout until the resolution of any findings as a result of the review of semi-annual activity reports in DRGR. If HUD exercises this option, the Grantee must promptly resolve the findings.

D. The Grantee recognizes that the closeout process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any HUD review, including reasonable requests for on-site inspection of property acquired or improved with Grant Funds.

E. No later than 120 calendar days after the Period of Performance, Grantees shall provide to HUD the following documentation:

1. A Certification of Project Completion.
2. A Grant Closeout Agreement.
3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability

requirements of 2 CFR part 200, subpart E); a certification of the costs; and the amounts and sources of other project funds.

4. A final performance report providing a comparison of actual accomplishments with the objectives of the Project, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.
5. A final property report, if specifically requested by HUD at the time of closeout.

ARTICLE VIII. Default

A default under this Grant Agreement shall consist of any use of Grant Funds for a purpose other than as authorized by this Grant Agreement, any noncompliance with statutory, regulatory, or other requirements applicable to the Grant Funds, any other material breach of this Grant Agreement, or any material misrepresentation in the Grantee's submissions to HUD in anticipation of this award. If the Grantee fails to comply with the terms and conditions of the Grant Agreement, HUD may adjust specific conditions of this Grant Agreement as described in 2 CFR part 200, as may be amended from time to time. If HUD determines that noncompliance cannot be remedied by imposing additional conditions, HUD may take one or more of the remedies for noncompliance described in 2 CFR part 200, as may be amended from time to time. HUD may also terminate all or a part of this award as provided by 2 CFR 200.340 and other applicable provisions of 2 CFR part 200, as may be amended from time to time. Nothing in this Grant Agreement shall be construed as creating or justifying any claim against the Federal government or the Grantee by any third party.

ARTICLE IX. HUD Contact Information

Except where this Grant Agreement specifically states otherwise, all requests, submissions, and reports the Grantee is required to make to HUD under this Grant Agreement must be made in writing via email to CPFGGrants@hud.gov.

This agreement is hereby executed on behalf of the Grantee and HUD as follows:

GRANTEE

(Name of Organization)

BY: _____
(Signature of Authorized Official)

(Typed Name and Title of Authorized Official)

(Date)

HUD

BY: _____
Robin J. Keegan,
Deputy Assistant Secretary for Economic Development

(Date)

LEGAL NOTICE

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

Ordinance #2023-02 – An Amendment to the Zoning Ordinance Relative to the Rezoning of Map 15, Lot 26

The public hearings will occur on Monday, April 24, 2023 at 7:00 PM at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053.

Londonderry Town Council

First Reading: 4/10/2023
Second Reading/Public Hearing: 4/24/2023
Adopted: 4/24/2023

ORDINANCE #2023-02
AN AMENDMENT TO THE ZONING ORDINANCE
RELATIVE TO REZONING MAP 15, LOT 26

- WHEREAS*** the existing parcel, Map 15, Lot 26, 206 Rockingham Road is zoned Commercial I Commercial II and Agricultural-Residential;
- WHEREAS*** the Planning Board has received a request to rezone the above-referenced parcel to Commercial II; and
- WHEREAS*** the Planning Board has recommended that the Town Council act favorably upon the request; and
- WHEREAS*** the requested rezoning is consistent with the purpose and intent of the Londonderry Master Plan and the Londonderry Zoning Ordinance;

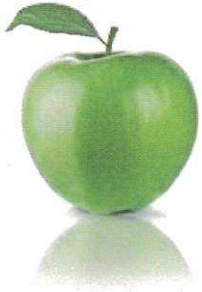
NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the rezoning of Map 15, Lot 26 to Commercial II, to become effective upon passage by the Town Council.

John Farrell - Chairman
Town Council

Sharon Farrell
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
4/24/2023



Town of Londonderry
Planning and Economic Development Department

268B Mammoth Road
Londonderry, NH 03053
Phone 603.432.1100 x 129
www.londonderrynh.org

To: Town Council
From: Kellie Caron, Assistant Town Manager | Director of Economic Development
CC: Michael Malaguti, Town Manager
Date: April 24, 2023
Re: Rezoning Recommendation from Planning Board

On February 8, 2023, the Planning Board held a public hearing on a request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) to C-II (Commercial II).

Attached to this memorandum are the initial rezoning request, the Staff Memorandum to the Planning Board summarizing the request, the Planning Board Notice of Decision and minutes of the February 8, 2023 Planning Board meeting.

The Planning Board made a motion to ***Member A. Sypek made a motion to recommend to the Town Council approval of the rezoning request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) and Route 28 Performance Overlay to C-II (Commercial II).***

The motion was approved by a vote of 6-2-1.



TOWN OF LONDONDERRY

LONDONDERRY PLANNING BOARD & TOWN COUNCIL

268B Mammoth Road Londonderry, NH 03053 Phone: 432-1100, ext.134 Fax: 432-1128

APPLICATION FOR REZONING REQUEST

LOCATION OF PROPERTY:

Street address 206 Rockingham Road

Tax map 15 Parcel 26

CURRENT ZONING: C-I, C-II & AR-I

PROPOSED ZONING: C-II

Owner's name (s) Granite YMCA Tel. No. (603) 437-9622

Owner's address 206 Rockingham Road
Londonderry, NH 03053

Owner's Email address Stacy Neville, Executive Director - sneville@graniteymca.org

Applicant's name(s) (same) Tel. No. _____

Applicant's address _____

Applicant's Email address _____

Representative's name Keach-Nordstrom Assoc, Inc. Tel. No. (603) 627-2881

Representative's address 10 Commerce Park North - Suite 3B
Bedford, NH 03110

Representative's Email address jlopez@keachnordstrom.com

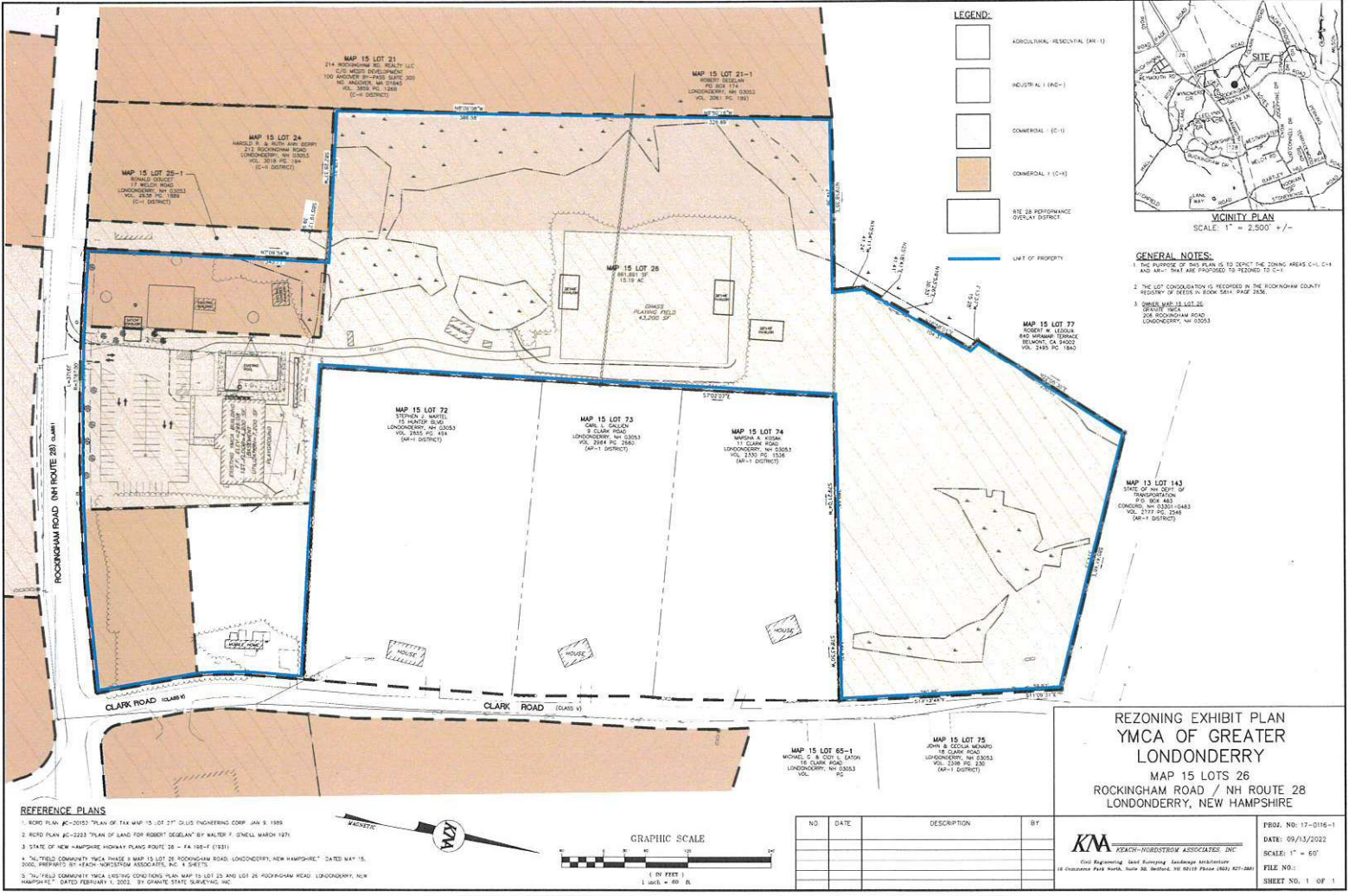
Please explain the purpose for your rezoning request including how the proposed zoning fits in with the neighboring properties and can be justified on the bases of the health, safety and general welfare of the community. Also, please provide an explanation as to how the request is in accordance with comprehensive plan and/or master plan. Attach additional sheets if necessary.

(see attached)

PURPOSE OF REZONING

This Rezoning Application applies to Tax Map 15, Lot 26, 206 Rockingham Road. The property is owned by Granite YMCA. The YMCA had previously acquired and consolidated five lots to create one 15.19-acre lot on which they currently function. As the result of the parcel being comprised of multiple smaller parcels the current zoning overlaying the property is fragmented. The property includes Agricultural-Residential (AR-1), Commercial I (C-I), Commercial II (C-II) and Route 28 Performance Overlay Zoning Districts. To simplify the application of the zoning requirement for future development and expansion on the property, the Applicant seeks to consolidate the zoning for the entire parcel to be C-II. The current use is permitted in the C-II zoning district and would be the same zoning as two abutting lots to the west and the same zoning as the abutting lot to the east of Clark Road.

This rezoning will not modify the existing use, therefore there will be no impact to the health, safety, and general welfare of the community. The property lies within the G-5 Retrofit Growth Sector in which the Master Plan seeks to introduce activity centers. The property is just east of the area designated as North Village Artisan District. The current use of the YMCA fits well with the goals of the master plan. Therefore, the rezoning of the property to Commercial II is reasonable.



REFERENCE PLANS

1. RECORD PLAN #20152 "PLAN OF TAX MAP 15 LOT 27" CULS ENGINEERING CORP. JAN 9, 1985

2. RECORD PLAN #20223 "PLAN OF LAND FOR ROBERT SEGLAN" BY WALTER F. SNEEL MAR 1987

3. STATE OF NEW HAMPSHIRE HIGHWAY PLANS ROUTE 28 - FA 188-1 (1981)

4. "NEIGHBORHOOD COMMUNITY PLAN THREE" MAP 13 LOT 26 ROCKINGHAM ROAD, LONDONDERRY, NEW HAMPSHIRE. DATED MAY 15, 2002. PREPARED BY TEACH WORKSTROM ASSOCIATES, INC. 4 SHEETS

5. "NEIGHBORHOOD COMMUNITY PLAN THREE" MAP 13 LOT 25 AND LOT 26 ROCKINGHAM ROAD, LONDONDERRY, NEW HAMPSHIRE. DATED FEBRUARY 1, 2002. BY GRANT, STATE, SURVEYING, INC.

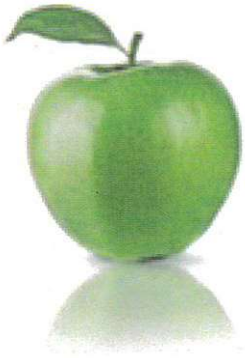
REZONING EXHIBIT PLAN
YMCA OF GREATER
LONDONDERRY
MAP 15 LOTS 26
ROCKINGHAM ROAD / NH ROUTE 28
LONDONDERRY, NEW HAMPSHIRE

KM
KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Planning Landscape Architecture
10 Chocomaux Park North, Suite 100, Bedford, NH 03110 Phone (603) 827-2840

PROJ. NO: 17-0116-1
DATE: 09/13/2022
SCALE: 1" = 60'
FILE NO.:
SHEET NO. 1 OF 1

NO.	DATE	DESCRIPTION	BY





Town of Londonderry

Planning & Economic Development Department

268B Mammoth Road
Londonderry, New Hampshire 03053
Phone (603) 432-1100 x149
www.londonderrynh.org



NOTICE OF DECISION

The Londonderry Planning Board held a public hearing on Wednesday, February 8, 2023 to consider the following:

Rezoning request for a rezoning request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), AR-I (Agricultural-Residential I) and Route 28 Performance Overlay to C-II (Commercial II).

Member A. Sypek made a motion to recommend to the Town Council approval of the rezoning request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) and Route 28 Performance Overlay to C-II (Commercial II).

Member T. Combes seconded the motion.

The motion was granted, 6-2-1 with Deb Paul abstaining.

This notice is given pursuant to RSA 676:3.

Londonderry Planning Board

**LONDONDERRY, NH PLANNING BOARD MINUTES OF
THE MEETING OF February 8, 2023, AT THE MOOSE HILL COUNCIL
CHAMBERS**

I. CALL TO ORDER

Members Present: Art Rugg, Chair; Al Sypek, Vice Chair; Lynn Wiles, Assistant Secretary; Giovanni Verani, Ex-Officio – Town Manager; Ann Chiampa, member; Deb Paul, Ex-Officio – Town Council; Bruce Hollowell, Ex-Officio – Administrative; Jason Knights, alternate member; and Ted Combes, alternate member

Also Present: Kellie Caron, Assistant Town Manager/Director of Economic Development; and Beth Morrison, Recording Secretary

Chairman Rugg called the meeting to order at 7:00 PM, explained the exit and emergency procedures, and began with the Pledge of Allegiance. He appointed T. Combes to vote for J. Butler and J. Knights to vote for J. Penta.

II. ADMINISTRATIVE BOARD WORK

A. APPROVAL OF MINUTES:

Member A. Sypek made a motion to approve the minutes of January 4, 2023, as presented.

J. Penta seconded the motion.

The motion was granted, 5-0-4, with A. Sypek, B. Hollowell, L. Wiles and A. Chiampa abstaining. The Chair voted in the affirmative.

Member A. Sypek made a motion to approve the minutes of January 11, 2023, as presented.

L. Wiles seconded the motion.

The motion was granted, 5-0-4, with B. Hollowell, T. Combes, A. Sypek, and A. Chiampa abstaining. The Chair voted in the affirmative.

- B. REGIONAL IMPACT DETERMINATIONS:** Town Planner Walsh informed the Board that she had no projects for their consideration this evening.
- C. Discussion with Town Staff:** K. Caron informed the Board that she is working on a putting together a workshop meeting regarding the design review process, possibly in April. She added that there will be a joint meeting with the Heritage Commission at the March 8, 2023, Planning Board meeting. Chairman Rugg told the Board that Heritage would like the Planning Board's input on updating the Look Book. A. Sypek asked Chairman Rugg to explain what the Look Book is to the public. Chairman Rugg replied that the Look Book has various pictures of buildings that was put together roughly eight

years ago. He mentioned that Woodmont will be giving their 2022 report in the near future and that this weekend the Deliberate Sessions for both the school and town are being held.

III. Public Hearings

A. Public hearing for a rezoning request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) to C-II (Commercial II).

Chairman Rugg read the application into the record. Steven Keach, P.E, from Keach-Nordstrom Assoc., Inc., 10 Commerce Park North, Suite 3B, Bedford, NH, addressed the Board. S. Keach told the Board that the application before them this evening is the land the YMCA has accumulated over the last 25 years. He reviewed the map on the screen with the Board. He explained that in 2017, with the recommendation of the former Town Planner, Colleen Mailloux, they voluntarily merged all five parcels to create the 15.12-acre parcel that exists today. He noted that at or about that same time, they were encouraged to pursue rezoning the parcel to get rid of the multiple zones that were created with the merger. He pointed out that the current parcel is zoned C-I, C-II, AR-1 and has the Performance Overlay zone. He read from the zoning application as follows:

"This Rezoning Application applies to Tax Map 15, Lot 26, 206 Rockingham Road. The property is owned by Granite YMCA. The YMCA had previously acquired and consolidated five lots to create one 15.19-acre lot on which they currently function. As the result of the parcel being comprised of multiple smaller parcels the current zoning overlaying the property is fragmented. The property includes Agricultural-Residential (AR-1), Commercial I (C-1), Commercial 11 (C-II) and Route 28 Performance Overlay Zoning Districts. To simplify the application of the zoning requirement for future development and expansion on the property , the Applicant seeks to consolidate the zoning for the entire parcel to be C-11. The current use is permitted in the C-II zoning district and would be the same zoning as two abutting lots to the west and the same zoning as the abutting lot to the east of Clark Road.

This rezoning will not modify the existing use, therefore there will be no impact to the health, safety, and general welfare of the community. The property lies within the G-5 Retrofit Growth Sector in which the Master Plan seeks to introduce activity centers. The property is just east of the area designated as North Village Artisan District. The current use of the YMCA fits well with the goals of the master plan. Therefore, the rezoning of the property to Commercial II is reasonable."

He commented that this is more of housekeeping matter that they have been meaning to do. He mentioned that in 2019, they prepared a rezoning application, but they never submitted it due the pandemic. He said that there is no immediate development plan for the YMCA at this point.

Chairman Rugg opened the discussion up the Board. K. Caron told the Board that this is essentially a housekeeping item that will make future zoning determinations easier. A. Chiampa commented that she had done some research and two of the parcels that were merged were changed from C-I to C-II in 1990. S. Keach pointed out that the YMCA did not own any parcels in 1990. She mentioned that most of the

current property is bordered by the AR-I district, as well as the Rail Trail. She remarked that she is interested to hear what any abutters have to say. She added that by changing the zoning from C-I to C-II it would allow for more intense uses. S. Keach replied that the YMCA will most likely always own this parcel because of the manner in which the YMCA acquired the land. A. Chiampa interjected that if or when it is not owned by the YMCA, there are more intense uses that can be done there. S. Keach commented that he believed it would be difficult for it not to be used as the YMCA as some of the land was bequeathed or donated with a mission statement that if the YMCA were to relinquish ownership of it, they could not sell it. A. Chiampa asked why they are not considering rezoning it to C-I. S. Keach replied that it was based on recommendation that they received from staff in 2017, when the properties were merged. A. Chiampa asked who made the commitment to rezone it. S. Keach replied the YMCA did, noting they created a zoning quilt when they merged the five parcels. He added that Colleen Mailloux, Town Planner, at the time felt it should be rezoned to C-II because the property it abuts on Rockingham Road to the north and south are also C-II. A. Chiampa stated that across the street from the YMCA it is zoned C-I. S. Keach remarked that it probably does not matter what the zone is as the YMCA is an institutional use. A. Chiampa noted that the zoning goes with the property. S. Keach reiterated that if the YMCA were to go somewhere else, the provisions attached to the acquisition of one or more of the five parcels, would not allow a sale, and it would have to go back to the direction from which it came. A. Chiampa asked why the YMCA could not sell the land. S. Keach gave an example of land being donated for a library and then the library is not needed anymore, it would go back to the heirs or successors that sold the property. A. Chiampa said that the Board does not have this information. S. Keach replied that he has the document, but did not bring it this evening. G. Verani asked if the side yard setback to the residential zone would change from the C-I zone to the C-II zone. K. Caron replied that it would stay the same. S. Keach asked if there would be a buffer requirement. K. Caron said that there would be a buffer requirement. T. Combes asked for the setback for the C-II zone, as the only potential for expansion would be on the right side of the building. K. Caron replied it would be 50-feet. T. Combes expressed his opinion that he thought this makes sense.

Chairman Rugg asked for public input.

Michael Eaton, 16 Cross Road, addressed the Board. M. Eaton told the Board that he spoke to S. Keach before the meeting and he answered some questions. He asked if there would be a larger buffer zone if this was to remain the C-I zone versus the C-II zone. K. Caron replied they remain the same. M. Eaton asked if the YMCA relinquished their land how this can be used, again in regard to the specific C-I zone and C-II zone uses. Chairman Rugg replied that the C-II zone allows heavier uses versus the C-I zone. K. Caron pointed out that she pulled up the use table and reviewed some with the Board, noting that recreational facilities are permitted in the C-II zone, but not in the C-I zone. K. Caron mentioned that she has not reviewed the legal documents that S. Keach spoke of this evening, but if there are restrictions on the property, this would be evaluated. M. Eaton expressed his opinion that he would be happier with the property remaining C-I and asked if this could be done. He added that he has seen the YMCA grow and there is currently a parking problem when they have events, so he thought a parking expansion might be in the works. He said that it seems like they might encroach onto where the Morrison House used to be and the little AR-1 property, and he would be concerned if traffic was permitted to exit this

property onto Clark Road. He commented that there has been increased traffic with more development and after the pandemic, more people drive their cars down Clark Road to drop their kids off at North School. He asked if the wetland property that abuts his house and his neighbors could become a ball field filled in with parking. A. Chiampa asked what area M. Eaton is speaking about. M. Eaton reviewed where he is speaking of on the screen with the Board. Chairman Rugg stated that he is unsure of the YMCA's growth plans, but if they did anything, they would go through site plan review, and go before the Conservation Commission. He added that given the size of the wetland the state would get involved. S. Keach remarked that right now there is no plan for the area, but close to a decade ago, they tried to accommodate the construction of a ball field on the parcel that M. Eaton speaks of, but it does not fit. He added that the topography of the parcel, the buffers, and as it is surrounded by AR-I, there is not much development potential there. A. Chiampa asked him to clarify. S. Keach pointed out where he was speaking on the screen. A. Chiampa asked if they received a variance for this. S. Keach replied that they did. A. Chiampa noted that in the C-II zone there can be a motor vehicle station with limited service, warehouse and storage 250,000 SF or larger, hotels, self-storage, and a drive-in theater. She asked if this was correct. K. Caron replied that she was not double checking as A. Chiampa was reading off her list, but there are uses that are permitted with a Conditional Use Permit (CUP). S. Keach mentioned that M. Eaton's question about driveway access to Clark Road was a good question. He noted that they have a piece of frontage on the Morrison lot and trailer lot and at one point they did look at extending driveway access to have a curb cut at Clark Road, but they opted not to because the proximity the driveway would be to the intersection of Clark Road and Rockingham Road. He said that he would be concerned with a driveway that has any volume being at Clark Road. M. Eaton said that this information was helpful and reiterated that he would like it to stay zoned C-I. He added that they enjoy having the YMCA as a neighbor.

Cecilia Menard, 18 Clark Road, addressed the Board. C. Menard voiced her concern about the traffic. She added that sometimes trying to get out of her driveway is hard. She noted that she is concerned about the wetland, as she is across the street from M. Eaton. She remarked that she enjoys the YMCA as a neighbor, but also likes the solitude. D. Paul told the residents that four times a year there is a Traffic Safety Committee that meets in this room. She stated that she was not sure if the next meeting would be April, but encouraged residents to attend.

David Zaitsev, 11 Clark Road, addressed the Board. D Zaitsev said that hearing the concerns about the C-II zone, it does not seem to fit in the area. He said that it is all residential around here.

Ray Breslin, Three Gary Drive, addressed the Board. R. Breslin asked for the purpose of changing the zoning. He added concerns about traffic in this area as well. He asked who owned the property. S. Keach replied that Granite YMCA owns this. He added that it was at one point five parcels, and the YMCA has acquired them over the last 25 years, and in 2017, they voluntarily merged them to create one 15-acre parcel. He explained that when you merge or consolidate parcels the zoning does not change, so now there is a single parcel comprised of three separate zoning districts or a zoning quilt. He reiterated that when they merged the parcels five years ago, it was recommended by the current Town Planner, to rezone to make it cleaner. He pointed out that portions of the YMCA could fall under a community center and public

facilities, which are permitted by right. He went on to note that recreational facilities, public is not permitted in the C-I district, but is allowed in the C-II district. He pointed out that there are no projects right now, but it might change and they would be back before the Board. R. Breslin asked why this is going to be a benefit for the YMCA. S. Keach replied that he is not sure it would benefit the YMCA. R. Breslin asked why he is here now. S. Keach replied because they made a commitment. Chairman Rugg explained that the town likes a parcel to be one zone, as they do not like split zoning. R. Breslin asked if this would be the best benefit for the citizens of Londonderry, especially the abutters. S. Keach mentioned that most of the time rezoning proposals usually facilitate development or subdivision, but they have done the opposite here tonight.

Chairman Rugg brought the discussion back to the Board. B. Hallowell asked for the YMCA's mission. S. Keach replied that the mission is a civic organization and the Nutfield YMCA has predominately youth programs. B. Hallowell asked if there were any restrictions to becoming a member. S. Keach replied that he is not aware of any. B. Hallowell remarked that when looking at the table, recreational facilities is not allowed in the C-I zone, and he thought it would be fair to say that the YMCA has recreational facilities that are used by the public. S. Keach replied that is correct.

Cindy Eaton, 16 Clark Road, addressed the Board. C. Eaton told the Board that she remembers when the YMCA acquired the other parcels and the abutters at that time asked it not be rezoned to C-II because of heavier uses. She said that there was fear of a parking lot on the north end, even though there are wetlands on the property. She said that she has lived in Londonderry for a long time and in the future the YMCA might sell this if they need a bigger parcel and now this parcel is zoned C-II. She added that the Rail Trail is also close to this. She encouraged the Board to keep it zoned C-I.

Chairman Rugg brought the discussion back to the Board as there was no further public input. L. Wiles commented that the Board takes rezoning seriously and he has not heard any real reasons why the YMCA wants to be rezoned C-II other than this should have been done when the parcels were merged. He added that in the future if the YMCA has a project that is in violation of the C-I zone, they can come back before the Board. T. Combes asked if the current uses of the YMCA are not permitted in the C-I zone. K. Caron replied that she is not sure if they received a variance for the use, but they exist today, so they are permitted, legal, non-conforming uses. T. Combes asked if they could expand on the old Morrison House lot or trailer lot. K. Caron replied that this would be determined by the Zoning Administrator and it might not be a straightforward answer. T. Combes asked if the YMCA's current use is more in line with the C-II zone versus the C-I zone. K. Caron replied not necessarily, as the recreational use, public is permitted in the C-II zone versus C-I. She added that she cannot speak to the total percentage of the parcel that is in use for recreation uses versus the other uses they have today. D. Paul asked if the Board can place conditions. K. Caron pointed out that the Board is making a recommendation to the Town Council, and the Town Council is the jurisdictional body that has the final say if this is going to be rezoned. She went on stating that in the Board's recommendation to the Town Council they can place conditions, but she would not recommend it. She said that the Board should be evaluating how the rezoning request fits into the Master Plan and surrounding uses. Chairman Rugg noted that they have received guidance from the Town Attorney not to place conditions. L. Wiles asked if there was

a difference in assessed value of businesses in the C-I zone versus the C-II zone. K. Caron replied that she is not sure.

A. Sypek made a motion to recommend to the Town Council the rezoning request to rezone 206 Rockingham Road (Map 15 Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I) to C-II (Commercial II), and AR-I (Agricultural I) and Route 28 Performance Overlay to C-II (Commercial II).

T. Combes seconded the motion.

The motion was granted, 6-2-1, with A. Chiampa and L. Wiles voting against and D. Paul abstaining. The Chair voted in the affirmative.

IV. New Plans/Conceptual Plans

V. Other

Chairman Rugg pointed out that at their March 1, 2023, meeting the Board will be electing officers. He said that volunteers are needed for election day as well.

VI. Adjournment

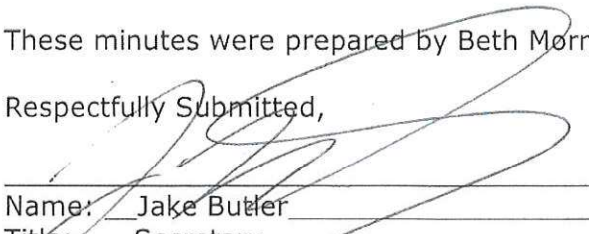
Member A. Sypek made a motion to adjourn the meeting at approximately 8:18 p.m. Seconded by T. Combes.

The motion was granted, 9-0-0.

The meeting adjourned at approximately 8:18 PM.

These minutes were prepared by Beth Morrison.

Respectfully Submitted,


Name: Jake Butler
Title: Secretary

These minutes were accepted and approved on March 8, 2023, by a motion made by A. Sypek and seconded by J. Butler

STAFF RECOMMENDATION

To: Planning Board

Date: February 8, 2023

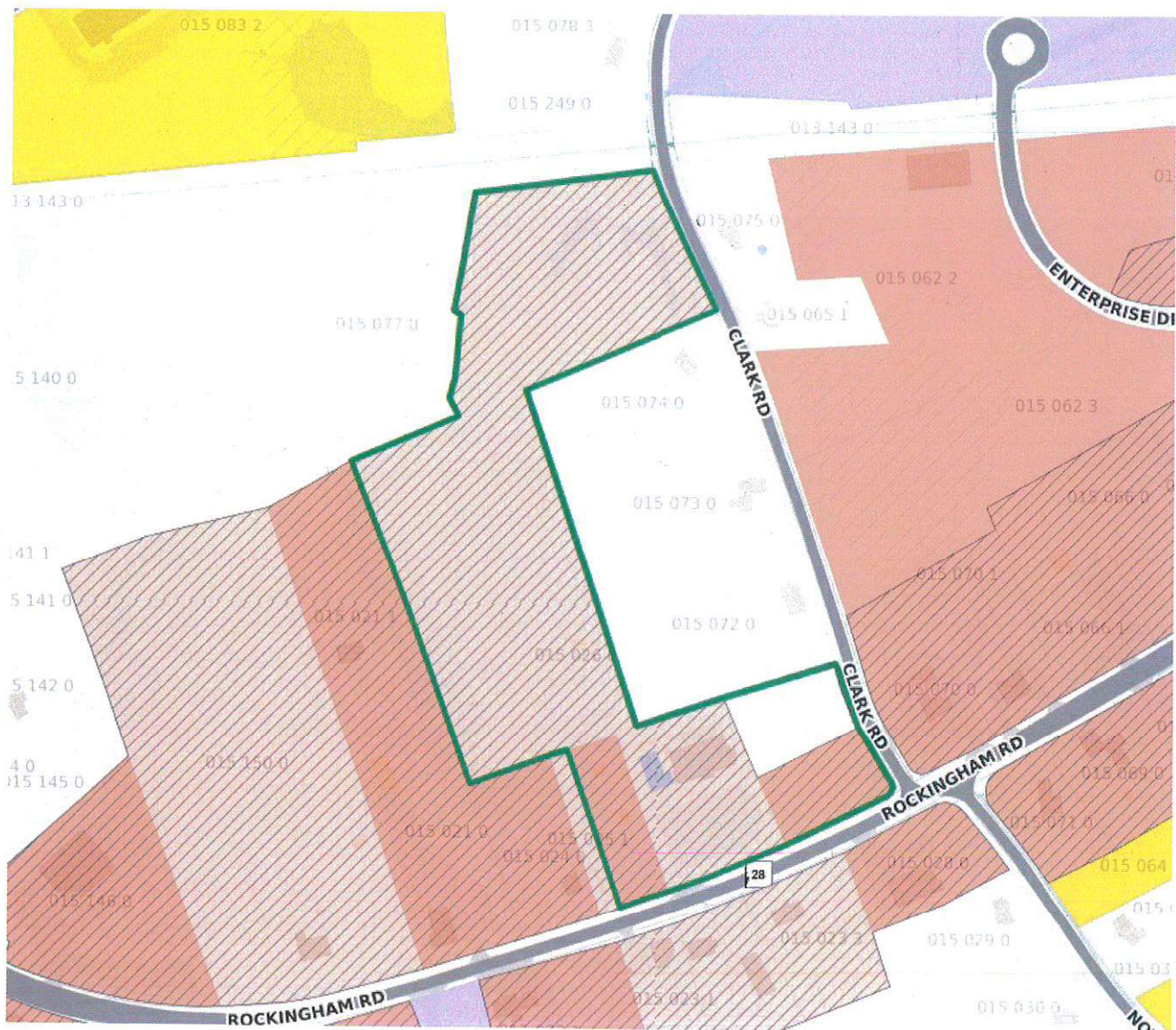
From: Kellie Caron, Assistant Town Manager | Director of Economic Development

Re: 206 Rockingham Road, Map 15, Lot 26 Rezoning Request

Rezoning request for a rezoning request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) to C-II (Commercial II).

Existing Conditions and Background:

The Applicants are requesting rezoning of 206 Rockingham Road to C-II (Commercial II).



206 Rockingham Road (Map 15, Lot 26) is a 15.19 acre parcel located near the intersection of Rockingham Road and Clark Road. The property is the currently location of the YMCA. There is an existing curb cut to the lot off of Route 28/Rockingham Road. The parcel is currently zoned

C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) and Route 28 Performance Overlay. The current use (YMCA) is permitted in the C-II zoning district. The rezoning does not propose to modify the existing use.

The 2013 Master Plan identifies this area as a "G-5 Retrofit Growth Sector". According to the Master Plan:

The Retrofit Growth Sector is assigned to areas that are already developed in a suburban development pattern and have potential to be modified or completed as activity centers.

Rezoning Request:

The Applicants are requesting rezoning of 206 Rockingham Road to C-II (Commercial II). Please see the attached rezoning request and exhibit plan showing the existing conditions and zoning.

To simplify the application of the zoning requirement for future development and expansion on the property, the Applicant seeks to consolidate the zoning for the entire parcel to be C-II. The current use is permitted in the C-II zoning district and would be the same zoning as two abutting lots to the west and the same zoning as the abutting lot to the east of Clark Road.

Board Action Required

Should the Board find that the request is reasonable and consistent with the surrounding uses and the Master Plan, the Board may make a recommendation motion as follows:

Move to **recommend** to the Town Council approval of the rezoning request to rezone 206 Rockingham Road (Map 15, Lot 26) Granite YMCA (Owner/Applicant) from C-I (Commercial I), C-II (Commercial II), and AR-I (Agricultural-Residential I) and Route 28 Performance Overlay to C-II (Commercial II).

Conversely the Board may make a motion to recommend that the Town Council deny the request for re-zoning, if it finds that the request is not consistent with the Master Plan and the surrounding uses.



DEPUTY CHIEFS
FRED HEINRICH
BO BUTLER

FIRE PREVENTION
BRIAN JOHNSON

CHIEF OF DEPARTMENT
EMERGENCY MANAGEMENT DIRECTOR
DARREN M. O'BRIEN
dobrien@londonderrynh.org

BATTALION CHIEFS
JEREMY MAGUE
PHILIP LEBLANC
BRUCE HALLOWELL
JEFFREY ANDERSON

COUNCIL ORDER 2023-02

EXECUTIVE SUMMARY

OVERVIEW

In order to effect our mission, fire fighters must be outfitted with the proper tools, equipment & fire hose of the trade. The Tools and Equipment (T&E) Division has been tasked to fully equip our fire apparatus (Engines 1, 2, 3, 4) with the 'Minimum Load-Out' (MLO) required.

GOAL

To provide a summary of the status of the Capital Reserve Project (Council Order 2023-02).

CURRENT ORDER STATUS

As of April 20, 2023, we have successfully ordered all tools and equipment requested through the 'Minimum Load-Out' (MLO) document, except for our high-rise hose/nozzle package. We recently held a hose and nozzle workshop on April 13, 2023, where fire hose and nozzle manufacturer representatives came to the station and ran a workshop. The workshop allowed our members the opportunity to demo different types of fire hose and fire nozzles to help collect data and develop the right high-rise package for Londonderry. We analyzed the workshop data and decided on the hose/nozzle packages we would demo. All four battalions will be able to try the different packages over a few weeks in May before making the final decision and placing the order.

We are slowly receiving inventory of all the ordered tools and equipment. We received the new SCBA masks, which will be in service soon. We expect to continue receiving shipments over the next couple of months, and once received will be placed in service.

Currently, we have spent approximately \$131,996.07 of the \$173,293.88 requested.



CAPITAL EQUIPMENT REQUEST

THERMAL IMAGING CAMERAS (TICs)

PRESENTED BY:

LONDONDERRY FIRE DEPARTMENT



OUTLINE

| MISSION-GOAL-END STATE

| BRIEF HISTORY OF THERMAL IMAGING CAMERAS IN THE FIRE SERVICE

| NEAR MISS REPORT

| SELECTION PROCESS

| FUNDING MECHANISM

| RECOMMENDATION

| REQUEST AMOUNT

| SUMMARY



MISSION | Save Lives & Protect Property

GOAL | To provide thermal imaging cameras (TICs) to become more efficient in our mission.

- Help see through zero-visibility conditions.
- Improved search times and location of possible fire victims.
- Locate fire, monitor fire spread/behavior, and locate hidden fires.
- Improve Firefighter Survival when getting out is the #1 priority (Disorientation, Maydays, Sudden changes in fire conditions)

END STATE | To equip every Londonderry Firefighter with a thermal imaging camera on the fire ground.



TIC HISTORY IN THE FIRE SERVICE

- Military Declassified Technology
- Became more mainstream for the fire service in 90's
- Worcester Firefighters (Worcester 6) LODD 12/3/1999 was a catalyst for TIC technology implementation in northeast US (<https://www.cdc.gov/niosh/fire/reports/face9947.html>)
- In 2001, the Federal Emergency Management Agency (FEMA) began issuing grants under the Firefighter Investment and Response Enhancement (FIRE) Act
- Lack of Thermal Imaging Camera was a contributing factor to Line of Duty Death in Houston TX 4/4/2004 (<https://www.cdc.gov/niosh/fire/reports/face200414.html>)
- Lack of Thermal Imaging Camera use was a contributing factor of 9 LODD's in Charleston SC 6/18/2007 (<https://www.cdc.gov/niosh/fire/reports/face200718.html>)



RECOMMENDATIONS FROM NEAR MISS REPORT - 6 TSIENNETO RD

- Man-for-Man Staffing at twelve (12) per shift
- Fire Inspector added to the Fire Prevention Division
- IAFF Fireground Survival Program
- **Thermal Imaging Camera (TIC) for every riding position**
- Ensure that firefighters are properly trained in air management

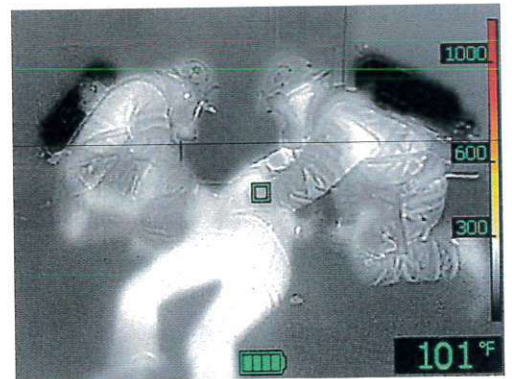
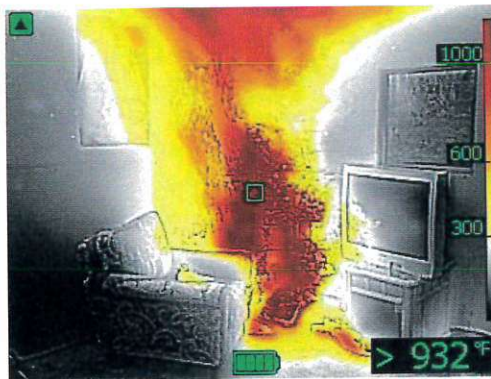


SITUATIONAL AWARENESS -VS- DECISION-MAKING CAMERA

<u>SITUATIONAL AWARENESS</u>	<u>DECISION-MAKING</u>
Staying Oriented	Exact Temperature Readings
Locating the Fire	Size-Up
Locating victims/firefighters	Search
Locating Egress Points	Directing Hose Streams



EXAMPLE





IN ACTION





SELECTION PROCESS

Manufactures/Models involved:

- Seek Thermal (Reveal FirePROx, AttackPRO)
- Bullard (TXS)
- 3M Scott (V320)
- Teledyne FLIR (K2, K33, K65)

The Process:

- Demo Period
- Survey
- Finalist
- Survey
- Recommendation



FUNDING MECHANISM

- American Rescue Plan Act (ARPA Funds)
- Signed into Law March 11, 2021
- According to the Treasury, recipients of ARPA funds have “broad flexibility to decide how best to use this funding to meet the needs of their communities.”



RECOMMENDATION

Teledyne FLIR K33 and K55 models

OUR REASON:

- We feel they have the best ROI
- Both models in the 60hz range with 4 inch displays
- Teledyne FLIR Office located in Hudson NH
- Customer/Support service local
- Buying directly from the manufacturer



FLIR COMPARISON DETAILS

MODEL	FLIR K2	FLIR K33	FLIR K55
PIC RESOLUTION	160 X 120 (19,200 PIXELS)	240 X 180 (43,200 PIXELS W/FSX)	320 X 240 (2X ZOOM) (76,800 PIXELS W/ FSX)
WEIGHT	1.54 LBS	2.4 LBS	2.4LBS
DISPLAY SIZE	3 INCHES	4 INCHES	4 INCHES
SPEED	F/ 1.1	F/ 1.25	F/ 1.25
IMAGE FREQ (REFRESH)	9HZ	60HZ	60HZ



REQUEST AMOUNT

The Londonderry Fire Department respectfully & humbly request \$124,749.00 from the ARPA funds to reach our 'End State.'



Quote #: ECOMACT-301372

Date: 3/29/2023
Valid: 60 days

Thank you for considering Teledyne FLIR for your product needs. Please let Chris Tagarela know if you have any questions or need a revision.

Disclaimer: All pricing contained in this quote is contingent on using payment methods available on FLIR's Website (Credit card, NET 30 via A/Pave, or Wire transfer). WE DO NOT PROCESS PURCHASE ORDERS. Apply the NET 30 terms with our standard website A/Pave. <https://www.flir.com/teledyneflir>

***NOTE:** These discounted rates are subject to a direct purchase and cannot be used for a bidding/RFP process, or for any price matching or competitive pricing programs*

Prepared For:	Prepared By:
LT Christopher Lamy cham@londonderryfire.org Londonderry Fire Department	Christopher Tagarela Christopher.Tagarela@teledyneflir.com +1 (800) 541-0196

Customer - Quote for:
Quote for (27) K33 and (8) K55 TIC's

P/N	DESCRIPTION	PRICE	QTY	Discount	TOTAL
72201-0415	FLIR K33 TIC (1400x100 resolution) - 1 Button	\$1,569.00 /ea	27	\$5,855.00	\$86,721.00
72201-0306	FLIR K55 TIC (1300x240 resolution) - 3 Button	\$6,599.00 /ea	8	\$14,776.00	\$38,022.00

Tax applied at time of sale (unless exempt):	Shipping:	\$0.00
(Tax applied at time of sale) Total:	Tax Free (N/A)	\$124,749.00



SUMMARY

- The request will meet the recommendation from the Near Miss Report
 - Equip every firefighter position with a K33
 - Equip every officer position with a K55
- ARPA Fund Request Amount Total of \$124,749.00



THANK YOU FOR YOUR CONTINUED SUPPORT TO
HELP ACHIEVE OUR MISSION.

Planning Board Applicants



Londonderry Talent Bank Form

Kirby Brown, Town Manager's Office, Town Hall, 268B Mammoth Road, Londonderry, NH 03053

Date: 3/16/23
Name: Tony DeFranco
Address: P.O. Box 860
1 Cheshire Ct Londonderry
Home Telephone: -
Business Telephone: 603 493 3869
E-Mail Address: drivertony@comcast.net

The Londonderry Talent Bank is a means of identifying residents who are interested in serving the community. If you are interested in more than one position, please rank your interests. Return the form to the above address or e-mail it to kbrown@londonderrynh.org. If there is no current opening, I will keep your application on file. Thank You.

Committees/Commissions/Boards Positions

- | | |
|---|--|
| <input type="checkbox"/> Conservation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Senior Resources Committee | Ad Hoc |
| <input type="checkbox"/> Heritage Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Arts Council | Ad Hoc |
| <input type="checkbox"/> LHRA | Full Member/Alternate Member |
| <input checked="" type="checkbox"/> Planning Board | Full Member/Alternate Member <i>either</i> |
| <input type="checkbox"/> Manchester Airport Authority | Full Member |
| <input type="checkbox"/> Old Home Day Committee | Ad Hoc |

- | | |
|--|------------------------------|
| <input type="checkbox"/> Recreation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Solid Waste Advisory Committee | Full Member/Alternate Member |
| <input type="checkbox"/> Traffic Safety Committee | Full Member |
| <input type="checkbox"/> Zoning Board of Adjustment | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Utilities Committee | Full Member/Alternate Member |

Time available

Many of the committees/boards/commissions meet at least once a month and may meet more often prior to Town Meeting. Please circle below the time you have available for meetings and indicate any limitations you have on your time commitment.

One meeting per month

Two meetings per month

Three meetings per month

AS MANY AS NECESSARY

Interest/Education

Please detail your areas of special interest and/or education:

*M.Ed - Special Interest in building / development
Forum*

Employer/Position

Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer.

Residential Realtor - subcontractor Berkshire Hathaway / Verani

Skills/Expertise

Please indicate any special skills or expertise that you would consider volunteering to the Town:

*Have been involved in Londonderry for the
past 44 years. Past Planning Board member twice
and also Town manager appointee to planning Board*



Londonderry Talent Bank Form

Kirby Brown, Town Manager's Office, Town Hall, 268B Mammoth Road, Londonderry, NH 03053

Date: 3-31-23
Name: Shawn Faber
Address: 73 Old Nashua Rd. #41
Londonderry
Home Telephone: 651-214-3920
Business Telephone: 603-507-1426
E-Mail Address: S1faber@rocketmail.com

The Londonderry Talent Bank is a means of identifying residents who are interested in serving the community. If you are interested in more than one position, please rank your interests. Return the form to the above address or e-mail it to kbrown@londonderrynh.org. If there is no current opening, I will keep your application on file. Thank You.

Committees/Commissions/Boards

Positions

- | | |
|---|------------------------------|
| <input type="checkbox"/> Conservation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Senior Resources Committee | Ad Hoc |
| <input type="checkbox"/> Heritage Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Arts Council | Ad Hoc |
| <input type="checkbox"/> LHRA | Full Member/Alternate Member |
| <input checked="" type="checkbox"/> Planning Board | Full Member/Alternate Member |
| <input type="checkbox"/> Manchester Airport Authority | Full Member |
| <input type="checkbox"/> Old Home Day Committee | Ad Hoc |

Kirby Brown

Shawn Faber

3-31-23

- | | |
|---|------------------------------|
| <input type="checkbox"/> Recreation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Solid Waste Advisory Committee | Full Member/Alternate Member |
| <input type="checkbox"/> Traffic Safety Committee | Full Member |
| <input type="checkbox"/> Zoning Board of Adjustment | Full Member/Alternate Member |
| <input type="checkbox"/> Energy Efficiency Task Force | Full Member |

Time available

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One meeting per month

Two meetings per month

Three meetings per month

Interest/Education

Please detail your areas of special interest and/or education:

I have a great interest in town planning, zoning, and housing.
I've listened to multiple presentations on the subject, done research,
& had great conversation with legislators & experts on these issues.

Bachelors of Science - Computer Information Systems, Associates Degree Systems Analysis

Employer/Position

Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer.

Rhythm Systems - Executive Head of Engineering

Skills/Expertise

Please indicate any special skills or expertise that you would consider volunteering to the Town:

As an executive, I have plenty of experience creating proposals, planning large initiatives, and managing multimillion dollar projects. I have worked with heavily regulated industries such as medical devices, nuclear & financial institutions on top of managing the security compliance at my current position, so I've navigated legislative waters before. Also experienced in group dynamics, healthy work cultures & systematic strategies to achieve difficult longterm goals.



Londonderry Talent Bank Form

Kirby Brown, Town Manager's Office, Town Hall, 268B Mammoth Road, Londonderry, NH 03053

Date: 3-30-23
Name: Deb Paul
Address: 118 Hardy Rd
Londonderry NH
Home Telephone: 603 537 2760
Business Telephone: same #
E-Mail Address: dpaul@nut Pub.net

The Londonderry Talent Bank is a means of identifying residents who are interested in serving the community. If you are interested in more than one position, please rank your interests. Return the form to the above address or e-mail it to kbrown@londonderrynh.org. If there is no current opening, I will keep your application on file. Thank You.

Committees/Commissions/Boards

Positions

- | | |
|---|------------------------------|
| <input type="checkbox"/> Conservation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Senior Resources Committee | Ad Hoc |
| <input type="checkbox"/> Heritage Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Arts Council | Ad Hoc |
| <input type="checkbox"/> LHRA | Full Member/Alternate Member |
| <input checked="" type="checkbox"/> Planning Board | Full Member/Alternate Member |
| <input type="checkbox"/> Manchester Airport Authority | Full Member |
| <input type="checkbox"/> Old Home Day Committee | Ad Hoc |

- | | |
|---|------------------------------|
| <input type="checkbox"/> Recreation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Solid Waste Advisory Committee | Full Member/Alternate Member |
| <input type="checkbox"/> Traffic Safety Committee | Full Member |
| <input type="checkbox"/> Zoning Board of Adjustment | Full Member/Alternate Member |
| <input checked="" type="checkbox"/> Londonderry Utilities Committee | Full Member/Alternate Member |

Time available

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One meeting per month

Two meetings per month

Three meetings per month

Interest/Education

Please detail your areas of special interest and/or education:

I have sat on Both.

Employer/Position

Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer.

New paper

Skills/Expertise

Please indicate any special skills or expertise that you would consider volunteering to the Town:

To many List

Utilities Committee
Joy Muller - Alternate



Londonderry Talent Bank Form

Kirby Brown, Town Manager's Office, Town Hall, 268B Mammoth Road, Londonderry, NH 03053

Date: February 7, 2023
Name: Jocelyn Fraga Muller
Address: 18 White Plains Ave
Londonderry NH 03053
Home Telephone: ~~603~~ 603-965-3470
Business Telephone: Cell: 540-558-8209
E-Mail Address: jfraga.muller@gmail.com

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kbrown@londonderrynh.org. If there is no current opening, I will keep your application on file. Thank You.

Committees/Commissions/Boards Positions

- | | |
|---|------------------------------|
| <input type="checkbox"/> Conservation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Senior Resources Committee | Ad Hoc |
| <input type="checkbox"/> Heritage Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Arts Council | Ad Hoc |
| <input type="checkbox"/> LHRA | Full Member/Alternate Member |
| <input type="checkbox"/> Planning Board | Full Member/Alternate Member |
| <input type="checkbox"/> Manchester Airport Authority | Full Member |
| <input type="checkbox"/> Old Home Day Committee | Ad Hoc |

- | | |
|---|------------------------------|
| <input type="checkbox"/> Recreation Commission | Full Member/Alternate Member |
| <input checked="" type="checkbox"/> Solid Waste Advisory Committee | Full Member/Alternate Member |
| <input type="checkbox"/> Traffic Safety Committee | Full Member |
| <input type="checkbox"/> Zoning Board of Adjustment | Full Member/Alternate Member |
| <input checked="" type="checkbox"/> Londonderry Utilities Committee | Full Member/Alternate Member |

Time available

Many of the committees/boards/commissions meet at least once a month and may meet more often prior to Town Meeting. Please circle below the time you have available for meetings and indicate any limitations you have on your time commitment.

☒ **One meeting per month** ☐ **Two meetings per month** ☐ **Three meetings per month**
Best ↗ *↗ can be available*

Interest/Education

Please detail your areas of special interest and/or education:

B.S. Environmental Science

M.S. Environmental Engineering

Ph.D. Civil Engineering (specializing in Environmental Sciences & Engineering, Microbiology)

Employer/Position

Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer.

Timberland Regional School District, Science Teacher (high school)

Skills/Expertise

Please indicate any special skills or expertise that you would consider volunteering to the Town:

Environmental/Ecological: knowledge/expertise in structure & function of ecosystem dynamics.

Utilities: knowledge of wastewater and water treatment technologies; personal household experience with solar panels and geo-exchange heat pump systems, interest in helping town citizens ease energy burden.

Trustee of Trust Fund Applicants



Londonderry Talent Bank Form

Kirby Brown, Town Manager's Office, Town Hall, 268B Mammoth Road, Londonderry, NH 03053

Date: April 5, 2023
Name: Cindi Rice Conley
Address: 373 Winding Pond Rd
Home Telephone: 603-867-7557
Business Telephone:
E-Mail Address: C.Conley@londonderry
nh.org

The Londonderry Talent Bank is a means of identifying residents who are interested in serving the community. If you are interested in more than one position, please rank your interests. Return the form to the above address or e-mail it to kbrown@londonderrynh.org. If there is no current opening, I will keep your application on file. Thank You.

Committees/Commissions/Boards

Positions

- | | |
|---|------------------------------|
| <input type="checkbox"/> Conservation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Senior Resources Committee | Ad Hoc |
| <input type="checkbox"/> Heritage Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Arts Council | Ad Hoc |
| <input type="checkbox"/> LHRA | Full Member/Alternate Member |
| <input type="checkbox"/> Planning Board | Full Member/Alternate Member |
| <input type="checkbox"/> Manchester Airport Authority | Full Member |
| <input type="checkbox"/> Old Home Day Committee | Ad Hoc |

Trustee of Trust Fund

- | | |
|---|------------------------------|
| <input type="checkbox"/> Recreation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Solid Waste Advisory Committee | Full Member/Alternate Member |
| <input type="checkbox"/> Traffic Safety Committee | Full Member |
| <input type="checkbox"/> Zoning Board of Adjustment | Full Member/Alternate Member |
| <input type="checkbox"/> Energy Efficiency Task Force | Full Member |

Time available

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One meeting per month

Two meetings per month

Three meetings per month

Interest/Education

Please detail your areas of special interest and/or education:

*40+ resident
Desire to oversee Funds approved by
Town meeting*

Employer/Position

Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer.

*Retired
School District moderator
Assistant Town moderator*

Skills/Expertise

Please indicate any special skills or expertise that you would consider volunteering to the Town:

A.L.E. R.T. member



Londonderry Talent Bank Form

Kirby Brown, Town Manager's Office, Town Hall, 268B Mammoth Road, Londonderry, NH 03053

Date: 4/21/23
Name: JAMES GREEN
Address: 22 Sugar Plum Ln

Home Telephone: 603 432 6863
Business Telephone: 860 428 8495
E-Mail Address: ↓

The Londonderry Talent Bank is a means of identifying residents who are interested in serving the community. If you are interested in more than one position, please rank your interests. Return the form to the above address or e-mail it to kbrown@londonderrynh.org. If there is no current opening, I will keep your application on file. Thank You.

cell
LINDA ANJINI GREEN@ymail.com

Committees/Commissions/Boards

Positions

- | | |
|---|------------------------------|
| <input type="checkbox"/> Conservation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Senior Resources Committee | Ad Hoc |
| <input type="checkbox"/> Heritage Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Londonderry Arts Council | Ad Hoc |
| <input type="checkbox"/> LHRA | Full Member/Alternate Member |
| <input type="checkbox"/> Planning Board | Full Member/Alternate Member |
| <input type="checkbox"/> Manchester Airport Authority | Full Member |
| <input type="checkbox"/> Old Home Day Committee | Ad Hoc |

☒ TRUSTEE OF TRUST FUND 1YR
☒ TRUSTEE OF TRUST FUND 2YR

- | | |
|---|------------------------------|
| <input type="checkbox"/> Recreation Commission | Full Member/Alternate Member |
| <input type="checkbox"/> Solid Waste Advisory Committee | Full Member/Alternate Member |
| <input type="checkbox"/> Traffic Safety Committee | Full Member |
| <input type="checkbox"/> Zoning Board of Adjustment | Full Member/Alternate Member |
| <input type="checkbox"/> Energy Efficiency Task Force | Full Member |

Time available

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One meeting per month

Two meetings per month

Three meetings per month

Interest/Education

Please detail your areas of special interest and/or education:

SEE ATTACHED RESUME

Employer/Position

Because of conflict of interest problems with certain positions, please list your current employer and your position with that employer.

SEE ATTACHED RESUME

Skills/Expertise

Please indicate any special skills or expertise that you would consider volunteering to the Town:

SEE ATTACHED RESUME

James Green
22 Sugarplum Lane
Londonderry, NH 03053
603 432 6863
lindaandjimgreen@gmail.com

Education: B.S. 1966 Univ. of Rhode Island: Major – Finance & Insurance
M.S., 1984 Univ. of New Haven: Major – Industrial/Organizational Psychology

Experience

Dec 2019 to Present Member/Chair Senior Resource Committee

Apr 2009 Present Secretary/former President Sugarplum Hill Condo Association.
Board Member since inception.

May 1987- Sept 2007 U.S. Coast Guard Research and Development Center
Resource Director. Develop the R&D Program's strategic and business plans. Prepare the Coast Guard's R&D Budget integrating information from project plans with Homeland Security and Coast Guard performance goals. Manage all support services for the R&D Center including Contracting, Legal, Financial Management, IRM systems, Personnel, and administrative services. Develop and negotiate new lease options for improved R&D capability.

Jun 1979- May 1987 U.S. Coast Guard Academy, Civilian Personnel Officer
Managed the Civilian Personnel program for the Coast Guard Academy. Responsible for hiring, pay administration, labor relations, and training. Developed a new performance appraisal process for the civilian faculty. Negotiated labor agreements for both faculty and non faculty unions. Recruited and hired a group of diverse and highly specialized positions – e.g. dean of academics, sail-maker, social director, football coach, boiler plant operator. Resolved every grievance through negotiation and discussion. Never needed to bring in a third party for decision.

July 1977- June 1979 Veterans Administration Medical Center, Personnel Management Spec.
Provided a full range of personnel services for 600 employees.

July 1977- prior Personnel and administrative work at various Navy and Air Force facilities

Dec 1968- Feb 1987 455th General Hospital, USAR, Executive Officer
Responsible for all administrative functions within the hospital.

References: Furnished upon request.

Londonderry Town Council Minutes

Monday, April 10, 2023

6:45 PM

Moose Hill Council Chambers

4/10/23 Meeting Video Link: <http://173.166.17.35/CablecastPublicSite/show/12193?channel=4>

Attendance: Present: Chairman John Farrell; Vice Chairman Chad Franz; Councilors Jim Butler, Ted Combes, and Ron Dunn; Town Manager Michael Malaguti; Assistant Town Manager Kellie Caron

CALL TO ORDER

Chairman Farrell called the Town Council meeting to order at 6:45 PM. The Pledge was led by Chairman Farrell. This was followed by a moment of appreciation for our first responders, the Police Department, Public Works Department, Fire Department, and all of those over at the schools as well. For what they do for this community.

NON-PUBLIC SESSION

The Town Council entered into non-public session in accordance with RSA 91:A:3, II(m) for the consideration of whether to disclose minutes of nonpublic sessions in the past due to the change in circumstance. The Council took a roll call vote to enter into nonpublic.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0. The Council stepped out.

Motion to come out of nonpublic made by Vice Chairman Franz. Second by Councilor Combes. The Council took a roll call vote to come out of nonpublic.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Vice Chairman Franz motioned to unseal the nonpublic session minutes as listed; 1/23/23, 10/17/22, 9/26/22, 8/29/22, 6/20/22, 6/6/22, 4/11/22, 1/28/22, 1/10/22, 10/18/21, 10/18/21, 6/7/21, 12/21/20, 11/19/18, 10/2/17 and 6/5/17 nonpublic sessions as redacted. Second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

PUBLIC COMMENT

Name: Glenn Douglas

Address: 18 Overlook Ave, Londonderry, NH

Douglas stated that last time he was here he asked if the votes could be recorded. Douglas stated that he is happy that is being done now. Douglas stated that he asked about the minutes that were officially read into the record last time. He was told that the new rules for public comment were adopted in 2017, but he did a little research and they weren't adopted in 2017, they were actually adopted on April 18, 2018 by Councilors Farrell, Green, Butler, Dolan and Combes. Douglas stated that he doesn't believe they have been readopted since 2018. Douglas pointed out that in the Charter, within ten days of the elections, the Council needs to reorganize and adopt the rules of the Council, if they are different then the Town Charter. Douglas stated that for months the public has been told that public comment was limited to three minutes, but could be extended. The rules read at the last meeting said that it was five minutes. Douglas stated that the Council needs to adopt the rules and they're not in effect until they are voted in. Douglas also discussed the letter to the editor in the Times from the Town Manager. Douglas stated that people have a right to speak in public comment.

Name: Sherry Farrell

Address: 4 Hancock Drive, Londonderry, NH

Farrell, Town Clerk, reminded people that dog registration month is here at the end of April. Please remember to register your dogs. Farrell also stated that there's a rabies clinic on April 29th coming up. It is open to everyone. Farrell stated that all of the money raised will go to the Londonderry band for their big trip to England. Farrell also reminded people to be kind to everyone and share the positive. It's a great community and everyone is doing a great job and effort they all put in.

Name: Schwan Faber

Address: 73 41 Old Nashua Road, Londonderry, NH

Faber congratulated the new Councilors and it was a good positive experience running. Faber

68 stated that he wanted to make that positive statement.

69
70 **Name:** Ann Chiampa

71 **Address:** 28 Wedgewood Drive, Londonderry, NH

72 Chiampa spoke about pickleball. Chiampa stated that the voters voted this down last time.
73 Chairman Farrell stated that at the last meeting the consensus of the Council was to investigate it.
74 Chairman Farrell stated that there have been task forces for many different ideas, not all of which
75 have gone through, such as the dog park. We are simply just looking into it. Chairman Farrell
76 stated that when something is voted down, it only means it's a no for one year. Chairman Farrell
77 stated that it is up to the task force to go out and solicit interest from the residents, what it's going
78 to cost, etc.

79
80 **Name:** Jonathan Esposito

81 **Address:** 5 Shelley Drive, Londonderry, NH

82 Esposito stated that he was interested in the updates to the Town Council rules of order on the
83 website. Town Manager Malaguti stated that the public comment rules were uploaded as a request
84 from a citizen but there were no changes. Esposito stated that no vote to accept the rules was made
85 so they shouldn't be on the website. Esposito stated that right now it doesn't appear that there are
86 any public comment rules.

87
88 **Name:** Glenn Douglas

89 **Address:** 6 Overlook Ave, Londonderry, NH

90 Douglas stated that there were changes to what was on the website. Chairman Farrell stated that
91 there were no changes to the rules. There was an error on the website that has since been fixed.
92 Douglas stated that the FY rules that were posted recently were different than the FY rules that
93 used to be posted.

94
95 Councilor Butler addressed the Council and public and stated that over the past few months, he
96 has watched people in the audience, read newspaper articles that all talk about conspiracy, mistrust,
97 etc. It goes on. Councilor Butler stated that it's all negative. Councilor Butler suggested that going
98 forward we should enter the video link to the meeting to the minutes so that way when someone
99 accuses the Council of not doing something or saying something, they can go back to the video.
100 Councilor Butler stated that the Council members are doing great and they have to take the
101 concerns of all of the citizens. Councilor Butler also stated that Chairman Farrell runs a good
102 meeting and a lot of other communities don't run their meetings so well. Councilor Butler
103 suggested that the people who come up and speak should offer solutions instead of always being
104 so negative.

105
106 Members of the public started talking and were told they were out of order.

PUBLIC HEARING

Motion to open Public Hearing made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

Town Manager Malaguti introduced Resolutions #2023-04 and #2023-05, the acceptance of unanticipated revenue under 31:95-b, III(a) for a Search and Rescue Training Grant and Energy Efficiency and Conservation Strategy Grant.

Town Manager Malaguti stated that tonight we are just accepting the \$75,000 Energy Efficiency and Conservation Strategy with no decision being made to how the money would be spent. It would be taken back to the Council on how it should be spent once we hear back from the Utility Committee.

Londonderry Police Department spoke on the SOU Grant.

Motion to accept the unanticipated revenue from Resolution #2023-04 and Resolution #2023-05 made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

Motion to close the Public Heard made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

NEW BUSINESS

Source Water Protection Grant – Environmental Risk Assessment Report

Emily DiFranco with CEI Engineering presented a PowerPoint (see attached) regarding the Source Water Protection Grant. DiFranco stated that this began in 2019. The Town hired them then to help with this Grant. DiFranco stated that Londonderry hired them to do a water resource management protection plan for the town. This is looking at updated water resource plan. DiFranco presented the report (PowerPoint). DiFranco showed a map and stated that 90% of the town relies on septic systems. DiFranco asked if the Council had any questions.

Councilor Dunn stated that if they are required to get a permit for their systems, he's surprised there are no records. DiFranco stated that there are records, but no electronic records, they're paper records. DiFranco stated that if a septic application came in, that database would get updated.

There were no other questions.

Order #2023-03 – Order Relative to Expenditure of Maintenance Trust Funds (Winter Maintenance)

Department of Public Works Director, Dave Wholley, presented. Wholley stated that the allocation he's looking for tonight is for \$6,840.00 for the purpose of paying the remainder of this year's bills.

Motion to approve Order #2023-03 made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

Order #2023-04 – An Order Relative to the Expenditure of Maintenance Trust Fund for Various Projects – Fire Houses HVAC Building Maintenance System

Department of Public Works Director, Dave Wholley, presented. Wholley stated that they system has recently been updated. Wholley shared the current HVAC systems website and how it's controlled at each building and in each room.

Motion to approve Order #2023-04 made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

Elderly Tax Exemption Discussion

Assessor Steve Hamilton presented an update on the elderly tax exemption. Hamilton stated that he made a presentation similar to this earlier in 2022. On a regular basis we want to make sure we maintain the assets and business income for exemptions that can be granted to the elderly and the disabled. This was last adjusted in 2020. Hamilton stated that what was provided to the Council, there is a typo. It should say read, under the category of assets, the limit is not \$167,000, it should read \$137,000. Hamilton described what assets are and the amount that are allowed. Chairman Farrell asked the Council if they would entertain seeing a presentation on what the next evaluation will look like before it goes to the public. Hamilton stated that she will share the results in a preliminary analysis.

Resolution #2023-07 – A Resolution Creating the Londonderry Pickleball Task Force

Town Manger Malaguti stated that the follows the mold of a regular task force. The goal is to leave as much room for possible for the task force to define goals and options, and where it would like to go. Chairman Farrell stated that he wanted to change the date of the task force ending to September, so that we can get answers before budget season. Chairman Farrell reminded people that we are establishing a task force to look into things but this does not mean it will happen.

Motion to approve Resolution #2023-07 made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

Ordinance #2023-02 – An Amendment to the Zoning Ordinance Relative to the Rezoning Map 15, Lot 26

This is a first reading.

Motion to accept the first reading and schedule a public hearing for Resolution #2023-02 made by Vice Chairman Franz and second by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

LPD Request for ARPA Funding – Acquire BRINC LEMUR 2 Drone and Upgrade Dispatch Center

Town Manager Malaguti stated that we are asking for some support for some work that needs to be done on the dispatch center at LPD, however, that will be tabled until next meeting. Malaguti stated that the focus tonight is the LPD would like to obtain a new drone unit, which is a large success. Not only do they rescue animals and children, but it keeps our guys out of harms way. Malaguti stated that he supports LPD in all of these items.

Police Chief Kim Bernard presented what LPD is looking for. Chief Bernard stated that there has been a drone program at LPD since 2018. There are currently three drones, with different functionalities, on staff. Chief Bernard stated that a few of the drones are outdated. The one LPD is looking to obtain is a newer version of the older one LPD has. Chief Bernard explained the new drone in detail. The Council gave Chief Bernard a consensus to move forward.

National Opioid Settlement

Town Manager Malaguti stated that the Council may recall that there was litigation against the opioid manufactures That litigation was settled in the last six months or so and Londonderry has received approximately \$100,000 that needs to be used for opioid abatement and mitigation purposes. Town Manager stated that New Hampshire sued the distributors. Whereas Londonderry had previously filed suit and had its own litigation, pending alongside New Hampshire's, against the manufactures. Londonderry does not have its own. The State of New Hampshire is doing that. Town manager Malaguti stated that the Attorney Generals Office is asking Londonderry to sign on. The Council gave consensus.

Appointment of Kayla Chase as Deputy Tax Collector

Motion to appoint Kayla Chase as Deputy Tax Collector made by Vice Chairman Franz and second by Councilor Dunn.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

APPROVAL OF MINUTES

Vice Chairman Franz stated that he has an amendment. On line number 214, it says no vote under Councilors Dunn and Combes, where it should read abstained.

Motion to approve the Town Council minutes from March 20, 2023 as amended made by Councilor Combes. Second by Councilor Dunn.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Chair votes 5-0-0.

269 The Council gave liaison updates.

270

271 **Adjournment**

272

273 **Motion:** Vice Chairman Franz

274 **Second:** Councilor Dunn

275

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

276

277 Chair votes 5-0-0.

278

279 **Meeting adjourned at 8:50 PM**

280

281 Minutes taken by Kirby Brown on 4/10/2023

282 Minutes typed by Kirby Brown on 4/18/2023

283 Minutes approved by Town Council on 4/10/2023

Londonderry Septic Systems:

Inventory and Risk Assessment

April 10, 2023

Presented by:

Emily DiFranco

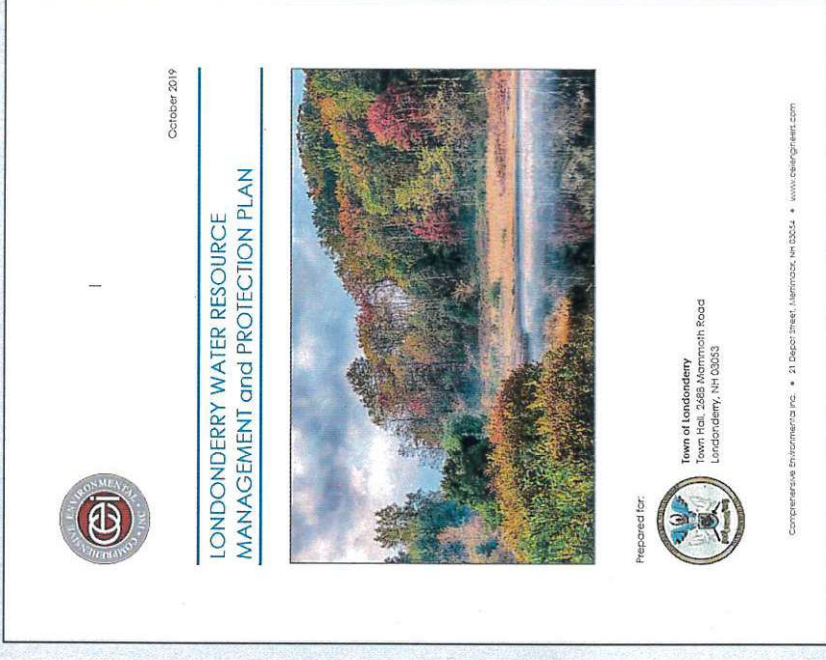
Project Manager/Senior Scientist
Comprehensive Environmental, Inc.



2019 WRMPP Update

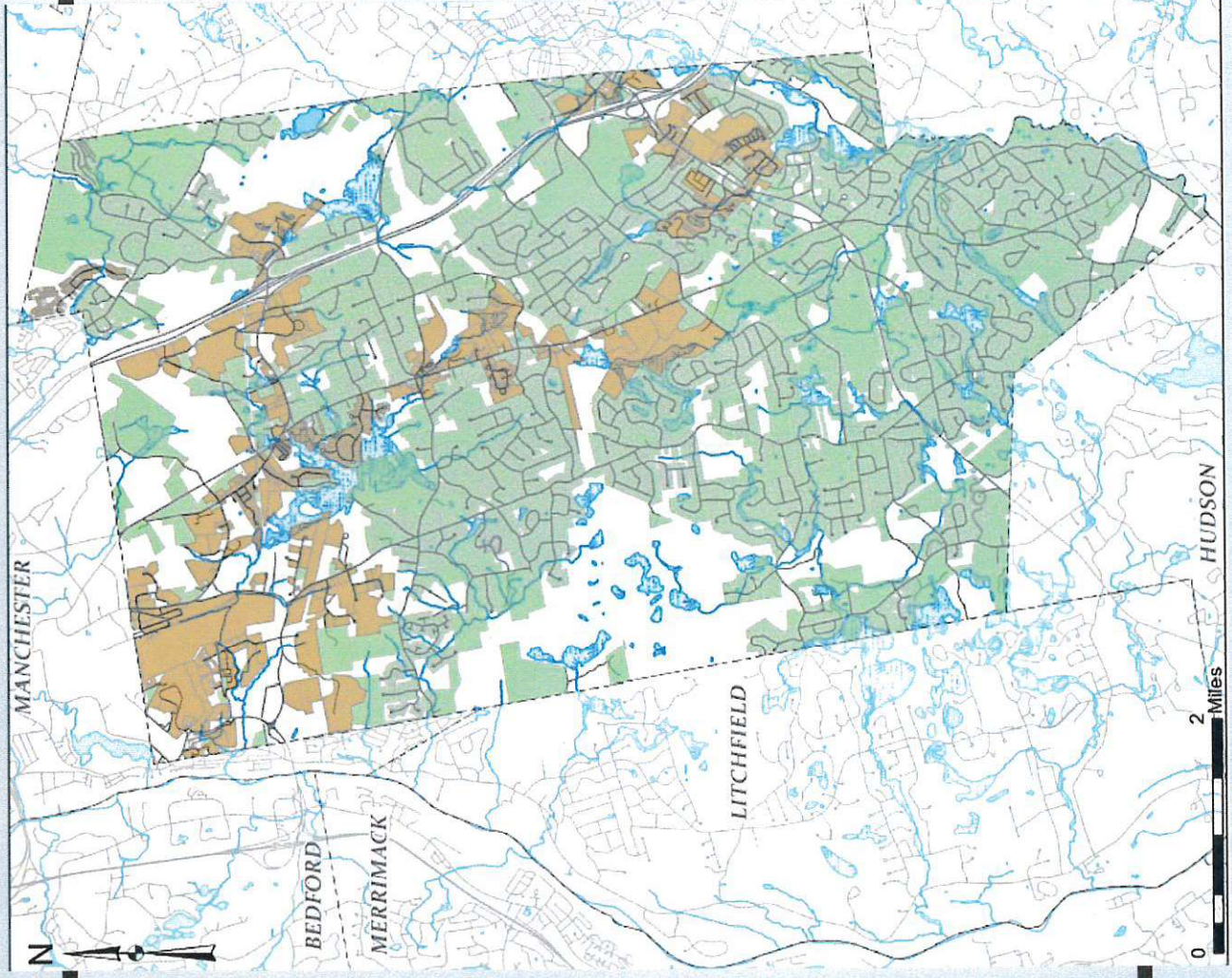
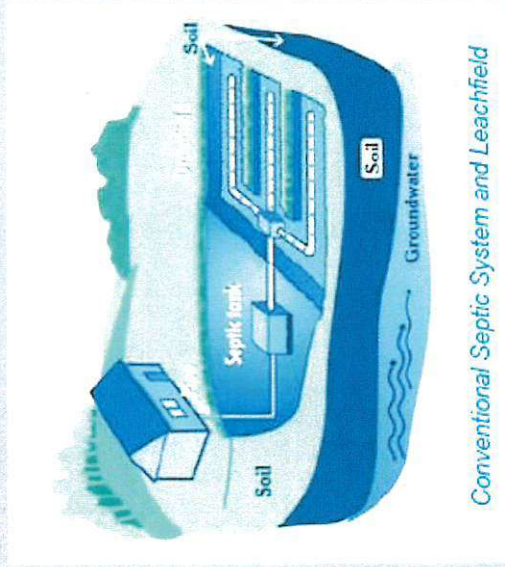
- Provide the town with updated water resources data.
- Identify existing and new potential threats to surface and groundwater supplies.
- Provide recommendations to enhance water resource management and protection efforts.

➤ Conduct an assessment of septic systems

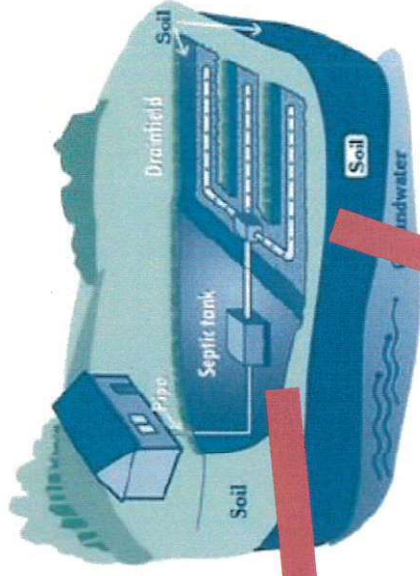
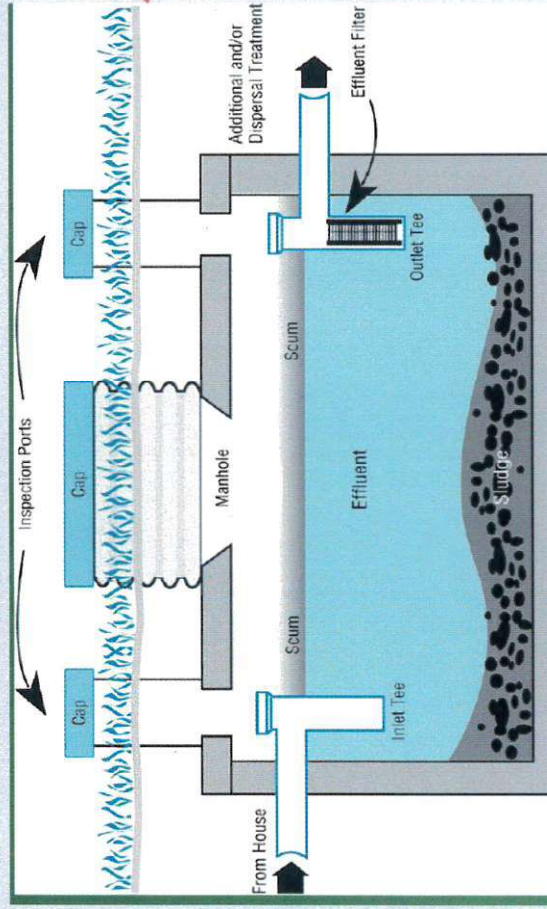


Septic vs Sewer

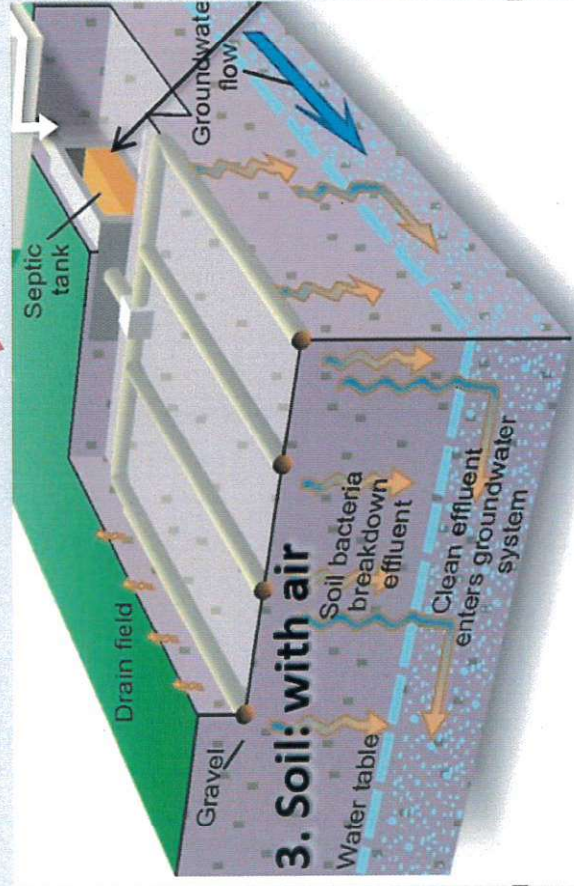
Category	Total Developed Parcels
Septic	5780
Sewer	693
Total	6473



Septic System 101

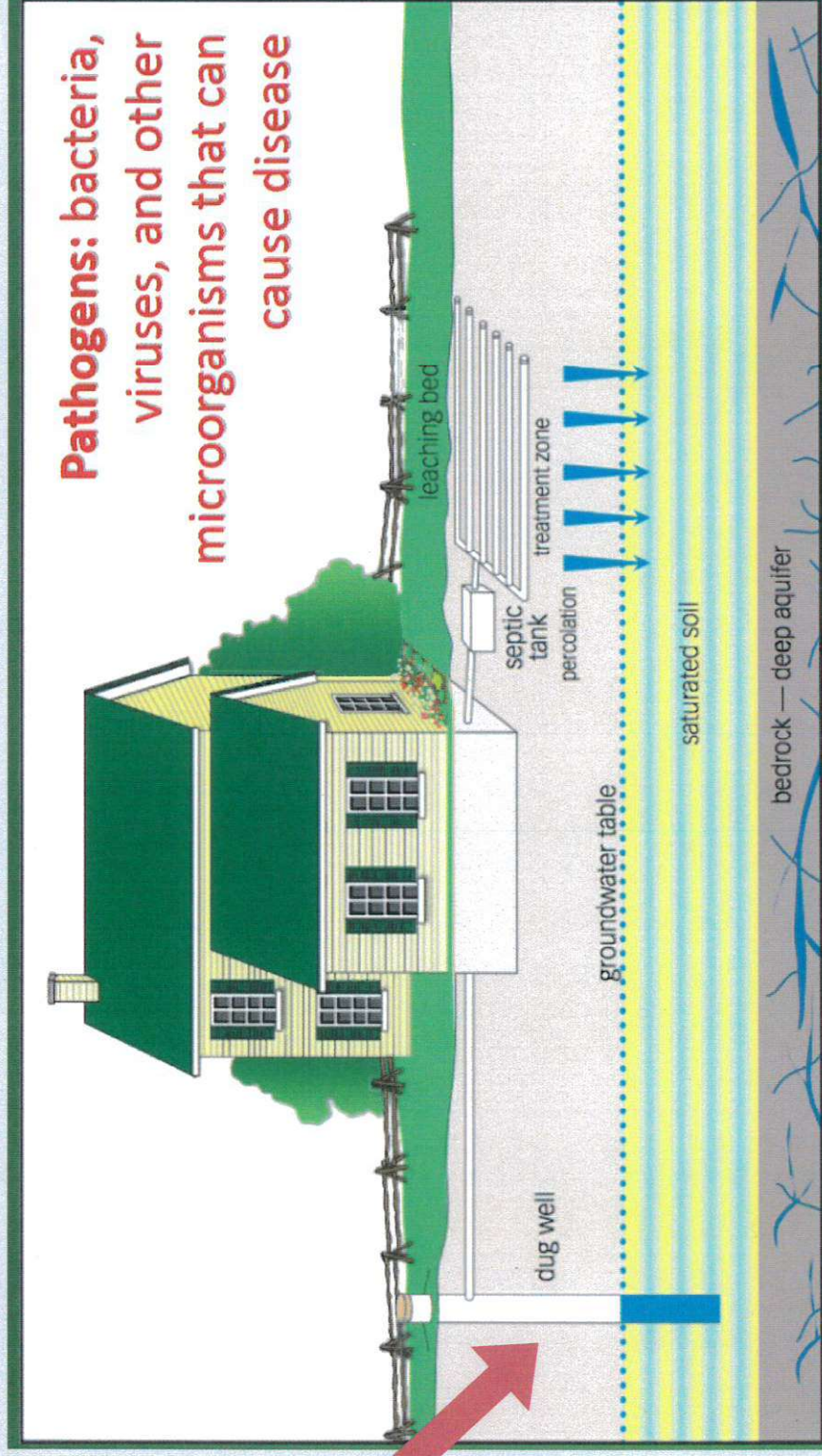


Conventional Septic System and Leachfield



3. Soil: with air

Septic System 101



2022 Source Water Protection Grant

2022 LOCAL SOURCE WATER PROTECTION GRANT APPLICATION
DRINKING WATER & GROUNDWATER BUREAU

Project Title: Source Water Assessment for Source Water Protection Areas

Applicant/Organization: Town of Londonderry
Contact Person: Colleen Mulcahy, Town Planner
Address: 2601 Main Street, Londonderry, NH 03053
Phone number: 603-433-1300 ext. 129
Fax: 603-433-2812
Email address: cmulcahy@londonderry.org

Project Location: Londonderry, NH

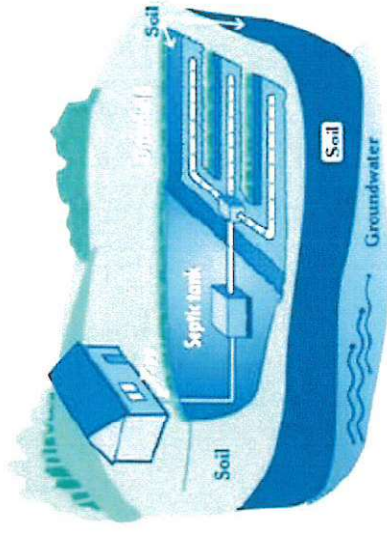
Water Systems (for which source(s) are to be protected):
Hewitt Brook, Water Works, Manchester Water Works, and multiple PWS wells

PWS Well	Well ID	Well Depth	Well Type
1300000-001	130010-001	130010-001	130010-001
1300000-002	130010-002	130010-002	130010-002
1300000-003	130010-003	130010-003	130010-003
1300000-004	130010-004	130010-004	130010-004
1300000-005	130010-005	130010-005	130010-005
1300000-006	130010-006	130010-006	130010-006
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1300000-010	130010-010	130010-010	130010-010
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1300000-012	130010-012	130010-012	130010-012
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1300000-016	130010-016	130010-016	130010-016
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1300000-028	130010-028	130010-028	130010-028
1300000-029	130010-029	130010-029	130010-029
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1300000-167	130010-167	130010	

Environmental Risk Assessment

Areas of town more "at risk" for failure

- **Soil limitations** (filtering capacity, depth to bedrock, slope, etc.) – NRCS Septic Tank Adsorption Rating
- **Environmental factors** (proximity to waterbodies/wetlands, FEMA flood zones, etc.)



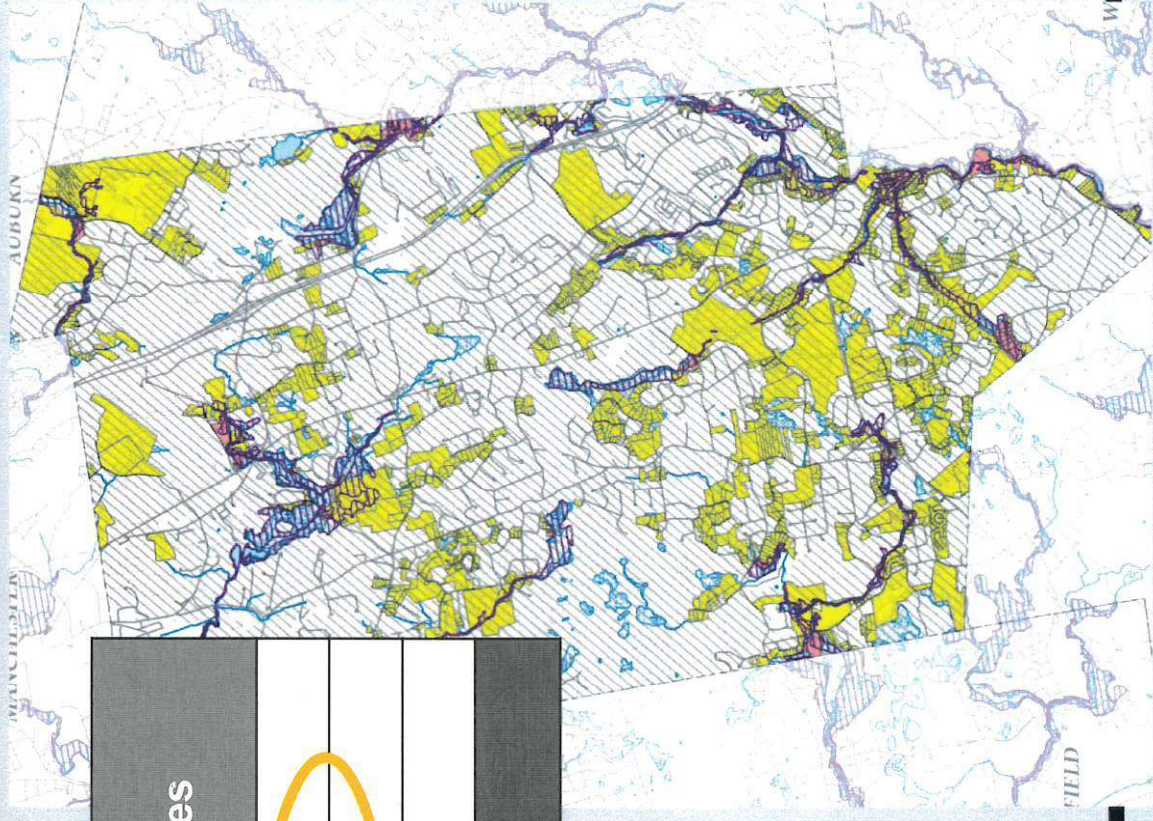
Conventional Septic System and Leachfield

Category	Septic System	NRCS Limited soils	FEMA Flood Zone (1%)	100-feet of a waterbody/ wetland
Tier 1	x	x	x	x
Tier 2	x	x		x
Tier 3	x			

Environmental Risk Assessment

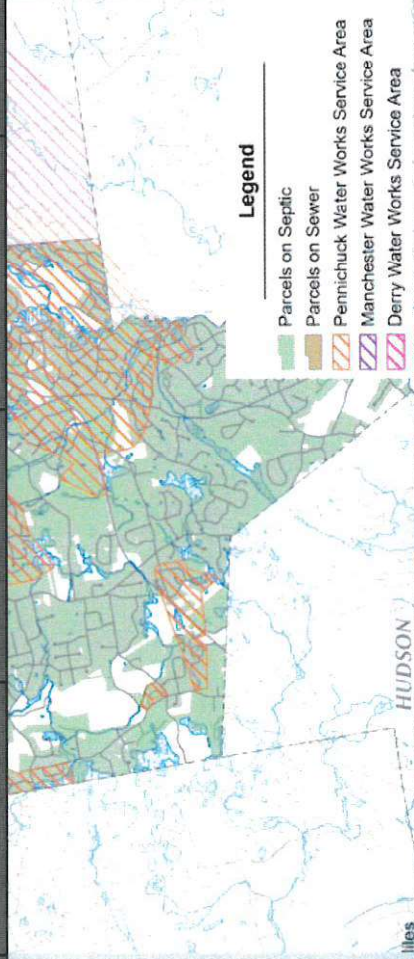
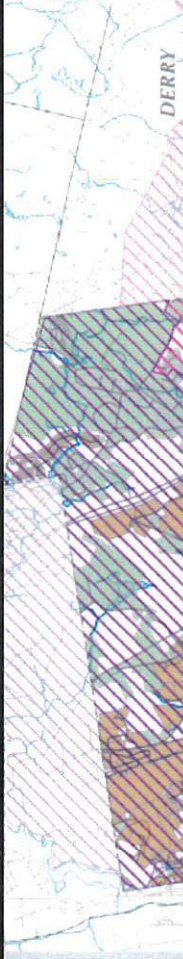
Category	Total Properties
Tier 1	70
Tier 2	1300
Tier 3	4410
Totals	5780

Conduct a Septic System
Inventory for parcels in
SWPAs only



Environmental Risk Assessment

Category	Total Properties	Drinking Water Source				
		Derry WW	Pennichuck WW	Manchester WW	Community/ Public Well	Private Well
Tier 1	70	0	23	13	0	34
Tier 2	1300	6	538	147	9	600
Tier 3	4410	3	2025	10	20	2346
Sewer	693	10	317	343	12	11
Totals	6473	19	2903	519	41	2991



Septic System Inventory

- No current method to track septic system installation and replacement.
- Electronic tracking system for use when:
 - Reviewing building applications
 - Purchase of new home
 - Basis for future regulations



Septic System Inventory

Tier	Lot	Sublot	Parcel Address	Municipal Records		State Records	
				Year House was Built	Date of Septic System Installation	Application Approval Date	Notes about type of system installed
2	002 016 0	0	96 OLD NASHUA RD	1976	11/8/1998		
2	002 017 0	0	98 OLD NASHUA RD	2014	3/19/2002	3/19/2002	
2	002 019 0	0	100 OLD NASHUA RD	1974	7/25/1996		
2	002 026 0	0	300 NASHUA RD	1951	3/10/2006		
2	002 027 0	0	6 TAVERN HILL RD	2015	11/19/2013		
2	002 029B 10	10	24 BURBANK RD	1994	11/23/1988	4/5/1994	
2	002 029B 11	11	26 BURBANK RD	1994	11/11/1994	11/11/1994	
2	002 029B 13	13	30 BURBANK RD	1997	6/30/1994	6/30/1994	
2	002 029B 14	14	32 BURBANK RD	1998	8/1/1997	11/13/1989	
2	002 029B 15	15	34 BURBANK RD	1998	11/13/1989	11/11/1994	
2	002 029b 17	17	38 BURBANK RD	1999	11/7/1988	8/11/1995	
2	002 029B 18	18	31 BURBANK RD	2001	11/7/1988	11/7/1988	
2	002 029B 20	20	29 BURBANK RD	1999	5/4/1999	5/19/1988	
2	002 029B 21	21	27 BURBANK RD	1999	5/19/1988	5/19/1988	
2	002 029B 22	22	25 BURBANK RD	1999	1/18/1999	1/18/1999	
2	002 029B 23	23	27 ROSSINI RD	1986	8/29/1985		
2	002 029B 24	24	25 ROSSINI RD	1986	8/20/1985		
2	002 029B 25	25	23 ROSSINI RD	1986	8/20/1985		
2	002 029B 28	28	17 ROSSINI RD	1986	3/29/1985		
2	002 029B 29	29	15 ROSSINI RD	1987	3/29/1985		
2	002 029B 9	9	22 BURBANK RD	1994	3/31/1994	3/31/1994	
2	002 049 2	2	16 PRISCILLA LN	2007	7/14/2005	7/14/2005	
2	003 013 0	0	53 SOUTH RD	2009	10/13/2009		
2	003 021C 0	0	53 OLDE COUNTRY VILLAGE	1975	3/24/1979	9/6/1996	
2	003 045 4	4	1 WINDSOR BV	1985	6/8/1983		
2	003 046 0	0	134 MAMMOTH RD	1986	12/6/1985		
2	003 055 0	0	4 VALLEY ST				
2	003 056 0	0	2 VALLEY ST	1985	10/15/1985		
2	003 057 0	0	1 VALLEY ST	1989	6/14/1989	6/14/1989	
2	003 058 0	0	3 VALLEY ST	1971	11/25/1968		
2	003 059 0	0	5 VALLEY ST	1969	7/15/1968		
2	003 060 0	0	7 VALLEY ST	1959	6/14/1989		
2	003 061 0	0	13 LOOP RD	1967	8/11/1995		

Septic System Inventory

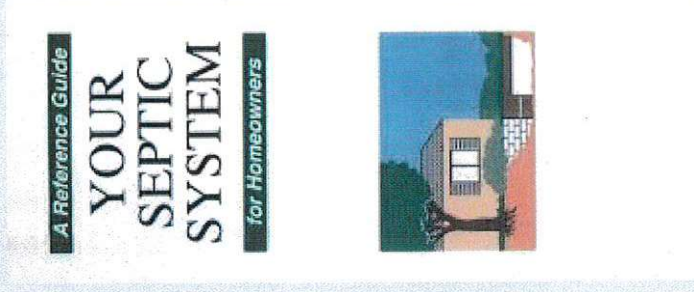
Tier 1 and 2 parcels in the SWPAs (736 parcels)

Category	Total Properties	Parcels with Record of Replacement	Replacement Date		
			>20 Years Ago	10-20 Years Ago	<10 Years Ago
Tier 1	36	31	23	5	3
Tier 2	700	671	524	103	44
Totals	736	702	547	108	47

Recommendations

1. Develop an education and outreach program

- Presentations to Town Council, BOH, Com, etc.
- Use existing information to target Tier 1 and Tier 2 neighborhoods on the need to pump/maintain septic systems



Recommendations

2. Complete septic system inventory for the rest of the town (in house)

Category	Total Parcels on Septic	Assessed	Not Assessed
Tier 1	70	36	34
Tier 2	1300	700	600
Tier 3	4410	0	4410
Totals	5780	736	5044

Recommendations

3. Consider regulatory changes

- State Regulations (Env-Wq 1000)
 - Setbacks: 75-ft from surface waters; 50-75 ft from wetlands
 - Leachfields: Four ft above the SHWT
 - Maintenance/Failure: Requires maintenance/replacement if failing
 - Londonderry follows state regulations
-

Recommendations

Consider regulatory changes

- **Meredith, NH** (cyanobacteria blooms in the lake)
 - Health Ordinance requires evaluation of all septic systems within 250 feet of the lake.
 - **Rye, NH** (beach closures)
 - More stringent design criteria.
 - Septic system pump-out ordinance requiring all tanks to be pumped every three years in specific areas of town.
 - Many residents of Londonderry rely on **private wells/groundwater** for drinking water.
-

Questions?

Emily DiFranco

edifranco@ceiengineers.com

(603) 343-6311

