

Art Psaledas
Acting Town Manager

Kellie Caron
Assistant Town Manager



Town Council
Chad Franz, Chair
Ted Combes, Vice Chair
John Farrell
Ron Dunn
Shawn Faber

Town of Londonderry • 268B Mammoth Road • Londonderry, NH 03053

Londonderry Town Council Meeting

Monday, January 20, 2025, 7:00 p.m., Moose Hill Council Chambers

A. CALL TO ORDER

B. PUBLIC COMMENT

C. BOARD APPOINTMENTS & REAPPOINTMENTS

D. PUBLIC HEARINGS

1. **Public Hearing on FY 26 Budget**
(Justin Campo, Finance Director)
2. **Ordinance 2024-13: Extending the Londonderry Commercial and Industrial Tax Incentive Program**
(Kellie Caron, Assistant Town Manager / Director of Economic Development)
3. **Application for the Londonderry Commercial Industrial Property Tax Incentive Program for a movie theatre renovation (16 Orchard View Drive)**
(Kellie Caron, Assistant Town Manager / Director of Economic Development)
4. **Application for the Londonderry Commercial Industrial Property Tax Incentive Program for the new construction of 173,000 square feet of high-bay industrial facility (60 Pettengill Road)**
(Kellie Caron, Assistant Town Manager / Director of Economic Development)
5. **Application for the Londonderry Commercial Industrial Property Tax Incentive Program for a 91-room extended stay hotel (15 Pillsbury Rd)**
(Kellie Caron, Assistant Town Manager / Director of Economic Development)
6. **Application for the Londonderry Commercial Industrial Property Tax Incentive Program for the new construction of 750,000 square feet of industrial space (8 Buyck Ave, 6 Buyck Ave, 4 Buyck Ave, 22 Ash Street, 42 Ash Street, 2 Ash Street, and 60A Seasons Lane)**

(Kellie Caron, Assistant Town Manager / Director of Economic Development)

7. Application for the Londonderry Commercial Industrial Property Tax Incentive Program for the new construction of approximately 180,000+/- square feet of high-tech industrial manufacturing (6 Akira Way)

(Kellie Caron, Assistant Town Manager / Director of Economic Development)

E. NEW BUSINESS

F. OLD BUSINESS

G. APPROVAL OF MINUTES

1. December 27, 2024 Town Council Special Meeting Minutes
2. January 6, 2025 Town Council Minutes
3. January 14, 2025 Town Council Special Meeting Minutes

H. OTHER BUSINESS

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

I. ADJOURNMENT

J. MEETING SCHEDULE

1. February 3, 2025; Moose Hill Council Chambers; 7:00 p.m.
2. February 8, 2025; Londonderry High School Café; 9:00 a.m. (*Deliberative Session*)

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.

TOWN OF LONDONDERRY
NOTICE OF SECOND PUBLIC HEARING
FY26 PROPOSED TOWN BUDGET

Notice is hereby given that the Londonderry Town Council will receive public input on the proposed FY 2026 Town Budget on Monday January 20, 2025, beginning at 7:00 PM in the Moose Hill Conference Room, Town Hall, 268B Mammoth Road, Londonderry, N.H. Please be aware the Warrant is likely to change based on any meetings that occur before January 20, 2025. Any questions please call the Londonderry Finance Department at 603-432-1100 x192. The Warrant under consideration at this time includes:

Article	Description	Proposed FY 26
	Operating Budget	
Article 2	General Fund Operating Budget	
	Town Council	\$13,110
	Town Manager	\$786,777
	Budget Committee	\$100
	Town Clerk	\$601,809
	Finance & Administration	\$726,058
	Assessing	\$441,646
	Information Technology	\$755,498
	Legal	\$200,000
	General Government	\$563,916
	Cemetery	\$42,540
	Insurance	\$6,000,388
	Conservation	\$3,500
	Police Dept.	\$11,733,914
	Fire Dept.	\$9,919,030
	Building Dept.	\$448,245
	Public Works Dept.	\$5,178,020
	Solid Waste	\$2,954,529
	General Assistance	\$148,000
	Cable	\$272,890
	Recreation	\$273,215
	Library	\$1,567,657
	Senior Affairs	\$117,422
	Community Development	\$390,035
	Debt Service	\$1,329,550
	Total General Fund Operating Budget	\$44,467,849
	Enterprise Fund Operating Budget– Sewer	\$5,868,089
	Total Operating Budget	\$50,335,938
Article 3	Expendable Maintenance Trust Fund	\$200,000
Article 4	Roadway Maintenance Trust Fund	\$650,000
Article 5	Establish Capital Reserve Fund – Police Equipment	\$100,000
Article 6	Capital Reserve – Fire Department Trucks	\$300,000
Article 7	Capital Reserve – Fire Department Equipment	\$75,000
Article 8	Capital Reserve – Information Technology	\$100,000
Article 9	Capital Reserve – Pillsbury Cemetery Expansion	\$75,000
Article 10	Capital Reserve – Master Plan	\$50,000
Article 11	Capital Reserve - Recreation	\$20,000
Article 12	Capital Reserve – Cable Equipment	\$32,500
Article 13	DPW Vehicles – 6-Wheeler, Utility Truck, Boom Flail Apparatus – Lease (Finance – Up to 10 Years) (Total of vehicles/equipment \$520,000)	\$70,607
Article 14	Fire – Ladder Truck Lease (Finance up to 10 Years) (Total \$2,300,000)	\$292,130

Article 15	Police Body Worn Cameras	\$246,629
Article 16	Collective Bargaining Agreement – LEEA (Currently Negotiating)	
Article 17	Authorization for Special Meeting on Cost items	
Article 18	Collective Bargaining Agreement – LAPS (Currently Negotiating)	
Article 19	Authorization for Special Meeting on Cost items	
Article 20	Collective Bargaining Agreement – LAEA Town Administrative Personnel (Currently Negotiating)	
Article 21	Authorization for Special Meeting on Cost items	
Article 22	Collective Bargaining Agreement – AFSCME 1801 (Currently Negotiating)	
Article 23	Authorization for Special Meeting on Cost items	
Article 24	Collective Bargaining Agreement – LAEA Public Safety (Currently Negotiating)	
Article 25	Authorization for Special Meeting on Cost items	
Article 26	Two Additional Police Officers – Traffic Unit	\$375,017
Article 27	One Additional Police Officer – Traffic Unit – Only if Article 26 Fails	\$187,509
Article 28	Add a Full-Time Children’s Librarian	\$122,165
Article 29	Add a Part-Time Children’s Librarian – Only if Article 28 Fails	\$32,310
Article 30	Beautify Londonderry Signs	\$20,000
Article 31	Establish a Contingency Fund Pursuant to RSA 31:98-a	\$396,668
Article 32	Transaction of Other Business	

The Londonderry Town Council will hold a PUBLIC HEARING on the following item:

Public Hearing on an application for the Londonderry Commercial Industrial Property Tax Incentive Program for the new construction of approximately 180,000+/- square feet of high-tech industrial manufacturing. The subject property is located at 6 Akira Way. Tax Map/Lot: 028-031-006. Kenneth S. Solinsky (Londonderry Holdings, LLC), Applicant.

The public hearing will occur on Monday, January 20, 2025, at 7:00 PM at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053.



Town of Londonderry, New Hampshire

Planning & Economic Development Department
268B Mammoth Road
Town Hall – 2nd Floor

603-432-1100
603-432-1128

www.londonderrynh.org

Planning – Zoning – Economic Development – Conservation

MEMORANDUM

TO: Town Council

FROM: Kellie Caron, Assistant Town Manager & Director of Economic Development

DATE: January 6, 2025

RE: Londonderry Commercial Industrial Tax Incentive Program – Consideration for Extension

As the Council will recall, at the December 2, 2024, meeting consensus was reached to proceed with the public hearing for consideration of the extension of the Commercial Industrial Tax Incentive Program (CITE). This memorandum provides an overview of the Londonderry Commercial Industrial Tax Incentive Program. The application and resolution are enclosed for reference.

Program Background & Overview:

The CITE program was introduced with the intent to support economic growth and balance the tax burden between commercial and residential properties. After initial discussions, the Town Council adopted the program via ordinance in 2022 and a subsequent resolution in 2023. The program is governed by New Hampshire statutes (RSA 72:81-83 and RSA 72:27-a) and offers tax relief for commercial and industrial properties through exemptions on local taxes for new or improved properties.

- **Tax Relief Structure:**

The program provides a graduated exemption based on the increased assessed value of properties resulting from construction, rehabilitation, or replacement projects. The program is structured into three tiers:

1. **Tier One:** Projects with a valuation increase of \$10 million or more
 - o Exemption: 40-50% of increased value in the first year
 - o Duration: 5 years, with decreasing exemptions (20%, 30%, 40%, and 50% reduction annually)

2. **Tier Two:** Projects with a valuation increase between \$5 million and \$10 million

- o Exemption: 30-40% of increased value in the first year
- o Duration: 5 years, with a similar annual decrease

3. **Tier Three:** Projects exceeding \$10 million with exceptional public benefit

- o Exemption: Town Council may grant up to 10 additional years of tax relief
- o Duration: Similar annual decrease as Tiers One and Two

- **Public Benefit Requirement:**

In exchange for the tax relief, property owners must agree to maintain the property in a way that continues to provide public benefits, such as job creation, increased commercial activity, and a stronger tax base. A covenant agreement is required, ensuring that the property is used and maintained in line with these objectives, with provisions for property restoration in case of damage.

- **Application Process:**

To apply for the exemption, property owners must submit an application to the Town Manager's Office before construction begins, including a detailed project description and an application fee. The Town Council will review the application to ensure it meets the necessary criteria under RSA 72:83.

- **Enforcement:** If owners fail to adhere to the covenant or restore property after damage, the Town Council can reduce or terminate the tax relief.

- **Other Benefits to Consider:**

Infrastructure Development

- o **Improved Infrastructure:** New or expanding businesses often invest in local infrastructure, such as roads, utilities, and transportation networks, which can benefit the broader community. The tax incentives may also encourage the private sector to fund improvements in infrastructure that would otherwise be the responsibility of the government.
- o **Public-Private Partnerships:** CITE programs often lead to collaboration between the government and businesses, resulting in mutually beneficial outcomes. Local governments may encourage businesses to invest in public infrastructure or community development projects.

Attracting New Businesses and Investment

- o **Increased Business Attraction:** By offering tax exemptions, local governments can make their region more attractive to businesses, particularly those in industries that require significant capital investment, such as manufacturing, logistics, and technology. This can lead to an influx of new companies.

- o **Higher Investment Levels:** Businesses may be more willing to invest in capital-intensive projects, such as new facilities, machinery, or research and development centers, if they are offered tax exemptions. This could spur further private-sector development.

Increased Tax Revenue in the Long-Term

- o **Long-Term Tax Benefits:** Tax exemptions can lead to greater tax revenues in the future as businesses grow, hire employees, and make more significant investments. As these businesses succeed, they can contribute more to sales, property, and income taxes once the tax exemptions expire.
- o **Multiplier Effect:** The growth of businesses and job creation in the area often leads to more spending in the local economy. As workers spend their income locally, additional tax revenues are generated from increased sales, services, and other consumer activities.

Job Creation and Economic Diversification

- o **Employment Opportunities:** Tax incentives can encourage businesses to hire locally, creating new jobs in the community. The creation of high-paying, skilled jobs can have a ripple effect on the local economy, benefiting service providers and suppliers.
- o **Economic Diversification:** For areas heavily reliant on a single industry or sector, offering tax exemptions can encourage businesses from other sectors to relocate or expand, leading to a more diverse economy. This can help reduce economic volatility and dependency on a single industry.

Enhanced Property Values

- o **Increased Demand for Real Estate:** As businesses expand in a region, demand for commercial real estate rises. In turn, residential real estate often sees an increase in demand as new jobs and businesses attract employees and residents, leading to a boost in property values.
- o **Long-Term Growth:** Over time, property values can rise as a result of increased development, which creates a positive feedback loop of reinvestment and further growth, benefiting both business owners and homeowners.

Current Status of Applications

As of the end of 2024, we have received five (5) formal applications for the CITE program. The applications are for the O'Neil Cinema site, 60 Pettengill Road, Woodmont Commons – hotel site, Woodmont Commons – industrial commerce site, and The Village on Technology Hill site.

Program Expiration and Extension Consideration

The CITE program is set to expire on January 9, 2025. Pursuant to RSA 72:82, the Town Council may opt to extend the program for up to five years from the date of adoption.

If the Town Council chooses to move forward with extending the program, it may do so by vote during the public hearing this evening.

Staff Recommendation

Given the interest from applicants and the ongoing benefits the program offers in terms of public benefit; it is advisable to extend the program and continue fostering economic development, attracting investment into the community, and maintaining a strong tax base for Londonderry.

- **Recommended Motion if *extended*:**
Motion to extend the Londonderry Commercial Industrial Tax Exemption program for a period of 5 years as outlined in Ordinance 2024-13.
- **Recommended Motion if *not* extended:**
Motion to terminate the Londonderry Commercial Industrial Tax Exemption program effective January 9, 2025.



Town of Londonderry Application for Commercial / Industrial Tax Exemption

YOU MUST APPLY FOR EXEMPTION BEFORE STARTING CONSTRUCTION OR RENOVATION, BUT NOT AFTER DECEMBER 31 BEFORE THE BEGINNING OF THE TAX YEAR FOR WHICH THE EXEMPTION IS SOUGHT. AN APPLICATION FEE OF \$150 MUST BE PAID AT THE TIME OF APPLICATION.

Date: _____

Map _____

Lot _____

Name of Business: _____

Applicant/Title: _____

Address of Property: _____

Email: _____

Phone: _____

Project to be completed: ☐ New Construction ☐ Addition ☐ Renovation

Provide a brief description of the intended construction or renovation:

Start Date: _____ Estimated Completion Date: _____

Estimated Cost of Project on the Qualifying Property: _____

Anticipated Increase in Valuation of the Qualifying Property: _____

Attach supporting documentation as to value

In order to satisfy the public benefit requirement necessary for approval of a project, a minimum of one of the benefits listed below must be demonstrated. Where applicable, provide an explanation of the anticipated outcomes of the project for each of the following public benefits. Attach additional sheets if necessary.

1. Enhance economic growth and increase the Town's tax base:

2. Promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B:

3. Increases commercial and industrial activity in the Town, including job creation:

4. Increases the Town's commercial or industrial tax base:

The exemption shall apply only to the municipal and local school portion of property taxes related to the increase in assessed value as a result of the project, and shall exclude the state education property tax and county tax.

After submission, the Town Council will consider your application. If approved, your project will be classified into one of three tiers: **Tier One**, **Tier Two**, or **Tier Three**.

In the first full tax year, **Tier One Projects** shall receive an exemption between forty (40) and fifty (50) percent of the increase in Assessed Value attributable to construction of new structures, additions, renovations, and/or improvements to existing structures, as determined by the Town Council. In the four (4) tax years immediately succeeding the first tax year of an exemption, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year's exemption, rounded to the nearest whole percent. Subsequent years will be assessed and taxed at the full value.

In the first full tax year, **Tier Two Projects** shall receive an exemption between thirty (30) and forty (40) percent of the increase in Assessed Value attributable to construction of new structures, additions, renovations, and/or improvements to existing structures, as determined by the Town Council. In the four (4) years immediately succeeding the first tax year of an exemption, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year's exemption, rounded to the nearest whole percent. Subsequent years will be assessed and taxed at the full value.

Tier Three Projects are projects of exceptional and unusual benefit to the community, and may entitle applicants to additional years of tax relief, but not more than ten years.

This exemption applies to new construction or renovations started after June 20, 2022. **You must apply for the exemption prior to starting construction or renovations or both.**

By signing below, I affirm that I have read and understand the above conditions of this exemption and am authorized to sign this application on behalf of this entity. I have read Ordinance #2022-23.

Printed Name

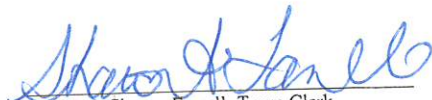
Signature of Applicant and Title

Date

RESOLUTION #2022-23
AMENDING AND EXTENDING THE LONDONDERRY COMMERCIAL
AND INDUSTRIAL PROPERTY TAX INCENTIVE PROGRAM

- WHEREAS** RSA 72:81 permits a municipality to adopt a new construction property tax exemption (the "Incentive") for commercial or industrial uses, or both for the purpose of providing incentives to businesses to build, rebuild, modernize, or enlarge within the municipality; and
- WHEREAS** The Town Council believes it is in the public benefit to enhance the Town of Londonderry's commercial/ industrial property tax base with respect to economic activity, cultural and historic character, and sense of community that contribute to economic and social vitality; and
- WHEREAS** It is further declared to be a public benefit to encourage the rehabilitation of underutilized commercial/industrial structures in Londonderry as a means of encouraging growth of economic, residential, and municipal uses in accordance with RSA 9-B; and
- WHEREAS** Short-term property assessment tax relief and a related covenant to protect the public benefit as provided under this article are considered to provide a demonstrated public benefit if the same encourages new construction, substantial rehabilitation and use of qualifying structures, or the replacement of a qualifying structure; and
- WHEREAS** The Town Council determines that it is in the public benefit to make the Program available town-wide; and
- WHEREAS** The Town Council wishes to amend and extend the Incentive previously adopted by Ordinance # 2022-05 on June 20, 2022; and
- WHEREAS** Pursuant to RSA 72:82, II, this Ordinance shall remain in effect until the earlier of: (A) its rescission by further action of the Town Council; or (B) the date which is twenty four (24) months after the adoption of this ☒ Ordinance, provided, however, that for any application which has already been granted prior to rescission or expiration, as the case may be, the exemption shall continue to apply at the rate and for the duration in effect at the time it was granted.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Londonderry Commercial and Industrial Property Tax Incentive Program is hereby amended and extended as set forth in Exhibit A attached hereto.


Sharon Farrell, Town Clerk


John Farrell, Chairman
Town Council

A TRUE COPY ATTEST: 1/9/2023



LONDONDERRY COMMERCIAL AND INDUSTRIAL PROPERTY TAX INCENTIVE PROGRAM

§ 1. Adoption of program.

1.1 Pursuant to the authority granted by RSA 72:27-a, RSA 72:81, and RSA 72:82, and such other relevant authority bestowed upon it as a political subdivision of the State of New Hampshire, the Town of Londonderry ("Londonderry" or the "Town") through its legislative body, the Londonderry Town Council ("Town Council"), adopts the Londonderry Commercial and Industrial Property Tax Exemption Program for application within the geographical limits set forth below.

§ 2. Short title.

2.1 Londonderry Commercial and Industrial Property Tax Incentive Program (the "Program").

§ 3. Enabling statutes.

3.1 NH RSAs 72:27-a and 72:80-83.

§ 4. Purpose; declaration of public benefit.

4.1 It is declared to be beneficial to the public interest to enhance Londonderry's commercial and industrial property tax base to attract, promote and stimulate economic activity.

4.2 It is further declared to be beneficial to the public interest to encourage the rehabilitation of underperforming or underutilized commercial and industrial facilities in Londonderry as a means of encouraging smart growth of economic, residential, and municipal uses in accordance with RSA 9-B.

4.3 Short-term property tax relief and a related covenant to further public interest as described in this ordinance provide a demonstrated public benefit because the property tax relief and related covenant encourage new construction and use of Qualifying Structures, and replacement, substantial rehabilitation and use of Qualifying Structures. A Qualifying Structure is defined in Section 6.4 hereof.

4.4 The Town Council determines that it is in the public interest to make the Program available town wide for commercial and industrial uses as defined herein.

§ 5. Tax relief authority.

5.1 Londonderry, through the Town Council, hereby adopts RSA 72:80-83 in the manner specified under RSA 72:27-a and RSA 72:82. In addition, the Town may modify the incentive program in the same manner as hereby adopted to best suit the needs of the Town and its constituents.

§ 6. Definitions.

6.1 **Assessed Value:** The Assessed Value of the improvements and structures as of April 1 of the tax year to which the exemption pertains, pursuant to RSA 72:83.

6.2 **Commercial Uses:** All retail, wholesale, and service uses, including but not limited to: automobile and similar vehicle sales; automobile repair facility/garage; automobile service station; bank; brewery; brew pub; commercial performing and fine arts schools and studios; commercial service establishment; conference center; contractor; contractor's yard; funeral establishment; golf course/country club; grocery/convenience store; hospital; hotel; commercial service establishment; inn (motel); medical office; movie and recording studio; multiunit commercial establishment; nursery; office, pharmacy, printing; professional office; radio broadcasting facility; repairman; restaurant, drive-in restaurant; retail sales establishment; riding school; television broadcasting; transportation center; travel agent; tourist home, and wholesale business.

6.3 **Industrial Uses:** All manufacturing, production, assembling, warehousing, or processing of goods or materials for sale or distribution, research and development activities, or processing of waste materials, including but not limited to: bottling facility; building material storage yard; crematorium; equipment upfit (repair); industrial establishment; light industrial establishment; industrial repair garage; industrial supply; laboratory (medical/dental); laboratory: research, experimental, testing; light industry; light manufacturing; microbrewery; product assembly; publishing; research and development facility; research lab; sand/gravel pit; self-storage; truck terminal; warehouse, and wood/metal craft.

6.4 **Original Assessed Value:** The value of the Qualifying Structure assessed at the time that the governing body approves the application for Tax Relief and the owner grants to the municipality the covenant to protect public benefit as required in this ordinance.

6.5 **Qualifying Area:** The Qualifying Area is the Town of Londonderry.

6.6 **Qualifying Structure:** A structure located in the Qualifying Area built, rebuilt, modernized, or enlarged to be used for Commercial or Industrial Uses as defined in RSA 72:80 and described herein.

6.7 **Replacement:** The demolition or removal of a Qualifying Structure and the subsequent construction of a new structure on the same lot.

§ 7. Tax Relief.

7.1 The Tax Relief Period is the finite period of time during which the Tax Relief, as described in section 7.4 below, will be effective, and the percentage amount of new Assessed Value to be exempted, as determined by the Town Council based upon classification of the project by tier, pursuant to RSA 72:81, and in the further exercise of its discretion as set forth in sections 7.4 and 12, below.

7.2 A Tier One Project is a project in which the anticipated increase in valuation of the Qualifying Structure at the completion of construction is ten million dollars (\$10,000,000) or more.

7.3 A Tier Two Project is a project in which the anticipated increase in valuation of the Qualifying Structure at the completion of construction is between five million dollars (\$5,000,000) and ten million dollars (\$10,000,000).

7.4 A Tier Three Project is a project in which the anticipated increase in valuation of the Qualifying Structure at the completion of construction **both** exceeds ten million dollars (\$10,000,000) **and** is a project of exceptional and unusual public benefit to the community as defined herein.

Tier One and Two Projects shall be eligible for Tax Relief in the form of the exemption from taxation authorized pursuant to RSA 72:81, and more specifically defined as follows:

(1) For a Tier One Project:

- a. In the first full tax year for which an exemption is granted following completion of a Qualifying Structure (the “first tax year”), an exemption of between forty (40) and fifty (50) percent of the increase in Assessed Value attributable to construction of new structures, and additions, renovations, or improvements to existing structures (the “Exemption”), as determined by the Town Council.
- b. The duration of the Exemption shall be five (5) years.
- c. In the four (4) tax years immediately succeeding the first tax year for which an exemption is granted, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year’s Exemption, rounded to the nearest whole percent, as set forth in Attachment A.

(2) For a Tier Two Project:

- a. In the first full tax year for which an exemption is granted following completion of a Qualifying Structure (the “first tax year”), an exemption of between thirty (30) and forty (40) percent of the increase in Assessed Value attributable to construction of new structures, and additions, renovations, or improvements to existing structures (the “Exemption”), as determined by the Town Council.
- b. The duration of the Exemption shall be five (5) years.
- c. In the four (4) tax years immediately succeeding the first tax year for which an exemption is granted, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year’s Exemption, rounded to the nearest whole percent, as set forth in Attachment A.

(3) For a Tier Three Project:

- a. Upon a finding that a project is a Tier Three Project, the Town Council may grant additional years of Tax Relief, but no more than ten years. The Town Council shall structure the exemption to decrease year-by-year in a similar fashion to Tier One and Two Projects.

§ 8. Public benefits.

8.1 In order to qualify for Tax Relief as set forth in section 7.4 above, the proposed new construction or rehabilitation must, in the reasonable discretion of the Town Council, provide one or more of the following public benefits, and the proposed Replacement must provide one or more of the same public benefits to a greater degree than would a rehabilitation of the same Qualifying Structure, as follows:

- It enhances the economic vitality of the Town;
- It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B; or
- It increases commercial and industrial activity in the Town, including job creation.
- It increases the Town's commercial or industrial tax base.

§ 9. Covenant to protect public benefit.

9.1 Tax Relief for the construction, rehabilitation or replacement of a Qualifying Structure shall be effective upon the property owner's grant to the municipality of a covenant ensuring that the Qualifying Structure shall be maintained and used in a manner that continues the public benefit for which the Tax Relief was granted and as otherwise provided in this ordinance.

9.2 This covenant shall be released upon the expiration of the Tax Relief Period.

9.2 The covenant shall include provisions requiring the property owner to obtain commercially reasonable casualty insurance, and flood insurance, if relevant. The covenant may include, at the Town Council's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of the Tax Relief after notice and an opportunity to be heard.

9.3 The Town shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property for the duration of the tax relief period, but shall thereafter expire without further affect.

§ 10. Application procedure.

10.1 An owner (or authorized agent, including a prospective purchaser and developer) of a Qualifying Structure who intends to construct, rehabilitate or replace such structure, may submit an application for the Tax Relief to the Town Manager's Office prior to construction, but not after December 31 before the beginning of the tax year for which the exemption is sought. In

such cases, the Town Council may anticipatorily grant the exemption, subject to adjustment when the actual increase in Assessed Value becomes known. The applicant shall include the address of the property, a full description of the intended construction, rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee. The application shall be on a preapproved application form provided by the Town Manager's Office.

10.2 The application for property tax exemption shall not be deemed to be complete and the governing body shall not schedule a hearing on the application as required under RSA 72:83 until all required information has been submitted.

§ 11. Application fees.

11.1 An application fee of \$150, or an amount subsequently adopted by the Town Council, shall be paid at the time of application submission to the Town Manager's Office, made payable to the "Town of Londonderry."

11.2 The applicant shall also be responsible for the reasonable expenses incurred by the municipality in the drafting, review, and recording of the covenant.

§ 12. Review and decision by Town officials.

12.1 Upon receipt of a complete application, the Town Council shall consider the application in the normal course of business and notify the applicant of its decision no later than February 28 before the beginning of the tax year for which the exemption is sought. The Town Council shall determine:

- Whether the structure will be in the Qualifying Area;
- Whether the structure at issue is a Qualifying Structure;
- Whether there is a public benefit to granting the Tax Relief;
- The classification of the project by tier; and
- Within the parameters specified in section 7, above, the specific Tax Relief, if any, to be awarded for the Qualified Structure. The Town Council shall base this determination upon the extent of public benefit demonstrated by the applicant, assigning a higher percentage amount to applicants demonstrating a greater public benefit, and vice versa.

12.2 In determining the existence and extent of a public benefit, the Town Council shall also identify the costs and detriments associated with the proposed development or project, and weigh such factors against any public benefit. Only if the public benefit is found to specifically outweigh any costs and detriments shall the Town Council grant the Exemption.

12.3 After determining the applicable tier, in setting the applicable percentage, and in granting additional years of Tax Relief for a Tier Three project, the Town Council shall also factor the extent of the public benefit and the costs and detriments associated with the proposed development or project.

12.4 The Town Council may seek assistance from Town officials, legal counsel, boards or commissions in making its determinations, and shall conduct a public hearing.

12.5 After following the procedures established herein, the Town Council may grant the Tax Relief, provided:

- The Town Council finds a public benefit as defined herein; and
- The specific public benefit is preserved through a covenant as set forth above; and
- The Town Council finds that the proposed use is consistent with the applicable master plan, zoning ordinance or development regulations.

12.6 If the Town Council grants the Tax Relief, it shall identify the specific public benefit achieved as defined herein.

12.7 The burden of demonstrating the applicable tier and the public benefit shall be on the applicant. The Town Council or its agents may request such additional or updated information as is necessary to determine eligibility. Should the Town in its discretion determine that third party review or consultation is required, the applicant shall bear the associated cost. *See RSA 72:83, III.* If the Town Council determines that the applicant provided incorrect or false information during the application process or failed to provide information after such a request, the Town Council may refuse to grant the exemption without further inquiry.

12.8 If the Town Council, in its sole discretion, denies the application for Tax Relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the Board of Tax and Land Appeals or the Superior Court in the same manner as provided for appeals of current use classification pursuant to RSA 72:83; provided, however, that such denial shall be deemed discretionary and shall not be set aside by the Board of Tax and Land Appeals or the Superior Court except for errors of law or abuse of discretion.

12.9 For the purpose of determining the applicable tier for a Project, the Town Council may assign a reasonable value to factors not yet known or reflected directly in the anticipated valuation of the property after construction, including, but not limited to, significant job creation, and add such assigned value to the anticipated valuation after construction.

§ 13. Duration and limitations of property tax incentive program.

13.1 Pursuant to RSA 72:81, the exemption shall apply only to municipal and local school property taxes assessed by the municipality which shall exclude state education property taxes under RSA 76:3 and county taxes assessed against the municipality under RSA 29:11

13.2 If the municipality completes a revaluation during the period for which an exemption has been granted, the amount of the exemption shall be adjusted by the difference in equalization ratios applicable in the municipality before and after the revaluation. The amount and length of the property tax exemption shall be determined by the Town Council on a per-case basis, by categorizing the project by tier as set forth herein.

13.3 Tax Relief shall not be granted to an applicant who has begun construction. RSA 72:83, I.

13.4 The Town Council may grant waivers from this ordinance where not inconsistent with the purpose and intent of RSA 72:80-83, provided, however, that the Town Council may not waive a provision of this ordinance required by statute.

13.5 The Town may require the submission of an annual update to determine continued eligibility for, and the proper amount of, Tax Relief. The Town Council may conduct an annual hearing to review the update and may adjust the Tax Relief based upon changed conditions. If the Town Council determines that the applicant provided incorrect or false information in an annual update or failed to provide information necessary for an annual update after such a request, the Town Council may terminate the exemption upon notice and an opportunity for the applicant to be heard.

13.6 This ordinance shall expire twenty four (24) months after its passage, unless sooner terminated or extended by vote of the Town Council.

§ 14. Resumption of full tax liability.

14.1 Upon expiration of the Tax Relief Period, the property shall be taxed at its market value in accordance with RSA 75:1.

§ 15. Extent of Tax Relief.

15.1 Tax Relief granted under this ordinance shall be calculated on the Assessed Value at the time of the commencement of the Tax Relief Period in excess of the Original Assessed Value.

15.2 Tax Relief granted under this ordinance shall pertain only to assessment increases attributable to the construction, rehabilitation or replacement performed under the conditions approved by the Town Council and not to those increases attributable to other factors, including but not limited to market forces.

15.3 Nothing herein shall prohibit an owner from seeking an abatement of the original assessed value prior to any adjustment granted hereunder.

§ 16. Violations and penalties; enforcement.

16.1 If the property owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided above, the Town Council shall, after notice and an opportunity to be heard, determine whether and to what extent the public benefit of the Qualified Structure has been diminished and may terminate or reduce the property tax exemption amount and period in accordance with such determination.

16.2 Any tax payment required under this section 16 shall be payable according to the following procedure:

16.2.1 The Commissioner of the Department of Revenue Administration shall prescribe and issue forms to the local assessing officials for the payment due,

which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

16.2.2 The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

16.2.3 Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

16.2.4 Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18% per annum shall be due thereafter on any amount not paid within the thirty-day period. Interest at 12% per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no Tax Relief had been granted.

§ 17. Collection of unpaid taxes.

17.1 All taxes levied pursuant to RSA 72 which are not paid when due shall be collected in the same manner as provided in RSA 80.



Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053

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ORDINANCE 2024-13

EXTENDING THE LONDONDERRY COMMERCIAL AND INDUSTRIAL TAX INCENTIVE PROGRAM

WHEREAS RSA 72:81 permits a municipality to adopt a new construction property tax exemption (the “Incentive”) for commercial or industrial uses, or both, for the purpose of providing incentives to businesses to build, rebuild, modernize, or enlarge within the municipality; and

WHEREAS the Town Council believes it is in the public benefit to enhance the Town of Londonderry’s commercial/industrial property tax base with respect to economic activity, cultural and historic character, and sense of community that contribute to economic and social vitality; and

WHEREAS it is further declared to be a public benefit to encourage the rehabilitation of underutilized commercial/industrial structures in Londonderry as a means of encouraging growth of economic, residential, and municipal uses in accordance with RSA 9-B; and

WHEREAS short-term property assessment tax relief and a related covenant to protect the public benefit as provided under this article are considered to provide a demonstrated public benefit if the same encourages new construction, substantial rehabilitation and use of qualifying structures, or the replacement of a qualifying structure; and

WHEREAS the Town Council determines that it is in the public benefit to make the Program available Town-wide; and

WHEREAS the Town Council wishes to extend the Incentive previously adopted by Ordinance 2022-05 on June 20, 2022 and amended by Resolution 2022-23 on January 9, 2023; and

WHEREAS pursuant to RSA 72:82, II, this Ordinance shall remain in effect until the earlier of (A) its rescission by further action of the Town Council; or (B) the date which is **up to five years/60 months** after its adoption, provided, however, that for any application which has already been granted prior to rescission or expiration, as the case may be, the exemption shall continue to apply at the rate and for the duration in effect at the time it was granted;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Londonderry Commercial and Industrial Tax Incentive Program is hereby extended as set forth in Exhibit A attached hereto.

**Chad Franz – Chair
Town Council**

Sharon Farrell – Town Clerk

A TRUE COPY ATTEST:
01/20/2025

Londonderry Town Council Special Meeting Minutes
Friday, December 27, 2024
8:00 a.m.
Moose Hill Council Chambers

Meeting Link: <http://173.166.17.35/CablecastPublicSite/show/12803?channel=4>

Attendance: Chair Chad Franz; Vice Chair Ted Combes; Councilors Shawn Faber, Ron Dunn, and John Farrell

CALL TO ORDER

Chair Franz called the Town Council special meeting to order at 8:03 a.m.

NEW BUSINESS

Appointment of Emergency Management Director pursuant to RSA 21-P:39

Chair Franz announced that Acting Fire Chief Fred Heinrich informed him that in the absence of a designated Emergency Management Director, the responsibility reverts to the Town's chief elected official. Chair Franz stated that Acting Chief Heinrich was willing to accept the role of Emergency Management Director.

Vice Chair Combes moved to appoint Acting Fire Chief Heinrich as Emergency Management Director. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

NON-PUBLIC SESSION

The Council went into non-public session in accordance with RSA 91-A:3,II(b): The hiring of any person as a public employee.

Councilor Farrell moved to go into non-public session. Seconded by Vice Chair Combes. Roll call vote:

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes

Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0.

The Council entered non-public session at 8:05 a.m.

The Council left non-public session at 9:41 a.m.

Vice Chair Combes moved to return to public session. Seconded by Councilor Faber. Roll call vote:

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0.

MEETING SCHEDULE

1. January 6, 2025; Moose Hill Council Chambers; 7:00 p.m.

ADJOURNMENT

Councilor Farrell moved to adjourn the meeting. Seconded by Councilor Faber.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Meeting adjourned at 9:42 a.m.

Minutes prepared by Kirsten Hildonen

Londonderry Town Council Minutes
Monday, January 6, 2025
7:00 p.m.
Moose Hill Council Chambers

Meeting Link: <http://173.166.17.35/CablecastPublicSite/show/12767?channel=4>

Attendance: Chair Chad Franz; Vice Chair Ted Combes; Councilors Shawn Faber, Ron Dunn, and John Farrell; Acting Town Manager Art Psaledas; Administrative Support Coordinator Kirsten Hildonen; Director of Finance Justin Campo

CALL TO ORDER

Chair Franz called the Town Council meeting to order at 7:03 p.m. and led the Pledge of Allegiance. He asked for a moment of silence for family members who experienced loss in 2024 and those affected by the tragedy in New Orleans on January 1st.

PUBLIC COMMENT

Community Choice Aggregation Update

Lynn Wiles, Utilities Committee Chair, and Paul Ramsey, member of the Utilities Committee, appeared before the Council to provide an update on the Community Choice Aggregation Plan. Mr. Wiles noted Eversource's proposed rates for the first half of 2025 are competitive with the rates being offered by the Community Choice Aggregation partner. So, the Committee has decided not to implement the program at this point. Eversource's rates will reset in August and the Committee will reevaluate at that point.

91-A Requests

Councilor Farrell reported he reviewed the 91-A requests received since September, and noted a number come from out of state. A majority of the information being requested is public information, so he suggested educating the Town staff on how these requests could be addressed to better utilize their time. He also suggested the 91-A log on the Town website be kept up to date to eliminate redundant requests. Mr. Psaledas will create and present procedures regarding staff response to these requests at the next Council meeting.

Growth

Councilor Farrell noted the community has choices regarding PUD housing proposals. The traffic at Exit 5 is unmanageable and the infrastructure cannot handle the addition of 1,300 homes. Development agreements should be considered earlier in the approval process. The Town does not have the proper tools to manage the growth going on in the community, as those tools come from the state and are antiquated. He urged the community to tell the Legislature that updated tools to manage growth are needed. He asked the Planning Board liaison to express the Council's concerns to the Board.

Chair Franz opened public comment and reviewed the rules.

Name: Ray Breslin
Address: 3 Gary Drive

Mr. Breslin said citizens have the opportunity to speak with state representatives to urge that changes be made and ask that bills be introduced. He does not agree with offering tax breaks to businesses to convince them to come to Londonderry.

Name: Dave Ellis
Address: 1 Wilshire Drive

Mr. Ellis spoke in support of Mr. Breslin's comments. The Town does not need to offer tax incentives for businesses to come to Londonderry.

Name: Richard Belinsky
Address: 89 Hall Road

Mr. Belinsky asked about the status of the search for a new Town manager. He agreed with Councilor Farrell regarding how 91-A requests are handled. He asked about the status of the property at Gilcreast Road.

Name: Kristine Perez
Address: 5 Wesley Drive

Ms. Perez said no one approached her about bills before the Legislature regarding building. She read a letter she sent to the Council expressing her concern that candidates for the Town manager position are being interviewed without the position being posted. She asked why the Town planner position was only recently posted. She believes commercial taxes are down and this has to be offset by homeowner taxes. She asked why tax incentives are offered to businesses, since they do not pay impact fees and that is a benefit.

Name: Jim Butler

Mr. Butler asked why the Town manager position has not been posted. He said the meeting with Bill Hart was a job interview, regardless of how it was described. The application process should be consistent for all candidates. By allowing this situation to unfold in this manner, the Chair is fostering an environment of deception, backroom deals, discrimination, and favoritism.

Name: Dan Bouchard
Address: 8 O'Connell Drive

Mr. Bouchard suggested the Council conduct an open process similar to that of the School District regarding the search for a Town manager.

Chair Franz noted an email from a citizen was received regarding posting the Town manager position. He read his response, explaining the HR director is working in partnership with the

Council and has not been directed to post the vacancy at this time. The Council is working on the matter and will provide an update in short order. He said the position will be posted on January 7th.

Name: Martha Smith

Address: 38 Shasta Drive

Ms. Smith agreed with Councilor Farrell's comments about growth. She noted there is representation at the state that should have a valid interest in making the Town work. Councilor Dunn and Ms. Perez have done a good job informing the public about what is going on. She does not understand why businesses are being offered tax incentives.

Councilors Farrell and Faber noted they have had conversations with Councilor Dunn regarding state laws.

Name: Jake Butler, Planning Board Chair

Address: 2 Danbury Court

Mr. Butler said as the Chair of the Planning Board, he has asked for the Council to weigh in on issues such as development and infrastructure improvements needed in Town. He heard no discussion during the budget process about funding infrastructure improvements. The Board discussed imposing an emergency moratorium on building development. Counsel reviewed this suggestion, and met with the Board and Council. Mr. Butler was then told that counsel is no longer authorized to perform work on the moratorium. The Planning Board could recommend a moratorium, but the Council would ultimately have to authorize it. He noted citizens can speak freely about issues, such as planned development, at Council meetings, since they can only do so at Planning Board meetings during a public hearing. He reiterated that the Board attempted to enforce a moratorium, but was told no.

Councilor Farrell said emergency moratoriums have a limited scope and require a complicated legal and court process. Proper regulation is needed from the state that gives communities the ability to be flexible.

Name: Tom Estey

Mr. Estey asked if Woodmont Commons was supposed to have their own fire and police services, and stores. He asked if the Gilcreast Road property was put into a conservation easement. He asked if it was explained that the person who sold the property to the Town could buy it back; he did not remember hearing this. He asked if the property is being sold back to the builder at the same price. He noted more apartment buildings are not needed in Town, but stores and restaurants are. He asked if the Town manager job was not posted, why the Council spoke to Bill Hart.

Councilor Farrell explained the man who sold the property to the Town passed away; he did not know who was building on the property.

Name: Jake Butler, Planning Board Chair

Address: 2 Danbury Court

Mr. Butler said if handling the dissemination of information through a 91-A request is the easiest way to do so for the Town staff, he is in support of it. He was surprised he was told he might be charged for the information, when he asked for documentation as the Chair of the Planning Board.

Councilor Farrell said this was one of the reasons he brought up the 91-A topic.

Name: Tony DeFrancesco, Planning Board member

Address: 1 Cheshire Court

Mr. DeFrancesco reviewed the process by which projects are brought to the Board for discussion before an application is filed. He explained the Exit 5 project has not yet been proposed, only discussed. He wanted the citizens to understand the system.

Name: Deb Paul

Address: 118 Hardy Road

Ms. Paul does not believe 91-A requests should incur a charge. She described the qualities she would like in a Town manager. She asked that abutters of potential developments be notified so discussions could be held, as it is too late once the process reaches the public hearing stage and developers have spent money on a project. She requested more transparency from Boards and the Council. She is against tax incentives for businesses.

Name: John Grennon

Address: 14 Jewel Court

Mr. Grennon thanked Councilor Farrell for his comments on the 91-A requests. He thanked everyone for their work on the budget. He hopes the Fire Department is going to be staffed with 13 firefighters. He appreciated the professional response he received from the HR director to his request regarding the Town manager position. He said the optics were not optimal regarding the Council discussing payment of relocation expenses with Bill Hart, who was not supposedly an official candidate for the Town manager position. The Town manager should be a resident of Londonderry.

Chair Franz closed public comment.

Councilor Farrell noted there was a cardiac incident at the Millennial Mile race. He was proud of the Fire and Police Departments and the retired firefighter who attended to this person's needs.

Chair Franz commended the Town staff on their professionalism and hard work.

BOARD APPOINTMENTS AND REAPPOINTMENTS

Resignation of Richard Lombard from the Conservation Commission

Vice Chair Combes moved to accept Richard Lombard's resignation from the Conservation Commission. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Reappointment of Susan Malouin as an alternative member of the Conservation Commission

Vice Chair Combes moved to reappoint Susan Malouin as an alternate member of the Conservation Commission. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

PUBLIC HEARINGS

Vice Chair Combes moved to open the public hearing. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Ordinance 2024-13: Extending the Londonderry Commercial and Industrial Tax Incentive Program

Councilor Farrell explained this ordinance was designed to speed up development, which will increase revenue coming to the community. He explained the role assessments play in commercial abatements. He noted taxes paid by commercial entities make up 10% of the revenue needed to run the Town. Ms. Hildonen noted this program is only for new construction, additions, or renovations; it is not applied to existing commercial valuation. This tool has been successfully

used in other communities to retain existing businesses as they look to expand.

Chair Franz opened public comment.

Name: Ray Breslin

Address: 3 Gary Drive

Mr. Breslin spoke against the tax incentive. He stressed the need to address current problems in the Town before enticing further development.

Name: Dave Ellis

Address: 1 Wilshire Drive

Mr. Ellis asked how many businesses have been persuaded to start earlier as a result of the tax incentive. Councilor Farrell said there are five applications, but he did not know if the incentives sped up the process.

Name: Dan Bouchard

Address: 8 O'Connell Drive

Mr. Bouchard does not believe the Town is gaining anything from the incentives, and businesses should pay the full amount in taxes. He asked if the Town gets more in residential taxes than commercial taxes. Councilor Farrell explained valuation of the commercial market is not growing at the same pace as residential properties throughout the state.

Name: Deb Paul

Address: 118 Hardy Road

Ms. Paul does not believe businesses will pay for the cost of their existence, if they are given tax incentives. She spoke against the tax incentive.

Councilor Faber asked if the Town does not want to increase the commercial tax burden and lower the residential tax burden. The Town needs to do something to bring the burdens back into balance.

Name: Dan Bouchard

Address: 8 O'Connell Drive

Mr. Bouchard said services would need to be increased to cover commercial development; offering an incentive would decrease the funds available to pay for these services.

Name: Mike Livingston

Address: 6 Boston Avenue

Mr. Livingston said the zoning has changed on land around his home, but he has not received any notification of such. He suggested increasing marketing of the Town to attract businesses instead of offering tax incentives. The traffic study on Gilcreast Road was not done properly and is not

accurate. He suggested tabling this topic, so more citizens can weigh in. He asked for details regarding the incentives offered by surrounding towns and Ms. Hildonen replied.

Chair Franz explained the process followed when land is rezoned, and noted the Town is working on increasing the number of abutters noticed.

Name: Martha Smith

Address: 38 Shasta Drive

Ms. Smith spoke against the tax incentive program. She believes businesses will come regardless.

Name: Sandra Lagueux

Address: 2 Fiddlers Ridge Road

Ms. Lagueux suggested finding out what incentives other towns along I-93 are offering. She said Londonderry would want businesses to come here as opposed to going elsewhere, and they might need to be incentivized to do so. Ms. Hildonen noted there were 19 New Hampshire municipalities in 2022 offering this program; 18 properties were receiving the exemption.

Name: Kristine Perez

Address: 5 Wesley Drive

Ms. Perez spoke against the tax incentives. She expressed concern that it was reported that there were no applications at an earlier Council meeting, but now there are five applications. Councilor Farrell explained the applications were received in December.

Name: Tony DeFrancesco

Address: 1 Cheshire Court

Mr. DeFrancesco noted other states have different tax structures for industrial projects. These projects help stabilize the tax base. He reviewed the tax incentive program and the taxes industrial projects will pay over five years. He noted businesses will cost taxpayers less in services rendered (police and fire) than residential developments, and can provide opportunities for training for these services.

Vice Chair Combes noted other states provide investment in their state from equity of building or bringing jobs to the state; New Hampshire does not. This is the only program available for towns. This is a tool that will help reduce the tax burden on residents over time. This program can also help a business offset construction costs.

Name: Dan Bouchard

Address: 8 O'Connell Drive

Mr. Bouchard asked if existing industries in Town were offered incentives. Councilor Farrell noted a TIF was in place when some came to Town. Vice Chair Combes added economics were different when some of these businesses came to Town. They discussed the difference between this program

and a TIF, and when a TIF is preferable.

Name: Kevin Smith

Address: 6 King Phillip Drive

Mr. Smith said it is short-sighted to believe businesses are going to come to Town anyway. Developers ask about incentives when considering moving into an area. Londonderry is competing with other states. Pettengill Road was built as the result of a TIF. Having a partial amount of the revenue is better than having none of the revenue.

Name: Richard Belinsky

Address: 89 Hall Road

Mr. Belinsky said Pettengill Road was developed as a result of the bridge being built from Exit 3. Businesses will move to an area that is beneficial to them. No one knows if businesses come to this area due to the tax incentive. He asked what incentives other towns offer.

Name: Leo Lee

Address: 70 High Range Road

Mr. Lee noted his tax burden has not gone down in spite of businesses moving into the area. Councilor Farrell explained tax stabilization is the best that can be hoped for; there have been no promises that taxes would decrease. Councilor Farrell described how services are impacted by new businesses. Mr. Lee is not in favor of the incentive.

Name: Bob Slater

Address: 1 Stonehenge Road.

Mr. Slater recommended tabling this issue and addressing the next three topics.

Chair Franz closed public comment and the Council began deliberation.

The Council agreed that while Londonderry does not currently need this program, it could be an important tool in the future.

Chair Franz reopened public comment.

Name: Kristine Perez

Address: 5 Wesley Drive

Ms. Perez asked if the program could be brought back, if it is not continued. She noted COVID impacted business negatively.

Name: Tony DeFrancesco

Address: 1 Cheshire Court

Mr. DeFrancesco clarified that the tax incentives decrease over time and the Town can determine the starting percentage.

Councilor Farrell invoked the Council objection privilege, postponing this item until the next Council meeting due to Ms. Caron's emergency absence and the desire for the Council to have time to consider the input offered by the public. Ms. Hildonen noted it does not have to be noticed again.

Application for the Londonderry Commercial Industrial Property Tax Incentive Program for a movie theatre renovation (16 Orchard View Drive)

The O'Neils were not present at the meeting. Councilor Farrell said renovations have begun at the theater. The ordinance requires the application be submitted before renovations are started, so he suggested a continuation to obtain more information. The Council agreed.

Kevin Smith appeared before the Council to present the following three applications. The tax incentives were a determining factor in these businesses deciding to locate in Londonderry. None of these projects have signed site plans.

Application for the Londonderry Commercial Industrial Property Tax Incentive Program for the new construction of 173,000 square feet of high-bay industrial facility (60 Pettengill Road)

Mr. Smith explained this project qualifies as a Tier 1 project. He noted the land is in current use, and reviewed the taxes received in 2024 and the taxes that would be paid under the exemption. This building is being built on spec; they currently have no tenant.

Application for the Londonderry Commercial Industrial Property Tax Incentive Program for a 91-room extended stay hotel (15 Pillsbury Road)

Mr. Smith explained this project at Woodmont Commons qualifies as a Tier 1 project. He reviewed the taxes that would be paid under the exemption. Due to the margins being extremely thin, he is not sure the developer will move forward with this project.

Application for the Londonderry Commercial Industrial Property Tax Incentive Program for the new construction of 750,000 square feet of industrial space (8 Buyck Avenue, 6 Buyck Avenue, 4 Buyck Avenue, 22 Ash Street, 42 Ash Street, 2 Ash Street, and 60A Seasons Lane)

Mr. Smith explained this project is located in the Gateway Commerce Park and qualifies as a Tier 3 project. He reviewed the taxes that would be paid under the exemption and noted this project would be one of the largest taxpayers in Londonderry.

Vice Chair Combes read a letter from Peter Flotz, owner of Lansing Melbourne Group, which said that due to high costs, the current construction environment is challenging. The partial tax exemption program is a benefit and a necessity to support responsible growth and development in Londonderry.

Chair Franz opened public comment.

Name: Tony DeFrancesco, Planning Board member

Address: 1 Cheshire Court

Mr. DeFrancesco asked why the final project is identified as Tier 3. Mr. Smith explained the applicant requested this status, and noted this project will help bring infrastructure to the Exit 4A area.

Name: Dan Bouchard

Address: 8 O'Connell Drive

Mr. Bouchard asked what the project on Buck Avenue will be and Mr. Smith explained the buildings in this project will be of an industrial nature.

Name: Glenn Douglas

Address: 6 Overlook Avenue

Mr. Douglas asked why the public is not given more information regarding projects in advance of the public hearing.

Name: Bob Slater

Address: 1 Stonehenge Road.

Mr. Slater agreed the public should have more information on these projects. He asked about the outlay of services to these projects, to show the net positive to the community.

Councilor Faber asked if this information could be included as part of the application.

Vice Chair Combes said the developers provided information on these projects. Ms. Hildonen noted this information was given to the Council but not to the public. Councilor Farrell asked that in the future, it be added to the public packet. Ms. Hildonen will discuss this with the Assistant Town Manager.

The Council began deliberation and noted the tax revenue these businesses would bring to the Town.

Councilor Dunn moved to continue these four applications to January 20, 2025. Seconded by Councilor Faber.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Councilor Farrell and Vice Chair Combes stepped away from the meeting.

Resolution 2025-01: Acceptance of Unanticipated Revenue Under RSA 31:95-b III(a); 2025 Highway Safety Grant

Director of Finance Justin Campo explained this is an amendment to a previously received grant. The Police Department obtained an additional \$10,000, bringing the grant total to \$24,667.13.

Councilor Dunn moved to accept unanticipated revenue for the 2025 Highway Safety Grant. Seconded by Councilor Faber.

Chad Franz	Yes
Ted Combes	Not present
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Not present

Motion passed 3-0-0. Chair votes in the affirmative.

Councilor Faber moved to close the public hearing. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Not present
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Not present

Motion passed 3-0-0. Chair votes in the affirmative.

Councilor Farrell rejoined the meeting.

NEW BUSINESS

Order 2025-01: An Expenditure from the Expendable Maintenance Trust Fund (LFD Station 1 & Station 2 Emergency Repairs)

Director of Public Works & Municipal Facilities Dave Wholley appeared before the Council to review recent emergency repairs totaling \$9,257.60.

Councilor Dunn moved to approve Order 2025-01. Seconded by Councilor Farrell.

Chad Franz	Yes
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Ted Combes	Not present
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 4-0-0. Chair votes in the affirmative.

Vice Chair Combes rejoined the meeting.

Proposed Warrant Article Discussion – NH DOT Congestion Mitigation & Air Quality Funds for Phase 7 of the Londonderry Rail Trail

Ms. Hildonen provided background on this grant to complete the final phase of the Rail Trail, connecting Londonderry to Derry. The matching funds grant was awarded to the Town in August 2025; the Town applied for this grant, with the support of Londonderry Trailways. Trailways has asked that the Council move this forward as a warrant article. The proposed article would be modeled after the one presented for Phases 5 and 6 in 2019, but for a substantially lower amount.

Sandra Lagueux, member of the Board of Directors of Londonderry Trailways, appeared before the Council to answer questions. She reviewed the plans for this segment of the trail.

Councilor Farrell clarified that the warrant article would be for \$641,000: \$422,000 from grant funding, \$113,000 from Trailways, and \$105,598 from the taxpayers.

The Council discussed using the unassigned fund balance to cover the taxpayers' portion and decided against this. They agreed to present it as a warrant article.

Proposed Warrant Article Discussion – Funding Senior Transportation Needs through a Vehicle Registration Fee under RSA 261:153, VI

Shelly Farrell and John Wilson of the Senior Resources Committee appeared before the Council to present a warrant article to add a \$5 fee to vehicle registrations. During a previous discussion, Council asked for legal input on the legality of charging a vehicle registration fee. Mr. Wilson noted counsel said there were no issues with charging this fee.

The Council discussed the aging population in the state and the continuing need for transportation. They noted these funds could be used for roadway and traffic improvements as well as senior transportation.

Some Councilors disagreed with imposing a fee that will never go away. Mr. Wilson stressed the need for continued, guaranteed funding to ensure the success of a transportation system.

The Council discussed drafting an article that would obtain the funds via a maintenance trust fund. If the funds are obtained in this manner, their use would be limited to what the article outlines. Councilor Dunn agreed to work with Mr. Campo to research and draft such an article. Both articles will be brought to the public hearing on January 20th for discussion.

OLD BUSINESS

None.

APPROVAL OF MINUTES

December 16, 2024, Town Council Minutes and December 27, 2024, Non-Public Town Council Minutes

Councilor Farrell moved to approve the minutes of the December 16, 2024, Town Council meeting and December 27, 2024, Non-Public Town Council meeting as presented. Seconded by Vice Chair Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

OTHER BUSINESS

Liaison Reports

Councilor Faber stressed the need to look at the traffic in Town. He attended the School budget session with the Budget Committee and appreciated being an onlooker.

Vice Chair Combes noted the new stop signs at the intersection of Bartley Hill Road and Perkins Road, but said there are no "stop sign ahead" warning signs on Perkins Road. He asked Mr. Psaledas to discuss this with the Town Engineer.

Chair Franz reported the School Board is well into their budget workshops.

Town Manager Report

There was no Town Manager report.

Assistant Town Manager Report

There was no Assistant Town Manager report.

MEETING SCHEDULE

1. January 20, 2025; Moose Hill Council Chambers; 7:00 p.m.

2. February 3, 2025; Moose Hill Council Chambers; 7:00 p.m.

3. February 8, 2025; Londonderry High School Café; 9:00 a.m. (Deliberative Session)

ADJOURNMENT

Councilor Dunn moved to adjourn the meeting. Seconded by Councilor Faber.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Meeting adjourned at 11:09 p.m.

Minutes prepared by Beth Haggeli

Londonderry Town Council Special Meeting Minutes
Tuesday, January 14, 2025
7:00 p.m.
Moose Hill Council Chambers

Meeting Link: <http://173.166.17.35/CablecastPublicSite/show/12827?channel=4>

Attendance: Chair Chad Franz; Vice Chair Ted Combes; Councilors Shawn Faber, Ron Dunn, and John Farrell; Town Attorney Liz Bailey; Finance Director Justin Campo

CALL TO ORDER

Chair Franz called the Town Council special meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

NEW BUSINESS

Chair Franz announced that each bargaining agreement would be presented individually, first by Attorney Bailey and then by Director Campo.

Attorney Bailey suggested that the Council bring forward a motion for each agreement individually. She highlighted some common features of each agreement: all are three-year agreements (from July 1, 2025 until June 30, 2028); all contracts (save one) have no insurance premium cost share for the first two years and a 5% cost share in the third year; there were no changes to the HSA contributions (save one); all contracts include insurance buy-out increases to \$5,000 (single)/\$10,000 (two-person)/\$12,000 (family); all contracts adopted the same language regarding retiree benefits; all contracts maintain current levels of paid sick, vacation, and holiday time; and all contracts feature an expansion of bereavement leave to additional categories of family members.

Approval of Tentative Collective Bargaining Agreement with the AFSCME Local 1801

Attorney Bailey stated that this unit ("1801") comprises DPW and Town office employees. Year one of the agreement has a 2.5% cost-of-living increase (COLA), year two has a 2.5% COLA, and year three has a 2.5% COLA. This union has step scales. The step scale has been truncated. The first three steps for the DPW and the first two steps for the Town employees have been eliminated and an additional step has been added at the top of the scale for both. This is designed to allow the Town to better attract and retain employees.

Director Campo stated this will result in a FY26 increase of \$87,071 with a tax impact of \$0.014, a FY27 increase of \$110,988 with a tax impact of \$0.018, and a FY28 increase of \$84,243 with a tax impact of \$0.014.

Vice Chair Combes asked if it could be determined what the savings from increasing the insurance buyout would be. Director Campo stated that it can't be determined until the Town knows who

will be on the insurance and who will take the buyout.

Councilor Farrell moved to approve the tentative bargaining agreement with AFSCME 1801 with the understanding it will be up for discussion at the budget public hearing at the following meeting. Seconded by Vice Chair Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Approval of Tentative Collective Bargaining Agreement with the AFSCME Council 93 Unit B – Londonderry Administrative Employees Association (L.A.E.A.) Town Administrative Personnel (T.A.P.)

Attorney Bailey stated that this unit (“TAP”) comprises Town office employees. Year one of the agreement has a 2.75% cost-of-living increase (COLA), and years two and three have a 1.0% to 2.5% COLA tied to CPI. In year one, the Environmental Engineer has a wage adjustment of \$7,000. This union has pay ranges. The pay ranges are adjusted in year one, increased by 3% in year two, and by 2.5% in year three, and the wage ranges will be included in the contract. The merit system remains the same.

Director Campo stated this will result in a FY26 increase of \$52,491 with a tax impact of \$0.009, a FY27 increase of \$77,081 with a tax impact of \$0.013, and a FY28 increase of \$77,672 with a tax impact of \$0.013.

Councilor Farrell moved to approve the tentative bargaining agreement with AFSCME Council 93 Unit B with the understanding it will be up for discussion at the budget public hearing at the following meeting. Seconded by Vice Chair Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Approval of Tentative Collective Bargaining Agreement with the Londonderry Association of Police Supervisors (L.A.P.S.)

Attorney Bailey stated that this unit (“LAPS”) is a new bargaining unit and comprises police department leadership and administrative staff. Year one has no COLA or merit increases but has

a range adjustment, and salaries are adjusted to be within the range. Year two has a 1.5% to 3% COLA tied to CPI and year three has a 1.5% to 2.5% COLA tied to CPI. This union has pay ranges. The pay ranges are adjusted in year one, increased by 3% in year two, and by 2.5% in year three, and the wage ranges will be included in the contract. The merit system remains the same as it was with their prior bargaining unit.

Director Campo stated this will result in a FY26 increase of \$82,018 with a tax impact of \$0.014, a FY27 increase of \$127,054 with a tax impact of \$0.021, and a FY28 increase of \$99,958 with a tax impact of \$0.016.

Councilor Farrell moved to approve the tentative bargaining agreement with the Londonderry Association of Police Supervisors with the understanding it will be up for discussion at the budget public hearing at the following meeting. Seconded by Vice Chair Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Approval of Tentative Collective Bargaining Agreement with the Londonderry Executive Employees Association (L.E.E.A.)

Attorney Bailey stated that this unit ("L.E.E.A.") comprises department heads. Year one has no COLA or merit increases but has a range adjustment, and salaries are adjusted to be within the range. Years two and three have a 1.0% to 2.5% COLA tied to CPI. This union has pay ranges. The pay ranges are adjusted in year one, increased by 2.5% in years two and three. The merit system remains the same.

Director Campo stated this will result in a FY26 increase of \$66,239 with a tax impact of \$0.011, a FY27 increase of \$61,599 with a tax impact of \$0.01, and a FY28 increase of \$46,045 with a tax impact of \$0.008.

Councilor Farrell moved to approve the tentative bargaining agreement with the Londonderry Executive Employees Association with the understanding it will be up for discussion at the budget public hearing at the following meeting. Seconded by Vice Chair Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Approval of Tentative Collective Bargaining Agreement with the AFSCME Council 93 Londonderry Administrative Employees Association (L.A.E.A.) Public Safety

Attorney Bailey stated that this unit (“Public Safety”) comprises fired department supervisors. Year one of the agreement has a 2.5% cost-of-living increase (COLA), year two has a 1.0% to 2.25% COLA tied to CPI, year three has a 1.0% to 2.0% COLA tied to CPI. This agreement adds an educational incentive for EMT-Paramedic of \$1,000 (exempt)/\$750 (non-exempt), and EMT-I/EMT-A incentive of \$250, and a Fire Plans Examiner (Fire Marshall/Div Chief of Fire Prevention only) of \$250. This union has pay ranges. The pay ranges are adjusted in years one, two, and three, and the wage ranges will be included in the contract. There is a small decrease in the Town’s HAS contribution to \$875 (single)/\$1750 (two-person/family). The merit system remains the same.

Director Campo stated this will result in a FY26 increase of \$38,501 with a tax impact of \$0.006, a FY27 increase of \$48,109 with a tax impact of \$0.007, and a FY28 increase of \$49,379 with a tax impact of \$0.008.

Vice Chair Combes verified with Director Campo that the year one tax impact of all contracts combined is \$0.054.

Councilor Farrell moved to approve the tentative bargaining agreement with AFSCME Council 93 Public Safety with the understanding it will be up for discussion at the budget public hearing at the following meeting. Seconded by Vice Chair Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Councilor Farrell thanked the Town’s negotiating team of Attorney Bailey, Director Campo, and Human Resources Director Tara Koza, as well as the negotiating teams from each of the bargaining units.

MEETING SCHEDULE

1. January 20, 2025; Moose Hill Council Chambers; 7:00 p.m.
2. February 3, 2025; Moose Hill Council Chambers; 7:00 p.m.
3. February 8, 2025; Londonderry High School Café; 9:00 a.m. (Deliberative Session)

ADJOURNMENT

Councilor Faber moved to adjourn the meeting. Seconded by Vice Chair Combes.

Chad Franz	Yes
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Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

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160 Motion passed 5-0-0. Chair votes in the affirmative.

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162 Meeting adjourned at 7:26 p.m.

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164 Minutes prepared by Kirsten Hildonen