

Town of Derry, New Hampshire

Completed CTAP Community Planning Assessment Summary Report & Questionnaire



Prepared on Behalf of the Town of Derry

By:

The Southern New Hampshire Planning Commission



SNHPC

Town of Derry, New Hampshire

EXECUTIVE SUMMARY

Community Planning Assessment Report

This report is a summary of the CTAP Community Planning Assessment which was completed using the gathered information from the Community Planning Assessment Questionnaire. This questionnaire is attached at the end of the Final Summary

History and Purpose:

The Community Technical Assistance Program (CTAP) is in the second year of a five-year process. The New Hampshire Department of Transportation (NH DOT) initiated CTAP to provide support to communities projected to experience growth as a result of the Interstate 93 Expansion Project which stretches from Salem to Concord. The goal of the first phase of the program is to conduct Community Planning Assessments of those municipalities designated by the NH DOT as most likely to be affected by the expected increase in population. There are 26 CTAP-designated communities along the I93 corridor and a Community Planning Assessment has been conducted for each town. Eleven of these municipalities are located within the Southern New Hampshire Planning Commission Region and include Auburn, Bedford, Candia, Chester, Deerfield, Derry, Goffstown, Hooksett, Londonderry, Manchester, and Raymond. The primary purpose of the Community Planning Assessment is to identify the policies and regulations these municipalities currently have in place to effectively prepare and manage growth.

Process:

The Community Planning Assessment consists of more than 100 questions. The survey is centered around the following four major planning themes:

- Theme A. – Community Infrastructure and Regional Cooperation
- Theme B. – Environmental Protection, Land Use, and Open Space
- Theme C. – Downtowns, Village Centers, and Community Vitality
- Theme D. - The Local Economy

The CTAP Steering Committee determined that the questions developed from these themes should address most of the growth concerns of municipalities affected by the Interstate 93 Expansion Project. The attached Community Planning Assessment for the Town of Derry, New Hampshire was completed through a review by Town officials, Planning Board members, and staff at the Southern New Hampshire Planning Commission. The results are intended to provide community leaders and municipal officials with a basis to make decisions concerning the implementation of policies to address potential growth issues. These results are identified in this Executive Summary.

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Findings:

The major planning needs and weaknesses identified by the Community Planning Assessment prepared for the Town of Derry, New Hampshire are listed as follows:

- The Town Master Plan does not make use or reference regional housing needs or their relationship to Derry
- The Town of Derry encourages transit oriented development but alternative types of transportation does not exist
- There is no current Natural Resources Inventory for the Town of Derry
- No storm water management ordinance is in place for the Town of Derry
- The Town of Derry currently does not have Riparian buffer regulations
- Derry's Land Use regulations do not require that developers connect existing open spaces within new and existing communities
- Prime agricultural soils, ~~and~~ farms and agricultural land are not mapped for the Town of Derry
- Within the Town of Derry there is no agricultural commission

Key Recommendations:

The Town of Derry would benefit from having its Master Plan updated with local housing needs and projections as well as regional housing needs. By addressing the regional housing needs, Derry would be able to apply it to their own needs and help to better prepare for the current residents and future growth. With accommodating incoming population traffic issues should be addressed. Although Derry does encourage transit oriented development it does not offer alternative forms of transportation. By doing so it would help to alleviate traffic around town and make it a more convenient place to live. Preserving water sources should be one of Derry's priorities for the future as well. Having reliable surface water sources could open up new water supply opportunities for the town in the future. Preserving open space, as with any town addressing new growth, should also be a priority for Derry. Mapping existing open land, including agricultural will create a way to prioritize areas of special concern or those that would be able to be used for farm land. An agricultural commission would be beneficial to this process because they would be able to focus solely on any types of agricultural land, where as an open space committee would not necessarily be able to focus time on these specific areas or advocate for their protection because of the land's potential function.

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CTAP COMMUNITY ASSESSMENT REPORT

Part I

Introduction

The Community Technical Assistance Project (CTAP) was implemented in an attempt to help member communities grapple with potential growth issues due to the expansion of Interstate 93. The first phase of the five-year process was to conduct Community Planning Assessments of those municipalities most likely to experience growth due to the expansion of I-93. The ultimate goal of the Community Planning Assessment process is to determine whether communities have policies and regulations in place to manage potential growth effectively.

The I-93 expansion is projected to last until 2012. In an effort to minimize the effects of potential growth, the New Hampshire Department of Transportation (NH DOT) identified 26 municipalities stretched out along the I93 as areas most likely to be impacted.

Some of the potential growth impacts that the CTAP communities could experience include, increased population, traffic, and a greater demand for housing. Consequently, if growth does occur in some or all of these areas, increased demand in municipal services across the board will be expected. CTAP communities will have to plan accordingly.

More than 100 questions were developed by professional planners and municipal officials involved in the CTAP process in an effort to determine if CTAP communities have policies and regulations in place to adequately address potential growth issues. These assessment questions were answered by reviewing existing town web sites, ordinances, regulations and city policies. The assessment questions were also answered with assistance from the municipal planners and other officials in each community.

Many of the assessment questions provide insight as to the status of the community's growth policies and the vision of the CTAP community towards its future development. The questions deal with many different planning issues including land use and mixed-use policies, zoning, minimum-lot requirements, historical preservation, open space, environmental protection, housing, water quality, economic development, and transportation. Furthermore, the assessment is designed to gauge the level at which public participation is present in each of the communities.

Prior to the publication of this report, municipal officials and Planning Board members of the Town of Derry were asked to review the preliminary findings of the community planning assessment and any possible growth issues that may have come to light as a result of the survey. This was accomplished at a regular scheduled meeting of the Derry

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Planning Board. The assessment questions provided discussion venues where municipal officials and planning board members could voice concerns and ask questions.

In developing this report, the SNHPC considered the insights, concerns, and recommendations offered, as well as other communications provided throughout the process and has included these where appropriate. As a result, this report should be viewed as a starting point or as a guide for future planning activities and goals. A copy of the Community Planning Assessment prepared for Derry is attached.

Part II

Theme A

Community Infrastructure and Regional Cooperation

The purpose of this theme is to determine how CTAP communities have planned for the future in terms of the provision and funding for municipal services. This may include new facilities and other infrastructure improvements to help meet these needs. In addition, Theme A considers how effective CTAP communities have been, and will be, regarding regional cooperation with other local municipalities in an effort to better serve constituents. Special attention is given to communication strategies and cooperation initiatives between communities within the region.

Theme A generated 42 questions dealing with the funding and delivery of municipal services, regional cooperation among local governments, housing, and transportation.

The Steering Committee identified a number of broad goals that CTAP-designated communities should strive to accomplish. These goals are outlined below:

Goals

- Promote the establishment of consistent funding approaches to help pay for improved and expanding public infrastructure and services. Local governments should make certain that their funding strategies are adequate to meet the new level of service provision to meet projected growth needs.
- Evaluate the need for regional cooperation between local governments. Regional approaches can often embellish the delivery of public services and environmental quality, avoid the possible duplication of services, and better allocate financial resources.
- Plan for an adequate supply of housing. The housing stock should reflect local needs and priorities and include housing for a range of income levels.

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- Implement strategies to promote safe and efficient multi-modal transportation systems.

Findings:

- **The Town of Derry does not have a dark skies lighting ordinance**
- **Derry's Master Plan does not make use of the regional housing needs when addressing the community's own future needs**
- **In the plan review process pedestrian connections are not required for new developments in Derry**
- **Land development controls in the Town of Derry do not require traffic impact studies**
- **Derry does not have any alternate forms of transportation however they still encourage transit oriented development**

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Recommendations:

As the population of Derry increases and the town changes, regulations should be created to prevent lighting pollution and maintain existing open lands. A dark skies lighting ordinance would keep night time illumination in bay. This would prevent the downtown area or neighborhoods from giving off a "city" glow. Another overall concern for growing towns is traffic impacts. Derry does not require that new developments submit a traffic impact study upon approval by the planning board. This should become a requirement so that surrounding areas can be prepped and streets and intersection can be altered if necessary. Another way to control traffic is to offer alternative types of transportation, especially to the downtown areas. This will help alleviate traffic and allow residents such as elderly to utilize the downtown areas.

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Theme B

Environmental Protection, Land Use, and Open Space

The purpose of this theme is to determine how CTAP communities have planned for the protection of land in a way that is consistent and compatible with future growth trends. To achieve these goals communities must focus on future land use strategies and determine how these would help to promote the preservation of natural resources, open space, and environmental protection.

Theme B generated 38 questions dealing with natural resources, green infrastructure, parks and recreational opportunities, rural character, and the preservation of agricultural lands and forests.

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The Steering Committee identified a number of broad goals that CTAP-designated communities should strive to accomplish. These goals are outlined below:

Goals

- Promote the preservation and protection of natural resources when addressing the economic needs of the community and region.
- Protect natural resources and the environment including ground water, aquifers, wildlife, and wildlife corridors.
- Establish and conserve an interconnected green infrastructure and ensure public access to open space, parks, and other recreational opportunities.
- Maintain rural character whenever possible especially forests and farms.

Findings:

- **The Town of Derry does not have a natural resources inventory**
- **The Town of Derry does not currently have an adopted storm-water management ordinance, wellhead protection program**
- **The Town of Derry's Land Development Control Regulations do not require the connectivity of open space within the town and developments**
- **There is no designated Open Space Committee in the town of Derry**

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Recommendations:

Since the town of Derry is already well developed and a popular place to live, preserving open areas in time of new development is vital. Requiring connectivity of open land between developments will create corridors that are necessary for wildlife habitats and provide much better opportunities for outdoor recreation. Designating an Open Space Committee for the Town will provide advocacy to protect the open space that Derry currently has. This Open Space Committee could also develop a natural resources inventory that will show important areas that require protection and prioritize parcels of land that may not already be under a conservation easement.

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Theme C

Downtown/Village Centers and Community Vitality

The purpose of this theme is to determine how the CTAP communities have planned for the development and preservation of vibrant community centers which would include an extensive array of cultural and recreational resources. The overall intent is to enhance public participation by establishing areas for community activities around the downtown or common community village center which would add rural character and promote a sense of vitality to the village center.

Theme C generated 16 questions dealing with the development of village center districts and the promotion of walkable downtown areas in an effort to maintain the small town New England community tradition. Special emphasis was given to the development of main streets, historic preservation, and landscaping.

The Steering Committee identified a number of broad goals that CTAP-designated communities should strive to accomplish. These goals are outlined below:

Goals

- Develop or enhance downtowns and village centers through the reuse of existing infrastructure and the rehabilitation of buildings with historic value.
- Promote the development of walkable downtown areas which are consistent with historic patterns.
- Enhance Main streets and promote a small, New England town atmosphere.

Findings:

- **The Town of Derry does not currently have a village master plan or village plan alternative ordinance even though it has a developed downtown**

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- The Town of Derry does not have an ordinance in place that preserves existing stone walls

Recommendations:

With new growth comes the risk of Derry losing its New England charm and character. By developing a village master plan and regulations Derry can restrict new store construction and its outward appearance, regulation traffics, signs, speed, etc. A village master plan will allow for new growth to the downtown without it losing aesthetic character. To preserve more historic aspects of Derry, an ordinance protecting stone walls would also become beneficial. This ordinance would prevent historic stone walls from being unnecessarily destroyed during road and structure construction.

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Theme D

Local Economy

The purpose of this theme is to determine if the CTAP community has enacted policies that promote economic viability, foster a prosperous business environment, and support agricultural development. The development of a strong local economy should result in increased local employment opportunities and livable wages.

Theme D generated 15 questions dealing with the development of economic development strategies, commercial and agricultural development, and tax incentives to attract new business development.

The Steering Committee identified a number of broad goals that CTAP-designated communities should strive to accomplish. These goals are outlined below:

Goals

- Support sustainable and balanced economic growth that reflects the current tax base.
- Strengthen local agriculture and forestry through the support of related infrastructure and economic systems.
- Support the development of new jobs and livable wages.

Findings:

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- **The Town of Derry does not map the locations of farms and prime agricultural soils**
- **The Town of Derry does not have an Agricultural Inventory as well as no districts that are restricted only for agricultural use**
- **There is no developed Agricultural Commission for the town of Derry**
- **The Zoning ordinances do not have a right-to-farm ordinance**

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Recommendations:

In town, productive agricultural land would benefit local economy and create preserved green space. By mapping areas with prime agricultural soils these areas could be preserved for agricultural use instead of being wasted with residential development. An inventory of currently zoned agricultural lands as well as areas previously used for agricultural purposes will help designate areas that could again become productive. An agricultural commission could advocate for these types of areas.

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Summary

Overall Findings:

The Town of Derry is a well developed community that has an ~~established-well developed~~ down town center, commercial attractions, and well developed residential areas. It currently lacks plans and committees that would be useful in maintaining open space corridors and preserving natural resources within the community. Developing committees and ordinances that will protect surface water and well heads will ensure that there are regulations that advocate for their protection as the town expands. These committees will also be able to work with planning boards in developing new zoning ordinances that will work with town expansion.

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**Town of Derry
Community Planning Assessment Template**

Theme A: Municipal Services/Facilities & Regional Cooperation
High quality municipal and educational services and facilities and effective regional cooperation and communication

A-1 Funding and Delivering Municipal Services and Regional Cooperation

Goals

- Assist local governments in establishing stable, consistent funding approaches for public infrastructure and services.
- Ensure continuation of strong municipal services and schools so that they continue to provide quality services and meet projected growth.
- Develop and support new methods of regional cooperation that enhance local government delivery of public services while ensuring environmental quality.
- Allocate financial resources on a regional basis.

Specific Assessment Questions:

Is your community a member of an RPC?

Yes

Do you have appointed commissioners who regularly attend?

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Yes, David Gomez, Brian Chirichiello, Joel Olbricht, John Dowd, Beverly Ferrante

Is your community a participant in any mutual aid agreements for police, fire, water and sewer, solid waste, etc?

Yes, the Fire Department does participate and provide mutual aid and ambulance services to some neighboring towns. The Town also has an intermunicipal service agreement with the Town of Londonderry for sewer. The Town of Derry also currently pays to transport its solid waste to Maine Energy, a private solid waste management company located in Maine.

Does your community participate in any regional service agreements, including SAUs?

Yes, Derry participates in SAU # 10 which includes Brentwood School, located in Merrimack, New Hampshire. The rest of the schools maintained in SAU # 10 are all located in Derry.

Does your community participate in other regional municipal cooperative efforts?

Derry uses a large amount of the water treated at the Manchester treatment plant which is pumped from Lake Massabesic in Auburn. This is one regional cooperative effort for the purpose of providing clean drinking water to Town's within the SNHPC region.

Do you have an existing procedure for incorporating regional impact into the plan review process?

Yes. By filing an application with the Planning Board, the applicant, including all the applicant's agents, consultants and representatives, consents to the review of the application by independent consultants retained by the Board at the applicants expense for the purpose of:

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Confirming that the application conforms with the applicable state and local requirements and; recommending to the board any additional studies or investigations and/or information from land surveyor's, engineers, architects, attorneys, soil scientists, wetland scientists, or others with expertise in a particular field, and which can facilitate the Board's actions on the application.

Does your community have an updated Capital Improvements Program in place and if so, when was the CIP last adopted?

Yes. The CIP was approved and adopted by the Derry Town Council on May 15, 2007.

Does your community use Tax Increment Financing, community development funds, or Community Reinvestment and Opportunity Program (CROP) zones to provide infrastructure improvements in specific areas?

Yes. The town has established tax increment finance districts, but has not participated in the use of CROP zones.

Does your community have impact fees and if so, for what type of facilities/services?

Yes. Water treatment and distribution facilities, wastewater treatment, disposal facilities, sanitary sewers, storm water, drainage and flood control facilities, public road systems, right of ways, municipal offices, schools, public safety facilities, public recreational facilities. See Zoning Ordinance, Page 185.

Does your community charge exactions (or off-site improvements) and if so, for what type of facilities/services?

Yes, including water treatment and distribution facilities, waste water treatment and disposal facilities, sanitary sewers, storm water, drainage, flood control, public road systems and right of way, municipal office facilities, schools, public safety facilities, solid waste collection, transfer, recycling, processing and disposal facilities, public library, public recreational not including open space. See Zoning Ordinance, Page 185.

Has your community planned for the provision of future utilities?

Yes, section 170-31 of the Land Development Control Regulations states the provisions required for all new proposed development. Included in this section are the provisions for all new utilities, easement information, plans for

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underground transmission of utilities and all requirements needed regarding the implementation of future utilities.

Does your community require underground installation of utilities?

Yes, Zoning Ordinance Page 191, Section 165-150 "General Development Standards"

Does your community have an outdoor dark skies lighting ordinance? If so, what ordinance is it a part of?

No, Derry does not have a Dark Skies lighting ordinance however the provisions and requirements for lighting within the municipality are stated in the Zoning Ordinance and the Development Regulations.

Are streetlights required or encouraged in any areas?

Section 170- 26 of the Land Development control Regulations states that in all proposed subdivisions the applicant shall provide for all necessary street lighting, including poles and light fixtures. The Town Zoning Ordinance also provides provisions for the implantation of lighting practices within town.

What long-range plans has your community made for meeting its future water supply needs?

Article VIII Groundwater Resource Conservation District, section 165-60 of the Town's Zoning Ordinance states that the Groundwater Resource Conservation District (GRCD) is established to protect, preserve and maintain existing and potential groundwater resources and primary groundwater recharge areas within this district, known as aquifers from adverse development, land use practices or depletion. Derry's Master Plan - 1994 Update, adopted June 1994, and the Water Resource Management and Protection Plan, adopted 1989, proposes such protection. This is accomplished by regulating land uses which would contribute polluted waters and pollutants to designated aquifers identified as being needed for present and future public and private water supply.

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What are your current arrangements for septage disposal – does your town have a specified site and corresponding contract?

Derry is currently in the process of having a septage disposal contract with Allenstown scheduled for June 19th. The Town does have a lagoon sewage treatment plan and also uses tanker trucks which are stored at the transfer station to collect local septage for removal to out of town storage facilities in the greater Lawrence area as well as Allenstown.

Has your community planned for its solid waste and recycling needs?

Section 170-67 of the Land Development Control Regulations states that all solid waste storage areas shall be situated and where necessary, screened in order to conform with the requirements of section 170-64D.1 of these regulations and shall be located a minimum of 25 feet from any boundary line of a site. In recognition that varying non-residential uses often produce waste, which must be temporarily stored on site until the time of disposal, of varying type and quantity, provisions for adequate storage shall be reviewed by the Planning Board on a case by case basis. The Town Transfer station requires permits for use and provides recycling services and waste disposal for permitted residents.

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A-2 Housing

Goal

- Ensure an adequate supply of affordable housing stock for a range of income levels that reflects regional and local needs and priorities.

Specific Assessment Questions:

How has your community planned for future housing needs?

While many other communities are currently trying to shut the doors in the face of new housing trends, Derry has sought to positively guide and manage the creation of future housing opportunities in a manner that is compatible with the Town and neighborhood character and that meets the needs of the children and parents of Derry's residents. Some goals that Derry has set forth are the encouragement of home ownership; provide opportunities for Derry Residents in new construction and rehabilitation of a variety of housing typed and for a range of different life styles and income levels. The revision of Derry's Zoning Ordinance and subdivision regulations to allow and encourage residential development that preserves open space as well as providing affordability. Provide incentives for owners of apartment complexes that convert to cooperatives of condominiums. There is a host of different actions for implementation in order to improve the housing situation existing within the Town.

Are the population and employment projections within your Master Plan consistent with regional and state projections?

According to the Office of Energy and planning the population projections for Derry for the year 2015 is 37,850. The Town Master Plan's population projection for Derry in the year 2015 is estimated at 42,423, a difference of just over 4,000 which makes the estimates fairly consistent.

Does the community's Master Plan reference and/or make use of the regional housing needs assessment in evaluating the housing needs within the community?

No, the Master Plan and the other Town documents do not mention the Housing needs Assessment.

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Where within your community is new residential growth occurring?

Residential land use is seen throughout the Town. Most of the non-residential uses are located along main street north and south and also on Rockingham Road. The Residential uses are located all throughout town as seen in map II-1 & map II-2 of the Town Master Plan.

Do the community's land use regulations provide for a wide range of housing types (single-family, duplexes, manufactured homes, apartments, etc.)?

Yes, Zoning Ordinance Section 165-45

Are accessory apartments permitted/allowed?

Yes, Zoning Ordinance Section 165-46

Does the community's land use regulations allow multi-family (> or = 2 units per dwelling) residences?

Yes, Zoning Ordinance Section 165-44 and 45.

Does your community have an age-restricted housing ordinance? If so, it is limited to 55+ or 62+?

Yes, Derry adopted an Age-Restricted Zoning Ordinance in 2005 which limits the age of residents for these developments to 55 years or age and over.

Do your community's regulations encourage energy conservation?

Yes, Zoning Ordinance Section 165-22

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Do your community's regulations encourage housing that meets disabled and/or universal design standards?

The Regulations do encourage the implementation of ADA certified building practices for all non-residential or multi-family developments which provide parking and access designed to meet the needs of disabled persons.

Has your community taken any steps (such as tax relief programs) to help senior citizens remain within their own homes?

Yes, a person has to have been a resident of the State of New Hampshire for at least 3 years preceding April 1st and must have a net income from all sources, no greater than \$28,000 for a single person and no greater than 35,000 if married. The individual owns assets of any kind, tangible or intangible, less bonafide encumbrances, and further, excluding the value of his/her residence, no greater than \$100,000. The individual must be at least 65 years old on or before April 1st; and must not have received transfer of the property from a blood relation, or person related by marriage, within 5 years prior to date of application (April 1) An exemption of \$82,300 for residents 65 years of age up to 74, \$122,200 from 75 years of age up to 79, and 163,300 from 80 years of age and older is applied to the assessed value of the property.

Do your Master Plan or land use regulations define affordable and workforce housing? If yes, how are these terms defined?

The Town Documents do not specifically define this type of housing however the Town Master Plan states that the affordable housing available in Town is for families with income at or below 80% of the median income of Derry.

Does your community have an inclusionary housing ordinance or provide bonuses for affordable and workforce housing?

Yes.

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What steps has your community taken to provide and preserve affordable and workforce housing?

The Town Master Plan mentions the town's recognition for the need for affordable housing. The town zoning allows for various housing types and districts.

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A-3 Transportation

Goal

- Promote safe, efficient, accessible, and diverse multi-modal transportation solutions for services and goods.

Specific Assessment Questions:

Do the provisions of the master plan and zoning ordinance encourage a continuous street network? How is the connectivity of new streets ensured?

Yes, section 165-86 of the Zoning Ordinance states that all proposed access roads leading to the excavation site shall intersect existing streets and roads at locations that have been duly approved by appropriate state or local officials, and in a manner that will not endanger the safety of highway users and local residents. The provisions of RSA 249: 13-18 (Highway access) shall be adhered to by the applicant and shall be shown on the excavation plan. Section 170-47 and Section 170-26 of the Land Development Control Regulations states that proper arrangement and coordination of streets within the site in relation to other existing or planned streets or within the features of the official map of the municipality. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relationship to existing or planned streets, to topographic conditions, to public convenience and safety, and their appropriate relation to the proposed use of the land to be served. The arrangement of streets in a proposed subdivision shall in the discretion of the Planning Board provide for the continuation of existing streets in adjoining areas and for the proper projection when adjoining land is developed in the future.

Are cul-de sacs addressed (in the context of the street network of the town) in your regulations? If so, what aspects are regulated?

Yes, 170-26 of the Land Development Control Regulations section Single access cul-de-sac streets shall not contain more than 30 dwelling units, nor be longer than 2000 feet as measured from the centerline of the nearest through street to the centerline radius point of the cul-de-sac. The geometry of proposed cul-de-sacs shall conform with the table of Geometric Standards attached here with Right-of-Way lines at intersection of streets and cul-de-sacs shall be rounded with a curve having a minimum radius of 25 feet. A greater radius may be required and requested by the Planning Board.

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Does the Planning Board permit design waivers for reduced pavement width and the installation of cape-cod curbs?

The Town Documents do not reference Cape-Cod Curbs.

Are dead-end streets permitted and if so, what is the maximum street length allowed?

The Road standards in the Town Land Development Control regulations does not specifically mention dead-end streets, however cul-de-sacs are permitted in Town with a maximum length of 2000 feet.

Does the community's road standards reflect the character and topography of the existing area in terms of slope and sight distance?

Yes.

Do road standards vary depending on anticipated traffic volumes?

Yes.

What is the community's policy for issuing building permits on Class VI roads?

The Town requires the applicant to acquire a variance in order to build on a class VI road.

Has the community considered bicycle or pedestrian transportation on a town-wide scale in the Master Plan or other planning documents?

Yes, the Town Master Plan states that the town wishes to strengthen pedestrian and bicycle access through continued support and development of such efforts as the pathways bike and trail system.

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Do the land use regulations require sidewalks or bicycle paths or other pedestrian paths within new residential or commercial development?

Yes, Section 170-25 of the Town's Land Development Control Regulations states that sidewalks shall be required in a subdivision when the average lot size is less than 43,560 square feet. The sidewalk shall be 5 feet wide minimum with a 6 inch crushed gravel base and a 2 inch binder course overlaid with a 1 inch finish course of hot bituminous pavement. All Sidewalk construction shall conform to the requirements of the ADA. If horizontal separation between curb and sidewalk is proposed, the area between the two shall be grassed. When necessary, in the judgment of the Planning Board, sidewalks and/or rights-of-way for pedestrian travel and access may be required in subdivisions when the average lot size is one acre or larger, between subdivisions, or between a sub-division and public property.

Are trails or other pedestrian connections required or considered between developments in the plan review process?

There is nothing in the regulations or zoning ordinance which provides requirements for development interconnectedness. Pedestrian access requirements within a said development have been established.

Do parking requirements in the community vary by use classification or zoning district? If so, what are they?

Yes, Zoning Ordinance Page 108 Residential Use and multi-unit residential. Off-street parking shall be provided on the basis of one space per bedroom, with a minimum of three spaces being required per dwelling unit. Parking shall be located at the rear of the building, or as otherwise provided in Chapter 170, Land Development Control Regulations, Nonresidential Use. Off street parking shall be provided in accordance with Chapter 170, Land Development Control Regulations.

Does the community permit/ encourage or require sub-compact parking spaces?

No

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Does the community's parking regulations include maximum as well as minimum parking requirements, i.e., setting a limit on the amount of parking allowed?

Yes

Do the community's regulations and transportation planning practices encourage the implementation of traffic calming techniques?

The NH 102 and Londonderry Turnpike traffic circle is a traffic calming technique in that it requires vehicles to slow down in order to pass the traffic circle. The Town has adopted a roadway management program for the purpose of maintaining the roadways in Derry to provide appropriate access for the growing volume of traffic in Town.

Do the community's land use regulations require the submission of traffic impact studies or analyses for new and enlarged developments? If so, when is a study required?

The Land Development Control Regulations do not specifically mention traffic impact studies however studies or investigations from land surveyor's, engineers, architects, attorney's, soils scientists, wetlands scientists, or others with expertise in a particular field are utilized to facilitate the Board's actions on the application. Traffic Impact Studies are referenced in the Planning Board application forms and procedures.

Does your community encourage alternative transportation? If so, is this accomplished through the land use regulations or other means?

Yes, Bike trails, ride sharing, bus for elders. Master Plan, "Derry Diagnostic"
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If transit or other transportation alternatives exist, does your community encourage or allow transit-oriented development?

The Town does encourage transit-oriented development however there is not many examples of this present.

Does the community have access management standards? Are they restricted to a specified area in the community or to specified uses?

The Town Documents do not mention access management standards.

Does the community have a memorandum of understanding with the DOT regarding driveway access on state highways?

Applicants for non-residential and multi-family sites accessed from public streets under the jurisdiction on the New Hampshire Department of Transportation (NHDOT) shall be required to obtain a valid NHDOT driveway permit prior to final approval for such development. In cases where a proposed non-residential or multi-family site is to be accessed from a public street under the jurisdiction of the Town of Derry, the applicant shall be required to obtain a local driveway permit from the Derry Public Works Department prior to issuance of a building permit for such development.

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Theme B: Environmental Protection, Land Use, and Open Space Strengthened protection and expanded access to natural resources and open space

Environmental Protection, Land Use, and Open Space Protection

Goals

- Protect natural resources in harmony with meeting economic needs of the community and the region.
- Protect natural resources and environmental health, including ground water and aquifers, wildlife, and wildlife corridors.
- Establish and conserve an interconnected green infrastructure.
- Ensure convenient and nearby public access to open space, parks, and recreational opportunities.
- Maintain unique and diverse rural character of the community and region by protecting and preserving farm and forestlands.

Specific Assessment Questions: Land Use

Does your Master Plan have a vision chapter and a land use chapter?

Yes, "The Town We Want (Vision)" I-1 and "Land Use and Growth" II-1 in the Master Plan

Has your community updated your Master Plan within the last five years? If not, how old is your plan?

Yes. Last revised December 30, 2002.

In what ways is your zoning ordinance consistent/or not consistent with the recommendations and projected land uses in the Master Plan?

The Zoning Ordinance is for the most part consistent with the Master Plan recommendations. The Planning Board is working on revisions to some parts of the zoning ordinance.

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Does your community's zoning ordinance allow innovative land use techniques as listed in RSA 674:21? If so, which ones?

Growth management ordinance, impact fees, open space subdivision ordinance (pending).

Do the community's land use plans and regulations establish minimum densities to promote efficient use of land?

Yes. _____

Does the community have different land use plans for villages, town center districts, other neighborhoods, and open, less dense rural areas?

Yes, the Master Plan.

Do your community's regulations provide for a range of lot sizes? If so, what are they?

Yes. The lot size varies depending on the zoning district in which that lot exists.

The Central Business District, General Commercial II District, and Office/Medical/Business District all have a minimum lot area for a lot with public sewer set at 30,000 sq. ft. – Without public sewer the lot has a minimum of 1 acre plus 10,000 sq. ft. for each 200 gallons a day of sewer effluent after the first 200 gallons, unless the owner can show proper plans for the disposal of sewer on a smaller lot. The Office/Research and Development District provides a minimum lot size of 3 acres or larger as shall be determined by the "soils based lot size determination" provisions of chapter 170, Land Development Control Regulations. The Neighborhood Commercial District has set forth minimum lot size requirements which shall be the same size as, and in coincident with, a single lot which conforms with the minimum lot size requirements for residential lots in the underlying district. The Manufactured Housing ordinance has set forth provisions for a minimum space requirement of 7,200 square feet. The Industrial District, Industrial District III, IV, V, and VI have a minimum lot size of one acre. The Medium-High Density Residential District has a minimum lot area of 15,000 sq. ft per dwelling unit where municipal water or sewer is available. For Medium-High Density Residential District II, the minimum lot size shall be 15,000 sq. ft where public water or sewer are available. When served by both municipal water and sewer, the minimum lot size shall be 10,000 sq. ft. When served by community water system, the minimum lot size shall be one acre. The medium Density Residential District has a minimum lot size of one acre based on the soil based lot size provisions. The Low-Medium Density Residential District has a

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minimum lot size of 2 acres. The Low Density Residential District has a minimum lot size of three acres and the traditional business overlay district has a minimum lot size of 7,500 feet where public sewer exists. Without public sewer, the minimum lot size in this district is one acre plus 10,000 feet for each 200 gallons per day of sewage effluent after the first 200 gallons per day, unless the owner can show adequate plans for sewage disposal on a smaller lot.

Does your Master Plan and land use regulations encourage higher density development where water, sewer, and other infrastructure currently exist?
Yes.

Does the community's Master Plan encourage, and the zoning ordinance provide, for at least one or more zoning districts that allow a mix of residential and commercial uses?
Yes, Zoning Ordinance Section 165-29, Page 43

Do the community's land use plans encourage traditional neighborhood development or the development of new villages?
Yes, promote/recruit new businesses, new zoning regulations for downtown that allows mixed use, more permitted retail uses etc. adopted new business overlay district.

Does your community's zoning ordinance allow backlots?
NO

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Does your community's zoning and/or development patterns locate nonresidential uses along major roadways or are those uses concentrated at intersections of major roads in a "village" or node?

Yes, according to Map II-1 of the Master Plan, Non-Residential uses are mainly located along the main stretch of road in town, Broadway, with a few scattered commercial uses on the outskirts of town.

Does your community have an historic resources inventory? Historic district(s)? Demolition delay bylaw?

Yes. Derry does not have a historic district. A few buildings included in the National Registrar of Historic Places, however no reference to a historic inventory was found. A resources inventory was done in 1986 with the Master Plan. It is with the Heritage Commission.

Are there any brownfields are located in the community and does the community have any local plans to redevelop them?

Yes. There are 121 potential petroleum contamination sites in Derry and 12 other potential hazardous material contamination sites.

Does the community provide a property tax exemption for alternative energy installations per RSA 72:61-74?

Yes.

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Specific Assessment Questions: Natural Resources

What strategies and actions is the community taking to protect natural areas?

The preservation of open land, including open fields, woods, wetlands, farms, and undisturbed wild areas for creatures is critical to assure that Derry will remain a livable community for the next decade and for the generations of Derry residents to come. During the 1999-2000 master plan process, a group of citizens and local experts worked over a period several weeks to develop an action plan to carry out the open space and recreation priorities that emerged during the initial community visions workshops. The 1995 Master Plan implemented a strategy to maintain existing open spaces around the core centers of development, and to target open space parcels that can contribute to the open space "buffers" around those core centers. As described in the 1995 plan, this strategy can: preserve habitat, floodplains, steep slopes, and wet areas that play critical roles within the natural eco-system that is essential to life as we know it.

Does the community have a Natural Resources Inventory? If yes, when was the last inventory conducted?

There is no specific natural resource inventory, however the provisions set forth in the site plan review process does include an inventory of natural resource features for the said parcel. Open space and conservation regulations in town also help to inventory such resources in Town.

Are there any local boards or commissions active in environmental protection?

Yes, Derry has a Conservation Commission, and a Heritage Commission which are active in environmental preservation and protection.

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Does your community participate in the National Flood Insurance Program?

Yes, Derry does participate in the National Flood Insurance Program.

Does the community's land use regulations prohibit development within the floodplain and if so, how?

No. There is a floodplain development overlay district which has regulations for development within the floodplain district. The proposed structures and buildings must be properly anchored to prevent floatation. Construction materials must be water resistant, and with electrical, heating, ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Do the community's land use regulations require best management practices in its drainage, sedimentation and erosion control measures and if so, what examples are included?

Yes, best management practices are instituted for the erosion and sedimentation control provisions contained in Derry's Land Development Control Regulations. There are no specific examples sited in this document.

Do the regulations require the submittal of drainage calculations and stormwater management plans?

Yes. Section 170-24 of the Land Development Control Regulations states that Drainage calculations shall be prepared and sealed by a licensed professional engineer; the design of proposed drainage improvements shall be shown on a plan.

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Does the community have regulations for erosion and sediment control during construction as well as post-construction?

Yes, the community regulations for erosion and sediment control are in place for post construction as well as during construction.

What storm interval(s) are required for drainage analysis calculations?

Storm drainage systems shall be designated using the storm rerun frequency:

- 1. Multi-family residential, commercial and industrial - 25 year frequency**
- 2. Flood protection facilities - 50 year frequency.**

Has the community adopted a stormwater management ordinance?

No, the town has not adopted a storm-water management ordinance.

Does the community have regulations for gravel excavating operations?

Yes. Article XI of the Zoning Ordinance is titled - Earth Removal Regulations which provides the town's provisions for earth material removal.

Has the community adopted a Wetlands Conservation District?

Yes. As listed in Zoning Ordinance Section 165-75, Page 130.

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Does the community have wetland buffer or setback requirements and if so, what are they?

Yes, area extending 150 feet beyond the boundary of each prime wetlands. Exceptions must not come within 75 feet. Zoning Ordinance Section 165-75, Page 130.

Have prime wetlands been inventoried and mapped within the community? Are there regulations in place protecting prime wetlands?

Yes, in the "Derry Prime Wetlands Report" Zoning Ordinance Page 130. Yes to 2nd Question, "Prime Wetlands Buffer Zone" extending 150 feet beyond boundary of each prime wetlands.

Does the community have an Aquifer Protection Ordinance?

Yes.

What mapping source is the basis of the district?

U.S. Geological Survey

Has the community developed a Wellhead Protection Program and local regulations?

There is nothing in the Town documents regarding a wellhead protection program however the Town Master Plan states that the town has adopted aquifer, wellhead, stream, or other water resource protection controls.

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Does the community have land use regulations in place to protect surface water resources?

Yes.

Does the community have Shoreland or Riparian Buffer regulation in place?

There is nothing in the Town Documents regarding riparian buffer regulations; however there is a wetland overlay district which helps to preserve this type of natural resource in Derry.

Does the community's land use regulations utilize LID¹ performance standards and/or encourage use of environmentally-friendly techniques and materials, such as porous pavement?

No.

Has the community adopted the recommendations found in the Land Conservation Plan for New Hampshire's Coastal Watersheds, the Wildlife Action Plan, or the Natural Services Network? If not, would the community like more information about these plans?

No.

Has the community adopted regulations to protect wildlife or wildlife habitat?

Yes. The wetlands conservation overlay district is in place to prevent development or other uses in wetlands which could damage surface and groundwater, prevent alteration of natural wetlands, create an undisturbed and natural buffer to prime wetlands, and to protect wildlife habitats and maintain ecological balances. The encouragement of open space conservation preserves the larger tracts of land needed for larger species with greater ranges to survive.

¹ LID is "low-impact development", a series or network of stormwater techniques and performance standards that utilize the natural environment to reduce the impacts of development.

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What actions, if any, has the community taken in cooperation with neighboring communities to protect wildlife or wildlife habitat at the regional scale?

The town has developed the Beaver Lake Watershed Plan (currently underway) and has purchased parcels of land designated as wildlife corridors.

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Specific Assessment Questions: Open Space Preservation

Does the community have an Open Space Plan? When was the plan last updated?

Yes, the Master Plan's Open Space and Recreation chapter cites the 1995 Recreation and Open Space plan. Also, during the 1999-2000 Master Plan process, a group of citizens and local experts worked over a period of several weeks to develop a specific action plan to carry out the Open Space and Recreation priorities that emerged during the initial Community visions Workshop. These are reflected in the Implementing Actions section of the Master Plan chapter.

Does the community's Master Plan consider the protection and preservation of wildlife habitats?

Yes, the introduction paragraph of the Open Space and Recreation chapter identifies the preservation of open fields, woodlands, wetlands, and farms. Emphasis is placed on the preservation of farmland and agriculture.

Do the community's zoning districts require a minimum amount of open space in each development?

Yes, zoning districts are regulated by chapter 170 of the town code, Land Development Control Regulations. The town also has a Conservation Corridor Overlay District as well as Wetlands conservation Overlay District. Section 170-64 of the town code enumerates buffering requirements for residential and non-residential, but there are no specific open space requirements.

Do the community's land use regulations require developers to connect open spaces to existing greenways and other open space destinations within the community?

There is nothing in the Land Development Control Regulations regarding open space connectivity.

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Do the community's land use regulations allow/require/or promote conservation subdivisions? Are conservation subdivisions mandatory in any zoning district within the community? If so, what is the acreage requirement? Is a density bonus offered?

No, however, the Planning Board has a subcommittee working on an open space subdivision ordinance.

Does the community's land use regulations require new development to consider existing natural landscape features in the design of the site?

Yes.

What funding mechanisms has the community approved to acquire open space? (For example, bonds, the dedication of current use penalty taxes, capital reserve fund or conservation fund for land protection and acquisition, other mechanisms)?

The purchase of land, current use penalty taxes, funding in the town budget for land acquisition.

If your community dedicates current use penalties for land protection and acquisition, what is the percentage?

100%.

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Does your community have an open space committee and/or an active local land trust?

There is no Open Space committee; however, the Conservation Commission, Heritage Commission, and Planning Board all make decisions that affect open space preservation. Conservation Commission works with regional and private/public land trusts.

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Theme C: Downtown/Village Centers and Community Vitality Vital, diverse, safe, and participatory communities with rural character, vibrant community centers, and a wide range of cultural and recreational resources

C-1 Downtowns and Village Centers

Goals

- Target and support new development and redevelopment of existing downtowns and village centers, reusing built infrastructure, and rehabilitating buildings of historic value.
- Promote walkable downtowns and villages consistent with historic patterns within the community and region.
- Maintain small community New England “feel” with vibrant community centers and main streets, and historic preservation of buildings and landscape.

Specific Assessment Questions:

Does your community have an established traditional compact center or village area? If so, how many are there and what are they commonly named?

The town has a compact downtown that functionally operates as a “pedestrian-oriented village center” as the Master Plan describes it in chapter 3. Central Business District and Traditional Business Overlay District.

Does your community’s zoning support these areas?

Yes, this area is the Central Business District Zoning area which is formed for the purpose of “Encouraging appropriate uses occur within an area of the community where the predominant character has been and will continue to be historical, municipal, cultural, residential, and commercial.” Town code 165-33

Does your community have in place a Village Master Plan or Village Plan Alternative Ordinance?

No.

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Does your community have a policy to locate new public buildings near the community center?

Yes, a new Town hall center was built in the downtown since the 2002 Master plan update. The three non-profit organizations that work to expand Derry's business base also help in this endeavor. These non-profit groups are the Derry Economic Development Corporation (DEDC), Derry Chamber of Commerce, and the Main Street Corporation (not currently funded).

Are there public places that encourage community gathering such as parks, central plains/greens, or community centers?

Yes.

Does your community have an infill development policy² or ordinance in place?

Yes, the Town of Derry developed a Growth Management plan in 1996 and in 1999 the town adopted a Growth Management Ordinance. This ordinance regulates the timing and phasing of major new development proposals.

Are residential uses and mixed uses encouraged or allowed within the central village or traditional downtowns area?

Yes, single family detached dwellings, multi-unit residential, and multi0unit mixed use are allowed per section 165-33 of the town code

² Infill development is defined by EPA as "a strategy for accommodating growth and preventing sprawl through greater density and efficiency in land use development." Examples include rear lot development, redevelopment in existing developed areas, etc.

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Does your community have a sign ordinance? What are its dimensional/ and other key provisions?

Yes, not more than 40 feet off the ground. Scrolling, flashing, changing messages are prohibited. Zoning Ordinance 165-100

Has your community designated scenic roads? If so, how many and what are they named?

Yes. English Range Road and Stark Road.

Does your community have design guidelines for new commercial and residential development? If so, are these guidelines advisory or mandatory?

Yes, the guidelines for new commercial and residential are enumerated in section 170 of the town code: Development Control Regulations

Is the maximum size and scale of new development as permitted in the community's zoning ordinance an appropriate scale for the community?

Yes.

Does your community's ordinance require the installation of street trees and landscaping for new and enlarged developments, both along existing roads and on roads to be constructed?

Yes, in many of the residential and business/commercial zoning districts any new development must have a buffer zone of planted trees to preserve the aesthetic quality of the land for abutters.

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Does your community's ordinance encourage the preservation of existing trees within the right-of-way of existing and proposed roadways?

Yes.

Does your community's ordinances preserve and enhance stone walls, both along the rights-of-way of roadways and across the landscape? If so, what ordinances are used to accomplish this?

No, the only mention of stone walls in the zoning ordinance is in the Earth Removal Regulations section, and only to identify the location and extent of stone walls as a part of permit Application.

C-2 Vibrant Communities

Goals

- Support and encourage safe and diverse communities with a wide range of cultural and recreational resources.
- Foster an atmosphere wherein community members are actively involved and participate in civic life in their communities.

Specific Assessment Questions:

Are the citizens within your community active in community planning and growth initiatives?

Yes.

To what extent are community residents and business owners aware of your community's Master Plan?

Public notices and meetings. Cable television, newspapers, libraries. Town webpage.

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How does your community encourage public involvement and recruit new board members?

Yes. Also see above.

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Theme D: Local Economy

Strengthened economic, business, and agricultural development that provides local employment and livable wages

D-1 Economic Vitality and Business Development

Goals

- Support sustainable and balanced economic growth and tax base.
- Support broad-based business development that provides local employment and livable wages.

Specific Assessment Questions:

Does your community have an economic development plan?

Chapter three of the Town Master Plan is the Economic Development chapter which describes the present past and future economic trends for Derry and all aspects of the economic presence in Town.

Does your community participate in the Main Street program?

Not currently. We are a member but the program is not currently funded.

Where does your Master Plan anticipate or specify new nonresidential development to take place?

Central Business District. Commercial and Industrial zones.

Where is most of your community's new commercial or industrial growth occurring?

Downtown, Central Business District, along Rt. 102, 28, 111, Tsienneto Road, Birch Street, Ash Street, Manchester Road, Crystal Ave.

Is residential development permitted in retail or commercial areas?

Yes.

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Does the community provide tax incentives for businesses to locate in the community center or other priority areas, e.g. RSA 79E tax relief for downtown improvements?

No. _____

Does the community provide regulatory relief for businesses that locate in the community center?

Yes. _____

Has the community identified anchors (such as a post office or municipal building) which could be used to spur economic activity within the community center?

Yes. _____

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D-2 Agriculture and Rural Working Landscapes

Goals

- Strengthen local agriculture and forestry by supporting related infrastructure and economic systems.

Specific Assessment Questions:

What strategies for protecting farmland are in your Master Plan?

The preservation of farmland and agricultural activity has emerged as a major priority in Derry's planning processes. Derry supports local agriculture through participation in a current use taxation policy. An expanded program of support for preserving agriculture and farmland is outlined in the implementing actions section of this Master Plan section. This section states that the encouragement of local food production and support of local agricultural activities through farmland preservation is to be implemented. Seeking the lowest tax rate for agriculture is encouraged, as well as seeking donations or acquisition of development rights through conservation easements on agricultural land and land with prime agricultural soils that prohibits development but allows agricultural activity. Encourage organic agriculture that uses no chemicals, and other agriculture that follows best management practices that minimize use of chemicals, odors, noise, and dust. Consider creating an agricultural district, comprised of existing working farm lands, that gives preference to agricultural preservation. Consider a right-to-farm ordinance that lends protection to farmers that use organic farming methods or best management practices.

How does the community's Master Plan and zoning ordinance define agriculture?

AGRICULTURE – any area of land, including structures thereon, that is used for agricultural purposes, including forestry. This includes the raising of cows, horses, poultry, and other livestock; horticulture and orchards; logging of a forest, woodland, or plantation; selling of products primarily grown or raised directly on such land; and the building, altering or maintaining of woods roads, agricultural roads, skidways, landings, fences, drainage systems, and farm ponds. Zoning Ordinance 165-5, Page 11

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Does the zoning ordinance protect lands appropriate for agriculture and forestry with a substantial minimum lot size that discourages single-family tract housing and preserves large sites for forestry or agricultural uses?

No. _____

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Does the community map the location of farms and prime agricultural soils?

No, the Town documents do not map prime agricultural soils.

Do the ordinances require HISS³ mapping or county soils where on-site septic systems are required?

Yes. Section 170-61 of the Land Development Control Regulations states that High Intensity Soil Survey mapping shall be prepared, shown on a plan, and shall be sealed by a certified soil scientist.

Does your community have an Agricultural Inventory?

No.

Do your community's ordinances require the mapping of prime soils for agricultural in development proposals?

Yes.

Does your community have any districts that are restricted for agricultural uses only?

No.

³ HISS stands for high intensity soils mapping, a site-specific requirements for soils analysis.

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Does your community have an agriculture commission?

No, the Town has a conservation commission and a heritage commission.

Does your community reference the right-to-farm law in its zoning ordinance?

No, this law is not referenced in the Zoning Ordinance.

Other possible questions to ask the audience during the presentation of results—

How much do you know about CTAP? Would you like to know more?

What planning tools would be helpful to your community?

What did you think of this survey, and how do you think the town could use this ~~informatio~~information