

Ordinance 97-6 Introduced: 05/05/97

Second Read: 06/02/97

Adopted: 06/16/97

*AN AMENDMENT TO THE ZONING ORDINANCE
RELATING TO*

COMMERCIAL PERFORMANCE STANDARDS

WHEREAS the Londonderry Town Charter provides for timely amendments to the Zoning Ordinance through Council action; and,

WHEREAS the Town Council and Planning Board members wish to amend Section VII - Commercial Performance Standards to reflect the proposed amendment; and,

WHEREAS the Londonderry Planning Board voted unanimously on April 16, 1997 to recommend that the Londonderry Town Council adopt the proposed Zoning Ordinance amendments in accordance with the Town Charter,

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Zoning Ordinance is amended as hereafter set forth.

Daniel J. Vecchione
Chairman - Londonderry Town Council

A TRUE COPY ATTEST:

06/16/97

Joan M. Savina
Town Clerk

Amend the Zoning Ordinance by adding:

Amend SECTION VII—COMMERCIAL DISTRICT as follows:

K. Performance Standards

It is the intent of these regulations to prevent land or buildings, including those permitted by right or special exception, from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive or other hazardous condition; noise or vibration; smoke, dust, odor or other form of air pollution; electrical or other disturbance; glare or heat; liquid or solid refuse or wastes; conditions conducive to the breeding of rodents or insects; or other substances or conditions in a manner or amount as to adversely affect the surrounding area.

1. Vibration - No vibration shall be produced which is transmitted through the ground and is discernable without the aid of instruments at or at any point beyond the lot line.
2. Noise

All noise, except that generated by normal automobile, truck or railroad service shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. At property lines, noise may not exceed a maximum level of 75 decibels.
3. Air Pollution
 - a. Visible Emissions - There shall not be discharged into the atmosphere from any source any air pollutant in excess of the darkness limitation listed below. Visible emissions of any kind at ground level past the lot line of the property on which the source of the emissions is located are prohibited.
 - b. Smoke and Air Contaminants
 - (1) Smoke shall be regulated by the Ringlemann Chart method and limited to a maximum No. 2 Ringlemann for periods totaling four (4) minutes in any thirty (30) minute period and No. 3 Ringlemann for periods totaling (3) three in any fifteen (15) minutes when starting a new fire.
 - (2) At property lines, dust, dirt and fly ash shall not exceed 0.3 grains per cubic foot of flue gas at a stack temperature of 500°F and shall not exceed fifty (50) percent excess air and in no manner be unclean, destructive, unhealthful, hazardous nor shall visibility be impaired by the emission of a haze which unduly impedes vision within apparent opaqueness equivalent to No. 2 of the Ringlemann Chart.

Approved by Londonderry Planning Board - 4/16/97:

Amend the Zoning Ordinance by adding:

Amend SECTION VII—COMMERCIAL DISTRICT as follows:

K. Performance Standards (Cont'd)

3. Air Pollution (Cont'd)

b. Smoke and Air Contaminants (Cont'd)

(3) There shall be no emission of an air contaminant from a manufacturing process or its equipment if the emitted contaminant as measured in the flue contains sulfur dioxide of more than 2000 parts per million.

(4) The construction, reconstruction, installation or substantial alteration of incinerators is prohibited unless detailed plans and specifications have been submitted to, and approved by the State of New Hampshire Air Pollution Control Agency.

c. Material Handling - No person shall cause or permit any materials to be handled, transported or stored in a manner which allows or may allow particulate matter to become airborne.

4. Odors - Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped or so modified as to remove the odor.

5. Glare and Heat - No direct or sky reflected glare from high temperature processes such as combustion or welding or otherwise, so as to be visible at the lot line shall be permitted.

6. Harmful Interference - As defined in the Federal Communications Commission's rules as amended, harmful interference is prohibited and, if caused, shall be immediately eliminated.

7. Sewerage and Waste Disposal:

a. All industrial operations will be subject to the Londonderry Industrial Pretreatment Program which will ensure that all liquid waste meet federal, state, and local regulations prior to disposal into a municipal sewer system.

b. No waste material or refuse shall be dumped upon or permitted to remain upon any part of any property outside of the building constructed thereon.

c. All hazardous or toxic solid wastes generated by any industrial process will be disposed of in accordance with guidelines established in the Londonderry Industrial Pretreatment Program.

Amend the Zoning Ordinance by adding:

Amend SECTION VII—COMMERCIAL DISTRICT as follows: (Cont'd)

703 General Standards (Cont'd)

K. Performance Standards (Cont'd)

3. Air Pollution (Cont'd)

c. Material Handling

No person shall cause or permit any materials to be handled, transported, or stored in a manner which allows or may allow particulate matter to become airborne.

4. Odors

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped or so modified as to remove the odor.

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