



New Hampshire Council on Resources and Development  
NH Office of Planning and Development  
100 N Main St., Concord, NH 03301

**CORD MEMORANDUM**

**TO:** Lou Barker, Railroad Planner, NH DOT Bureau of Rail and Transit

**FROM:** Stephanie N. Verdile, Principal Planner *SN*  
NH Office of Planning and Development

**DATE:** June 28, 2022

**Re:** **2021 SLR 006 (Londonderry)**  
**Request from the NH Bureau of Rail and Transit to lease approximately 40,000 sq ft of railroad line in the Town of Londonderry to an abutter for the storage of landscape materials.**

On June 23, 2022, the Council on Resources and Development (CORD) voted to recommend approval of the above referenced Surplus Land Review Application #2021 SLR-006, with the following conditions:

- Per NH Division of Historical Resources-Since the property is part of the National Register-listed Manchester and Lawrence Railroad, NHDHR recommends flagging of extent of railroad features prior to any construction of new storage units to avoid inadvertent impact to this resource.
- Per the NH Department of Transportation, Bureau of Rail and Transit-The Bureau is willing to enter into a lease of the described area (encroachment) at the edge of the railroad corridor provided that the lessee delineate, screen, and maintain any improvements and separation from trail users. The lease will also include a termination clause and a requirement to remove any improvements in the event the area is needed in the future for railroad operations.
- Per the Town of Londonderry-
  - The site at 3 Commercial Lane has several items cluttering and encroaching into the right of way. The land on which these items currently sit is ultimately leased to the owner, this issue may become moot as to whether there is an

encroachment. The owner should be directed to consult with the Londonderry Planning Department to ensure that the placement of these items in this area (and the owner's use) is not prohibited under the Zoning Ordinance and Site Plan Regulations.

- 2) Similarly, the proposed lease at 4 Commercial Lane would rectify the encroachment onto the abutting parcel. In all other respects, the owner should be informed it will be expected to comply with all legal, zoning, site plan, and other applicable requirements. Specifically, an amended site plan and at least two variances or a rezoning petition will be required for the owner to continue its current use. Lastly, were the lease to terminate, the encroachment issue would resurface. The ZBA and Planning Boards will be advised to condition any approvals upon the proposed lease continuing in effect. Of course, there are no guarantees what the outcome will be of the ZBA and Planning Board processes, and Town staff, including myself, will advise these boards as we determine to be appropriate.
- 3) Please be advised that Londonderry Trailways' position is that the lease at 3 Commercial Lane should be approved on condition that the currently-encroaching area be decluttered. It recommends releasing 4 Commercial Lane with no conditions. Anything concerning Trailways' position should be directed to their President, Bob Rimol, at [bobrimol@gmail.com](mailto:bobrimol@gmail.com).
- 4) I note the documentation indicates there are no wetlands, no increase in impervious surface and no potential stormwater flow changes on the property or adjacent property. The Town believes the rail trail property and adjacent property (Groundhog) does have those environmental considerations that will need to be addressed as part of the Site Plan review by the Planning Board.

Cc via email: Taylor Caswell, Commissioner, NH Dept of Business and Economic Affairs and Chair, Council on Resources and Development [Taylor.Caswell@livefree.nh.gov](mailto:Taylor.Caswell@livefree.nh.gov)  
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