



Londonderry Conservation Commission
Tuesday, July 26, 2011
Minutes
Page 1 of 3

1 Present: Deb Lievens, Gene Harrington, Ben LaBrecque, and M. Speltz

2

3 D. Lievens called the meeting to order at 7:30 PM. She appointed M. Speltz to vote for Truda Bloom.

4

5 Shoppes at Londonderry, 15-51 & 59- Brad Mezquita of Appledore Engineering returned with Luke
6 Hurley of Gove Environmental Engineering to present a clarified version of the plan shown at the July
7 12 meeting. The updated exhibit differentiated more clearly between temporary and permanent
8 buffer disturbances, showing a total of 5,700 square feet of permanent and 43,500 sf of temporary
9 impacts along the length of the buffer. Grading for the berms of the proposed stormwater ponds is the
10 reason for the temporary impacts while paving will cause the permanent intrusion. B. Mezquita noted
11 that the 50,850 sf of stormwater wetland areas, all of which are outside of the buffer, is greater than
12 the combined total of the temporary and permanent buffer impacts. M. Speltz argued that temporary
13 impacts are not temporary in the sense that they are permanently changing the topography of the
14 buffer. He also confirmed that no woody vegetation with significant root systems would be permitted
15 to grow in the stormwater wetland areas.

16 M. Speltz asked if the functional values being lost in the existing wetland because of the
17 disturbance to the buffer is equal to or less than the functional values of the created wetlands. L.
18 Hurley stated it would be equal because of the man made detention and infiltration capabilities. That
19 aside, Commissioners expressed concern over the spirit of the Conservation Overlay District ordinance
20 being violated by a project proposing disturbance along the entire length of the buffer (as opposed to a
21 more perpendicular impact). M. Speltz stated that the intent of the ordinance is to avoid the buffer
22 whereas this proposal consumes it. It was suggested that the buildings be manipulated in such a way
23 as to remove the impact, although B. Mezquita stated it would not be cost effective for the project to
24 reduce the size of the buildings and/or parking. Creating two-story structures would not be feasible,
25 he said, in terms of engineering or attracting tenants. M. Speltz noted the criteria in the Conditional
26 Use Permit application, which states that financial consideration cannot be the sole justification for
27 buffer impacts. He suggested to B. Mezquita that he thoroughly read the COD ordinance, along with
28 the criteria for the CUP and try to establish some other justification for the degree of impact. The
29 representatives will return to the August 9 meeting with their CUP request.

30 Regarding the Dredge and Fill application for 9,990 sf of wetland impacts, **G. Harrington made a**
31 **motion to authorize the Chair to send a letter to the Wetlands Bureau stating that the LCC has no**
32 **objections to the D+F application. M. Speltz seconded. The motion was approved, 4-0-0.**

33 Concerns expressed in the Design Review Committee comments were also revisited. The day
34 lilies originally proposed for the rain garden have been replaced with a variety of more appropriate
35 native plantings. In addition, the pear tree species chosen for the site is a hardy variety, something D.
36 Lievens had asked L. Hurley to confirm.

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Londonderry Conservation Commission
Tuesday, July 26, 2011
Minutes
Page 2 of 3

38 Merrill easement- At the June 6 Town Council meeting, this proposed easement on map and lot 17-10
39 was presented for their approval. It was continued again to the August 8 meeting, before which the
40 Open Space Task Force's report was expected to be available. The report, which supports the
41 purchase, will be presented to the Council in August. In order to give the Council enough time to
42 consider the report before voting on the acquisition, M. Speltz suggested recommending to the Town
43 Manager to postpone again until September. He asked D. Lievens to see if the Merrills are amenable
44 to waiting until then. In the meantime, the Open Space Task Force had authorized a letter be written
45 by the Chair to the Council, recommending the easement purchase as it is part of the Open Space Plan.

46
47 ARM grant- The final step in this project is to record the easement, of which the Department of
48 Environmental Services will be the executory interest holder. Once DES signs the easement document,
49 it can be recorded with the Registry of Deeds.

50
51 Sunnycrest Phase I- In assigning this easement over to the Rockingham County Conservation District, a
52 baseline report will be needed. D. Lievens will contact both RCCD and Chris Kane to obtain quotes.

53
54 Ingersoll- **D. Lievens entertained a motion to authorize the Chair to expend an amount not to exceed**
55 **\$600 from the line item budget to hire the Rockingham County Conservation District to perform the**
56 **annual monitoring duties of the Ingersoll easement. G. Harrington so moved. M. Speltz seconded.**
57 **The motion was approved, 4-0-0.** M. Speltz stated they might find some issues of intrusion onto the
58 easement and the destruction of stonewalls, something which the Society for the Protection of New
59 Hampshire Forests and, if necessary, the Londonderry Police Department will be working to resolve.

60
61 July 12, 2011 minutes- **M. Speltz made a motion to approve the minutes of the July 12, 2011 public**
62 **session as written. B. LaBrecque seconded. The motion was approved, 4-0-0.**

63 **G. Harrington made a motion to approve the minutes of the July 12, 2011 non-public session**
64 **as drafted. M. Speltz seconded. The motion was approved, 4-0-0.**

65
66 DES grant- The Department of Environmental Services recently made a request for proposals from
67 towns affected by the widening of I-93 for a 25% matching grant (see attached). Three million dollars
68 was to be awarded over a six-year period, but now DES will be awarding all the grant monies in 2011.
69 This means that they will be looking for \$12 million worth of projects from these towns, which includes
70 a large portion of Londonderry. Before the timetable changed, it was thought that since the towns in
71 which the Massabesic watershed lies would have priority, applying for a grant would not be a
72 worthwhile effort. Since \$12 million worth of projects will expand the scope beyond the Massabesic
73 watershed, M. Speltz urged the LCC to find a project and submit an application. September 1 is the
74 deadline for the eligibility application. Later in the evening, a non-public session was held to discuss
75 possibilities.



Londonderry Conservation Commission
Tuesday, July 26, 2011
Minutes
Page 3 of 3

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77 DRC- Londonderry Commons - Building G site plan, 10-1-2-

78 Comments: Please remove snow storage from the buffer adjacent to the wetland to the NNE.
79 Who created the "approved planting list" for shrubs? Please provide a reference.

80

81 **G. Harrington made a motion to go into Non-Public Session per RSA 91-A:3 for the purpose of**
82 **discussing possible land acquisition per RSA 91-A:3. M. Speltz seconded.**

83

84 **Roll call vote: Aye, Gene Harrington; Aye, Ben LaBrecque; Aye, Mike Speltz; Aye, Deb Lievens**

85

86 **M. Speltz made a motion to go out of Non-Public Session. G. Harrington seconded. The motion was**
87 **approved, 4-0-0.**

88

89 **M. Speltz made a motion to seal the minutes of the Non-Public Session indefinitely. G. Harrington**
90 **seconded. The motion was approved, 4-0-0.**

91

92 **G. Harrington made a motion to adjourn the meeting. B. LaBrecque seconded. The motion was**
93 **approved, 4-0-0. The meeting adjourned at 8:55 PM.**

94

95 Respectfully submitted,

96

97





98

99 Jaye Trottier

100 Secretary

**Areas Eligible for Grants for
Water Supply Land Protection
Under DOT I-93 Mitigation**



Eligible Areas

-  Massabesic Lake Watershed
-  Other Water Supply Watersheds
-  Well Head Protection Areas
-  Future Water Supply Sources

Ineligible Areas

-  Ineligible Areas

Other

-  Interstate Highways
-  Town Boundary



New Hampshire Department of Environmental Services
Watershed Management Bureau
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

*Note: Favorable Gravel Well Areas have the potential for municipal wells pumping at a rate of 75 gpm, or greater after removing areas that are unfavorable due to quality and yield considerations.



0 1 2 4 6 8 Miles

New Hampshire State Plane
North American Datum 1983

Map Prepared March 29, 2011

