



Londonderry Conservation Commission
Tuesday, February 09, 2010
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1 **Present: Deb Lievens (late), Gene Harrington, Mike Considine, Ken Henault, Truda Bloom, Ben**
2 **LaBrecque and Mike Speltz.**

3
4 Vice Chair G. Harrington called the meeting to order at 7:30. He appointed M. Speltz to vote for Paul
5 Nickerson.

6
7 January 26, 2010 minutes- The following amendments were suggested to the minutes of the public
8 session of the January 26, 2010 meeting:

- 9 1. Line 33; replace “not be vastly different from” with “be closer to” (D. Lievens).
- 10 2. Line 34; replace “at their highest use” with “with any premium” (D. Lievens).
- 11 3. Lines 38-39 replace “not only for having the lowest bid but also for being highly reputable.
12 In 2009, they were voted Logging Contractor of the Year by the Timberland Owners
13 Association” with “for having the highest bid. In addition, they are highly reputable. They
14 were voted the Logging Contractor of the Year by the Timberland Owners Association in
15 2009.” (D. Lievens).
- 16 4. Line 41, erroneous acronym “MHP” should be “MFP” (T. Bloom).

17 **M. Considine made a motion to approve the minutes of the January 26, 2010 public**
18 **session as amended. B. LaBrecque seconded. The motion was approved, 4-0-2 with T. Bloom**
19 **and M. Speltz abstaining as they had not attended the meeting.**

20
21 D. Lievens arrived and took over as Chair of the meeting.

22
23 Kake Preserve, LLC (14-29-10) CUP- Todd Connors of Sublime Civil Consultants and Damon Burt
24 of Fraggle Rock Environmental Services presented a Conditional Use Permit request for new
25 construction on map and lot 14-29-10. In May of 2009, the LCC voted to support the Dredge and Fill
26 application for this project that was later approved by the Department of Environmental Services (see
27 May 26, 2009 minutes; “Aviation Park Drive D+F”).

28 T. Connors reviewed much of the same information he originally presented about the proposed
29 14,400 square foot building designed for a landscape contractor and nine future tenants. He noted
30 again that an additional 2,200 sf of building and the 37 parking spaces on the western side of the lot are
31 components of “Phase II” and will only be constructed if they are needed. He also reminded the LCC
32 that the reason for the amount of paved area behind the building is due to the spaced need for the
33 loading and outside storage associated with a landscaping business.

34 A CUP will be needed for a drainage outlet from the stormwater detention/treatment pond
35 located east of the building. The resulting impact into the Conservation Overlay District buffer of the
36 easternmost wetland would total 1,025 sf. T. Connors explained that other scenarios were considered
37 to pull the outlet out of the buffer but the resulting volume issues with the pond produced greater
38 buffer intrusion.

39 D. Lievens inquired as to why T. Connors used Form B to apply for a “buffer reduction” when
40 Form A would be appropriate to request a CUP for a permitted use such as a drainage structure. He
41 replied that the Town Planner had directed him to use Form B. The consensus of the LCC was that
42 Form A should be used to avoid a linear reduction of the entire buffer. D. Lievens will speak with the
43 Town Planner.

44 Amongst the list of short and long-term Best Management Practices planned for the site is a
45 gas/oil separator in one of the catch basins behind the building. The paved area there is designed with
46 a pitch to the back that, along with a stockade fence, will help keep landscaping material debris from
47 entering the adjacent wetland to the north. A maintenance manual has been prepared per DES



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48 requirements, although M. Speltz expressed concern about enforcement. The amount of debris
49 associated with this use, he stated, makes regular maintenance particularly important (see DRC
50 comments below). T. Connors noted that if the gas/oil separator is blocked by sediment, the owner
51 would be inclined to resolve the issue because water and others fluids would eventually begin to pool
52 on the pavement of the loading/storage area.

53 Permeable pavement is still a possibility for the western parking area if it is indeed constructed,
54 although not for the loading/storage area as it cannot sufficiently support the weight of the vehicles
55 used there. DES would accept permeable pavement in the overall drainage calculations but Town
56 standards still dictate that the western detention pond be built when the parking is. T. Connors
57 indicated that the Town is currently working to conform their standards to those of DES. The
58 applicant is anticipating that by the time that parking becomes necessary, this will no longer be an
59 issue.

60 Nine dumpster pads are identified in the loading area, although like the aforementioned
61 parking, it is unknown if all nine will be needed. The applicant felt it would be prudent to ask the
62 Planning Board to approve all nine now to avoid the time and expense of returning to request them
63 after the fact. G. Harrington asked if the three closest to the northern wetland could be installed last
64 and then if possible, be foregone altogether. T. Connors replied that he could note that preference on
65 the site plan.

66 As explained in May, roof runoff will be collected separately since it is not contaminated as
67 pavement runoff is. D. Lievens asked if it would then be put to use once it has accumulated. T.
68 Connors replied that although he found it would not be usable for groundwater recharge, the applicant
69 is considering its usefulness in the landscaping business (e.g. for hydroseeding). G. Harrington
70 inquired about there only being one area designated for snow storage. T. Connors explained that after
71 snow banks along the perimeter of the site have reached a certain height, an excavator will bring it to
72 that spot on the western edge, north of Phase II parking.

73 D. Burt said that Fish and Game will be overseeing much of the project as a condition of the
74 D+F permit. The two wetlands have been designated as “wildlife enhancement and management
75 areas” (see attached plan) while the COD buffer acts as the “block transplant area.” The latter will be
76 comprised of shrubby vegetation relocated from parts of the lot to be developed. This will preserve
77 wildlife habitat, particularly for the New England Cottontail that prefers dense brush. (These rabbits
78 are on the State’s endangered species list and have been sited in the area at Stonyfield Yogurt). D.
79 Lievens asked whether any invasive plant species have been identified on the site. D. Burt was not
80 aware of any at this point. She pledged the support of the LCC for proper removal and disposal if any
81 are found. The habitat management plan is a work in progress and may take some time to finish, but
82 D. Burt said it will be completed under the supervision of F&G.

83 **Following further discussion, K. Henault made a motion to authorize the Chair to**
84 **recommend approval of Conditional Use Permit Form A to the Planning Board once submitted**
85 **by the applicant, subject to it being substantially the same as this presentation of Form B. G.**
86 **Harrington seconded. The motion was approved, 7-0-0.**
87

88 Kake Preserve, LLC (14-29-10) DRC- The following comments were based on the above discussion
89 with T. Connors:

- 90 1. Dumpsters; Reduce number if possible and build the three in back last.
- 91 2. Management plan; Encourage a method of ensuring compliance over the long term.

92



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93 Aquatic Resource Mitigation Fund- M. Speltz has forwarded to DES both the draft easement as well
94 as the draft project agreement for the wetland restoration plan on map and lot 6-113. Lori Summers of
95 DES will contact the LCC once she has reviewed them.

96
97 Mack- D. Lievens provided an update on the work being done to fulfill the requirements of the Farm
98 and Ranchland Protection Program grant to be used towards the purchase of a conservation easement
99 on map and lot 10-15.

100 At the January 26 meeting, a consensus was reached to have D. Lievens obtain quotes from
101 local engineers for the required survey and monumentation. She verified first that the Macks do not
102 already have a proper survey and inquired as to whether they would be willing to split the cost.
103 Benchmark Engineering gave a quote of \$7,500 for a survey without monumentation while CLD
104 Consulting Engineers would include monuments at a cost of \$8,500. Andy Mack Sr. questioned those
105 bid amounts. D. Lievens is waiting for a reply from a third engineer.

106 M. Speltz has received approval from the Rockingham County Conservation District of the
107 draft easement he developed. Approvals from FRPP and A. Mack Sr. will also be needed and M.
108 Speltz said he will probably submit to FRPP next.

109 The title search has been completed without discovery of any concerns or issues.

110
111 Land Use Change Tax- A citizen's petition was submitted that requests an article be inserted into the
112 warrant for Town Meeting "to see if the Town will vote...to place twenty percent of revenues received
113 from the LUCT in the Conservation Fund; currently, one hundred percent...are placed in the
114 Conservation Fund." D. Lievens shared a draft of a pamphlet she developed to be handed out at
115 Musquash Field Day. She designed it to inform the public without advocating a specific opinion.
116 Commissioners made recommendations and suggestions and D. Lievens will make the appropriate
117 updates. Other methods of disseminating the information before Town Meeting were discussed. It
118 was agreed that the priority is to urge people to attend Town Meeting.

119
120 Musquash Field Day - LCC members continued making plans for this February 13 event (see January
121 12 and 26 minutes). D. Lievens verified that the County Forester will be attending. M. Considine
122 reported that the kiosk at the Hickory Hill entrance has been repaired. Eastern Mountain Sports has
123 provided 15 pairs of snowshoes but those lent out in the past by the Middle School are too worn to be
124 of any use. He also said that ice may be an issue if the temperature remains cold and more snow does
125 not fall before the weekend. D. Lievens said that if it were a safety issue, the event would be
126 cancelled.

127
128 **T. Bloom made a motion to adjourn the meeting at 9:25 PM. G. Harrington seconded. The**
129 **motion was approved, 7-0-0.**

130
131 Respectfully submitted,

132
133
134 Jaye Trottier
135 Secretary