



**Londonderry Conservation Commission**

**Tuesday, April 27, 2010**

**Minutes**

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1 **Present: Deb Lievens, Gene Harrington and Ben LaBrecque**

2  
3 D. Lievens called the meeting to order at 7:33.

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

8 The Natural Resources Conservation Service is still reviewing the revised draft easement, which  
9 reflects the change from a two-lot withdrawal to one lot and no subdivision. The hazardous materials  
10 inspection has been scheduled, although D. Lievens did not believe it had been performed yet. The title  
11 search has been completed. Moosehill Orchards, Inc. is responsible for completing the conservation plan  
12 and executing the baseline documentation, the latter of which the LCC may be involved with as well. The  
13 appraisal and subsequent survey are the two remaining items on the NRCS checklist to be completed.

14  
15 Aquatic Resource Mitigation Fund- At the last meeting, the LCC discussed the potential need to send the  
16 abutters of map and lot 6-113 a letter in the event the Governor's Council approves the ARM grant being  
17 presented to them at their May 12 meeting. If accepted, the Town will receive the grant funds from the  
18 Department of Environmental Services and can begin the actual wetlands restoration. The letter would  
19 not only inform the abutters of the impending survey/work to be done but also the possible need to request  
20 entry through one of their properties. Access currently exists via a Town right of way on Abbey Road as  
21 well as the Sunnycrest Orchard, however, the recent wet weather may make private property the only  
22 option.

23 Town staff composed a letter which was reviewed. D. Lievens' input on the letter prior to the  
24 meeting had included the statement that no trails or recreation areas are intended. She has since learned  
25 that trails would be allowed. The letter was amended to include that possibility and will be reviewed  
26 again at the next meeting when more Commissioners are present.

27  
28 Non-public minutes- Since a quorum was not present, the annual review of the non-public minutes will  
29 be revisited at the next meeting.

30  
31 Musquash parking at Hickory Hill- Mike Considine had inquired at the last meeting about the possibility  
32 of creating a parking area at the Hickory Hill Road entrance to the Musquash because of the increase in  
33 visitors to that conservation area. PSNH owns the land at that entrance and Commissioners tried to recall  
34 specifics when the issue was brought up several years ago. Since that meeting, minutes from two  
35 meetings in 2007 were found which show that PSNH may have been receptive if more specifics were  
36 provided. Since M. Considine was not present at this meeting, it was decided to wait until he was in  
37 attendance to discuss the issue.

38  
39 Brookview residents- Carmen Zavorotny of 16 Brookview Drive presented to the LCC on behalf of her  
40 neighbors at 17, 18 and 19 Brookview who have dealt with ongoing flooding which is a problem for the  
41 entire development but is especially severe at the cul de sac. Beaver Brook and Black Brook converge at  
42 this location and have caused flooding issues for Brookview Drive residents since it was built in the late  
43 1970's. It is C. Zavorotny's opinion that the development over the past ten years along Route 102  
44 (including but not limited to the Elliot, Home Depot, the Nevins, the Captain's Shoppes and Hannaford),  
45 has occupied a large portion of the flood storage for those brooks and therefore exacerbated the issue.

46 The residents have repeatedly looked for sources of assistance, including the Town Council and  
47 the Governor. It was suggested to them by the Town Manager to ask the LCC for their opinion about



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48 purchasing those four lots at the cul de sac with open space funds so the area can be used to help alleviate  
49 the flooding for the rest of the street. C. Zavorotny suggested it could be in keeping with LCC's ongoing  
50 goal to protect open space and to protect watersheds such as the Black Brook. She provided pictures of  
51 flooding incidents from 2004 to the present. G. Harrington asked if it had been calculated as to how much  
52 flood storage would be generated if those houses on the cul de sac were removed. C. Zavorotny did not  
53 know but stated the Fire Chief had not seemed optimistic that it would make much of a difference. G.  
54 Harrington said that based on his experience with the flow of Beaver Brook, he had the same opinion.

55 The Town is in the process of trying to obtain a FEMA grant to cover 90% of the cost of an  
56 elevation project to raise the houses themselves. (A Homeland Security liaison for FEMA indicated to C.  
57 Zavorotny that a grant to purchase her home outright would not be feasible because their losses have not  
58 met FEMA standards to qualify). Even if the elevation grant is obtained, the Zavorotny family will not be  
59 able to leave their house during a flood. She explained that lifting the road itself would create issues with  
60 the National Flood Insurance Program, as they do not allow adding fill to a flood plain.

61 D. Lievens explained that currently Open Space funds are available, although they are  
62 limited and most are committed to a project that may soon be finalized. She also relayed concerns of  
63 other Commissioners about a precedent being set along with questions about how such a purchase could  
64 be justified under the charge of the Open Space plan. C. Zavorotny replied that even buying one or two of  
65 the lots could be helpful and offered that the homeowners would be open to any suggestions they LCC  
66 may have. G. Harrington noted that the property had been brought up in the past as a possible project for  
67 an Aquatic Resource Mitigation Fund grant from DES. Those grant monies would only apply to the  
68 purchase of the land and/or removal of the section of road and not the structures. If the four lots are  
69 purchased by some entity, the cul de sac may not even be removed if the Town retains it as a turning  
70 radius for school buses, trash vehicles, etc. G. Harrington noted that it is not even known if that point is  
71 where absorption would take place. D. Lievens said the LCC would discuss the issues again at their next  
72 meeting.

73  
74 DRC- Manning subdivision; 3-185:

75 Comments: If the building setbacks are based on the Conservation Overlay District, they  
76 should be marked.

77  
78 April 13, 2010 minutes- These minutes will be reviewed at the next meeting, as a quorum was not present  
79 to approve them.

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81 The meeting adjourned at 8:20.

82  
83 Respectfully submitted,

84  
85  
86  
87 Jaye Trottier  
88 Secretary