



**Londonderry Conservation Commission**

**Tuesday, March 10, 2009**

**Minutes**

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**Present: Deb Lievens, Gene Harrington, Mike Considine, Ken Henault, Paul Nickerson, Truda Bloom, Ben LaBrecque, Mike Speltz (late) and Mark Oswald (late)**

**Also present: Brian Farmer, Town Council Liaison (late)**

Call to order; 7:30 P.M.

DRC- 1) Barbato subdivision, 3-138A  
Comments: No soil scientist or wetland scientist stamp on plan. (Put in deed that a no-cut zone is posted).

M. Speltz arrived during the above DRC review.

NE Cottontail habitat management- Emma Carcagno, a Program Assistant for Wildlife with the University of New Hampshire Cooperative Extension, was present to discuss an outreach program designed to educate landowners on habitat management for the New England Cottontail rabbit. This species is currently on the NH endangered species list and is a candidate for federal listing. A partnership has consequently developed between the Cooperative Extension, New Hampshire Fish and Game, U.S. Fish and Wildlife and the Natural Resources Conservation Service to identify key focus areas in Londonderry, Derry, Dover and Rollinsford where the proper habitat is believed to exist. Owners of those properties can be advised on how to create and maintain the dense, early successional habitat upon which the NE Cottontail depends. Focus areas are determined by identifying locations historically known to be inhabited by the species combined with a habitat model developed by NH Fish and Game. The model is based upon soils, slope, wetland areas, etc. so that the low and flat lands with soils wet enough to be rich and productive can be discerned. Development of this habitat would help sustain other wildlife as well, particularly since it is the least common form of habitat in the State.

Of the lots identified in Londonderry, several are Town owned lands. E. Carcagno is therefore hopeful the LCC will know of other adjacent Town owned property with similar features and will develop a maintenance program for the habitat while educating residents to do the same. She invited LCC members to a workshop being held April 1<sup>st</sup> at the Stonyfield business offices in Manchester, which will be followed by a site visit to the Stonyfield plant in Londonderry where a proper habitat was recently created for the rabbits.

M. Speltz noted that power line corridors would be a prime location for the shrubby vegetation sought by the rabbits. E. Carcagno stated that NH F&G is currently working with Public Service of New Hampshire to promote appropriate management along power lines where NE Cottontails are known to exist. Abutting landowners may even be able to benefit from PSNH's work by allowing them to manage portions of their land along the shared property line when maintenance occurs. Financial assistance may be available to residents to cover the cost of such work courtesy of U.S. Fish & Wildlife with matching funds from PSNH. (The Town, however, would not qualify for such funding).

E. Carcagno asked if the LCC has ever worked with the Manchester-Boston Regional Airport regarding some of their protected land around their facility. D. Lievens replied that they have in regards to wetlands mitigation but added that a lot of land in that area is being viewed for industrial development. M. Speltz added that in light of the impending development in an area not included in the Town's Open Space plan, that land should probably be investigated first when prioritizing inventory efforts so that developers can be approached before the onset of any growth.



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Following further discussion, D. Lievens offered to send E. Carcagno additional information about Town owned lands so the LCC can begin coordinating site visits with UNH Cooperative Extension for the spring.

Enterprise Drive CUP- Todd Connors of Sublime Civil Consultants presented a conceptual plan to the LCC for map and lot 15-62-3 (3 Enterprise Drive) which would require a Conditional Use Permit. Stream 2-2 as identified in the Town's zoning ordinance runs along the northern property line of this lot, creating a limited building envelope between the required 50 foot buffer from wetlands and 100 foot buffer from the centerline of the stream. (T. Connors noted that the buffer line was drawn to reflect whichever distance was greater in any given area). M. Speltz requested that the plan identified as "C2" show the complete buffer line as it connects with Enterprise Drive rather than simply ending where the building setback line picks up (see attached plans).

Of the lot's six acres, the westernmost three and a half are wet. T. Connors explained that the location of the driveway was determined by the combination of a grade change of nearly 35 feet from east to northwest, coupled with sight distance requirements and the location of sewer force mains on the easternmost end of the property. One large structure would be all but impossible to place on the dry area of the oddly shaped lot, leading the owner to attempt to construct two smaller buildings, one bordering the lot line closest to Rockingham Road and the other to the northwest (known as "units 4 and 5"), abutting the buffer.

M. Oswald arrived. B. Farmer arrived shortly thereafter.

Although there are no direct wetlands impacts as a result of the proposal, the wetland buffer would contain graded embankments, part of the driveway, and two culvert outlets with associated treatment swales and rip rap. This would result in 16,980 square feet of buffer impact. Curbing will be added to the westerly edge of the paved areas to protect the wetlands from direct run off and prevent erosion. The slopes themselves were kept at a maximum of 3:1 despite the increased intrusion into the buffer in an attempt to avoid using the rip rap required for the steeper 2:1 slope and to allow those areas to naturalize. Considering, however, the infringement of the buffer would involve more than half its total square footage of 32,800 sf, a discussion ensued about alternatives, particularly regarding the swales and the amount of impervious surface being proposed.

A series of catch basins will direct the majority of the run off to two separate swales, one to the southwest of the lot and the other near the driveway entrance. Both of these swales, however, are wholly within the buffer while running parallel with it. The ideal always posed by the LCC when placement of a drainage way in a buffer is unavoidable, is to make it run perpendicular to the buffer. Redesigning the swales to be perpendicular, T. Connors explained, would at best create the same the amount of impact since the majority of both would still lie inside the buffer and grading issues would then necessitate they be even wider than proposed. M. Speltz also asked that a note be added to the plan to allow the swales to naturalize. T. Connors replied that he would most likely only be required to keep approximately a three foot strip in the center of each swale kept free of woody vegetation. With each swale measuring 100 feet in length, roughly 600 sf of the aforementioned buffer impact would therefore need to be maintained. T. Connors also posed the possibility of installing retaining walls along portions of the edge of parking as another option, which would reduce the amount of embankment slope impact. M. Considine responded that having the slope in the buffer is not the issue but having the swales there is.

Short of making the buildings two stories, eliminating unit four of the western building, reducing the number of structures to one, reducing the amount of impervious surface, pulling the swales out of the buffer altogether or some combination thereof, the LCC suggested at least pushing the swale to the outer 25 feet of the buffer. T. Connors said he would attempt some changes and return to the March 24<sup>th</sup> meeting.



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Town forest- The selective cut planned for the Town Forest has yet to occur and with spring approaching, it is doubtful anything will be done before then. B. Farmer noted that the final event on the abutting Town Common is normally held in September. Since the ground is typically wet by November, it was decided the next window of opportunity would be in October.

CTAP- M. Speltz drafted a letter to seek funding from the Community Technical Assistance Program (CTAP) which he forwarded to Community Development Director Andre Garron for his review before submitting it by the February 26<sup>th</sup> deadline (see January 13<sup>th</sup> and February 10<sup>th</sup> minutes). In following up, both M. Speltz and D. Lievens reported that A. Garron had offered an alternate proposal but since it did not pertain as directly to the Town's Open Space Plan, it is unclear how effective it would be at winning funding.

Musquash signage/trails- A Londonderry resident contacted D. Lievens in the fall of 2008 with concerns about the quality and quantity of signage and trail blazes in the Musquash Conservation Area. She and some other residents have since expressed interest in helping perform any needed tasks. D. Lievens has invited the contact person to the March 24<sup>th</sup> meeting. M. Considine offered to call her and see if she would like to do a site walk over the weekend and then have her invite any volunteers to join her on the 24<sup>th</sup>.

Estey easement- D. Lievens reported that Chris Kane has begun work on the baseline study needed involving the purchase of a conservation easement on the Estey properties (3-100, 3-161 and 3-161-2; see February 24<sup>th</sup> Public Hearing minutes). The Natural Heritage Bureau has identified a sand plain basin marsh system, the New England Cottontail rabbit (see first topic) and Birds-foot violet. D. Lievens stated these discoveries add more rationale for protecting that area from development.

She asked B. Farmer what possible date this issue might come before the Town Council for their approval. It was decided he would have the LCC added to the April 6<sup>th</sup> Town Council agenda and D. Lievens will inform the Esteys. He asked LCC members to prepare a presentation that will not only inform the Council about the specific values of this purchase but will educate the public in general about the broader aspects of conservation easements, the Open Space Plan, appraisals, natural resource and floodplain benefits, non-public sessions, and the overall methodology the LCC uses for land purchases. M. Speltz will provide these details, D. Lievens will contribute the historical background of the property and T. Bloom will support the presentation with photographs.

M. Speltz noted that through his job with the Society for the Protection of New Hampshire Forests, he has reviewed four developable raw land appraisals in the past week, which help demonstrate the fact that raw land has not diminished in value the way that house values have in the recent economic turmoil. In fact, the comparable sales used in those appraisals show that through the second quarter of 2007, raw land was steadily increasing by an average of 1% a month. At that point, it stopped increasing but still stayed flat through at least September of 2008, when the last property used in the comparison was sold. This helps to answer the concern raised about the validity of basing an offer negotiated through 2008 on an appraisal completed in 2007. M. Oswald will work with M. Speltz to attempt to find more comparables from September 2008 to the present. B. Farmer added that another misconception amongst the general public regarding the Estey purchase is that the funds to be used will impact the current tax rate when, in fact, that money was approved for an open space bond several years ago.

Land Use Change tax- B. Farmer informed the LCC that since the February 24<sup>th</sup> meeting, the Town has learned the shortfall it was expecting in their share of State revenues has decreased from \$1.3 million to under \$300,000. When potential cuts to the budget were formed under the worst-case scenario of \$1.3 million, the possibility arose of redirecting Land Use Change tax income away from the LCC and into the general fund.



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The reduction in the anticipated deficit has now made that possibility less likely and certainly not feasible for the FY2010 budget since any redirection would have to be voted upon at Town Meeting and it is now too late to add any warrant articles. D. Lievens asked B. Farmer that the LCC be kept informed of any prospective changes when they are first suggested so that they may properly prepare for discussions on the matter.

**Invoice- D. Lievens entertained a motion to authorize the Chair to expend an amount not to exceed \$32.94 from the line item budget to pay The Union Leader for advertising of the legal notice for the public hearing held on February 24<sup>th</sup>. T. Bloom so moved. K. Henault seconded. The motion was approved, 7-0-0.**

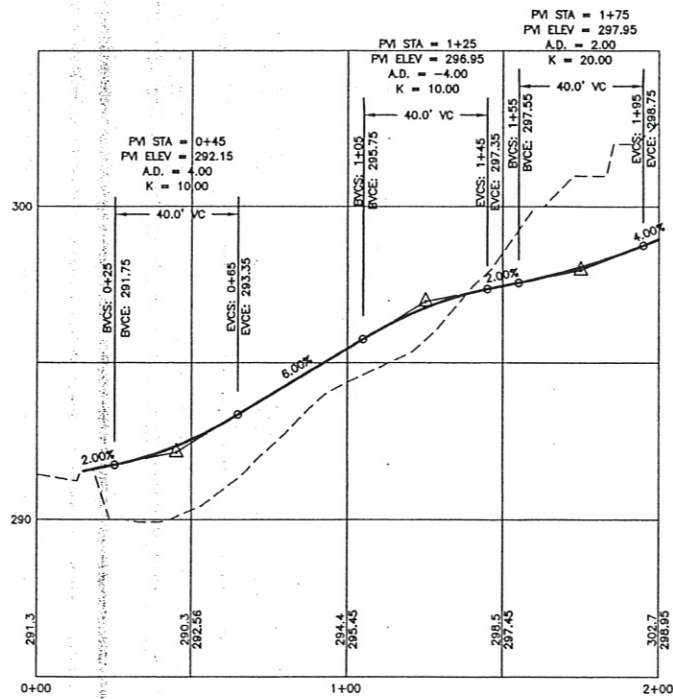
**February 24, 2009 minutes-** Mike Speltz noted that in the last paragraph on page two of the minutes of the February 24<sup>th</sup> public hearing, a question was posed by Al Baldasaro regarding the Master Plan. When D. Lievens replied, she used the same words "Master Plan," but was actually referring to the Open Space Plan in particular. While her explanation reflected in the minutes was accurate, the consensus was that the specific terminology of "Master Plan" in the response should be replaced with the words "Open Space Plan." **G. Harrington made a motion to approve the minutes of the February 24 2009 public hearing as amended. T. Bloom seconded. The motion was approved, 6-0-1** (K. Henault abstained as he had not attended the meeting).

**P. Nickerson made a motion to approve the minutes of the February 24 2009 public session as written. G. Harrington seconded. The motion was approved, 6-0-1** (K. Henault abstained as he had not attended the meeting).

**The meeting adjourned at 9:55 PM.**

Respectfully submitted,

Jaye Trottier  
Secretary



DRIVEWAY PROFILE

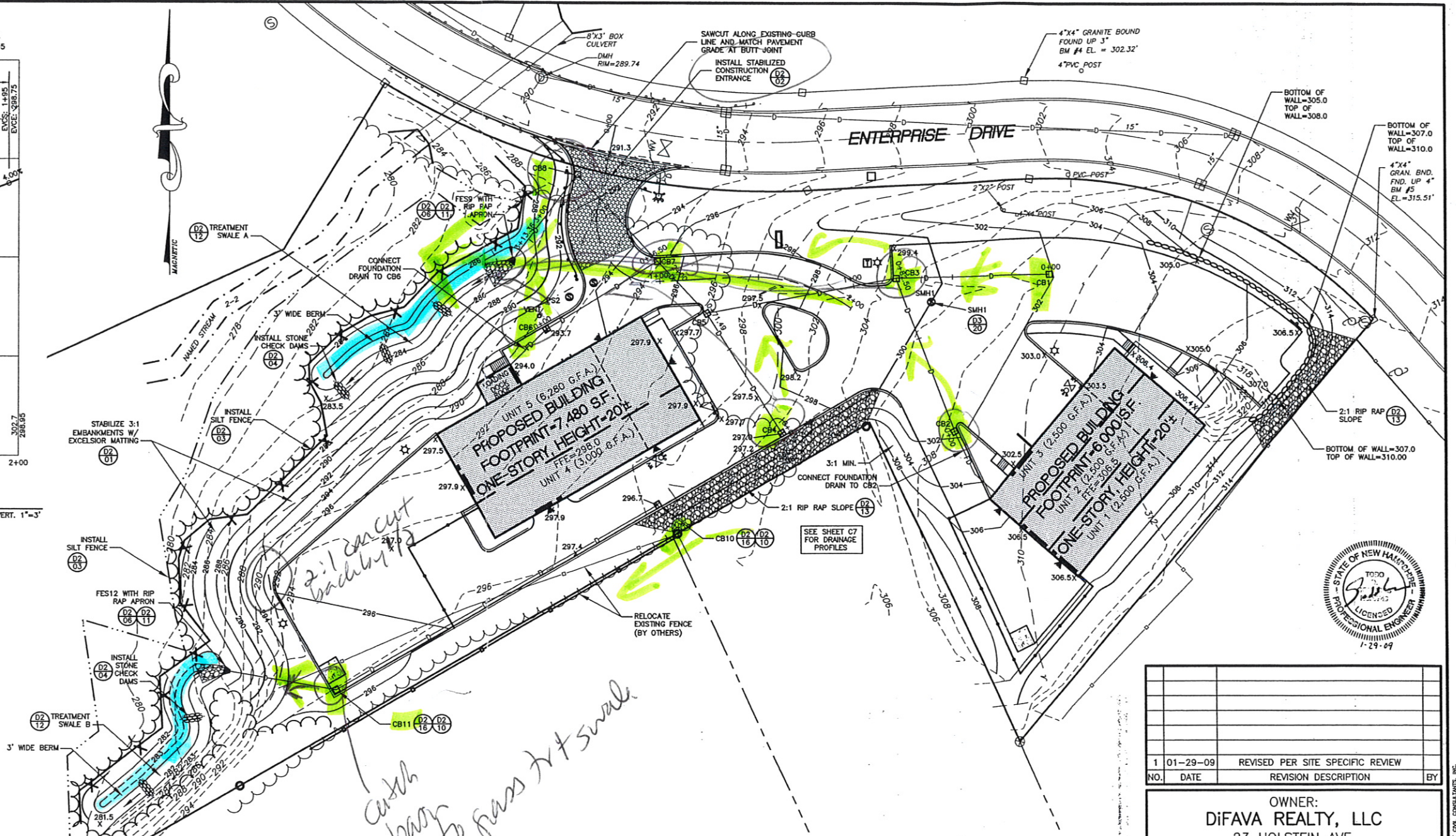
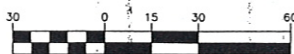
SCALE: HORZ. 1"=30' - VERT. 1"=3'

EXISTING	PROPERTY LINE	PROPOSED
○	IRON PIN	○
□	BOUND	□
~	TREE LINE	~
—	SLOPED GRANITE CURB	—
—	CAPE COD BERM	—
—	VERTICAL GRANITE CURB	—
→	TRAFFIC FLOW ARROW	→
○	SIGN	○
○	CHAIN LINK FENCE	○
○	LIGHT POLE	○
○	UTILITY POLE	○
—	OVERHEAD UTILITIES	—
—	UNDERGROUND UTILITIES	—
○	WATER VALVE	○
○	FIRE HYDRANT	○
—	WATER LINE	—
□	CATCH BASIN	□
○	STORM DRAIN MANHOLE	○
—	FLARED END SECTION	—
—	RIPRAP APRON	—
—	STORM DRAIN LINE	—
—	FOUNDATION DRAIN	—
○	SEWER MANHOLE	○
—	SEWER LINE	—
—	2 FOOT CONTOUR	—
—	10 FOOT CONTOUR	—
x	SPOT GRADE	x
—	SILT FENCE	—
N/A	DETAIL IDENTIFICATION KEY	○

THIS IS A STANDARD LEGEND THAT INCLUDES INFORMATION REQUIRED FOR MOST CONSTRUCTION PROJECTS AND CERTAIN SYMBOLS MAY NOT BE USED WITHIN THIS PLAN SET. PLEASE ALSO NOTE THAT THE ABOVE LEGEND MAY OR MAY NOT BE A COMPLETE CATALOG OF ALL THE SYMBOLS USED IN THIS PLAN SET.



CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION (888) DIG-SAFE



**GRADING NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND DETERMINING THE LOCATION, SIZE AND ELEVATION OF ALL EXISTING UTILITIES SHOWN ON THESE PLANS PRIOR TO THE START OF ANY CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION AND AN APPROPRIATE REMEDIAL ACTION BE AGREED TO BY THE ENGINEER BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTACT NEW HAMPSHIRE DIG SAFE, AT 1-888-DIG-SAFE, AT LEAST 72 HOURS BEFORE DIGGING.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL EROSION AND SEDIMENT CONTROL DEVICES AS SHOWN IN THESE PLANS THROUGHOUT THE DURATION OF THE PROJECT IN ACCORDANCE WITH APPLICABLE R.H.D.E.S. STANDARDS. THE PROVIDED DETAILS AND PROVISIONS SERVE AS A GUIDE ONLY.
3. ALL EXCAVATIONS SHALL BE THOROUGHLY SECURED ON A DAILY BASIS BY THE CONTRACTOR AT THE COMPLETION OF CONSTRUCTION OPERATIONS IN THE IMMEDIATE AREA.
4. THE CONTRACTOR SHALL STABILIZE ALL DITCHES, SWALES, AND PONDS PRIOR TO DIRECTING STORMWATER FLOW TO THEM.
5. VERIFY TBM ELEVATIONS PRIOR TO CONSTRUCTION.
6. ALL FOUNDATION DRAINS TO BE 6" HDPE (PERFORATED) WITH MIN. SLOPE = 0.010. USE SOLID PIPE BETWEEN FOUNDATION AND CATCH BASIN.

**CONSTRUCTION SEQUENCE NOTES:**

1. INSTALL CHECK DAMS, SILTATION FENCE, STABILIZED CONSTRUCTION ENTRANCE AND DANDY BAGS IN LOCATIONS SHOWN ON PLANS. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EARTH MOVING. WETLAND BUFFERS SHOULD BE MARKED BEFORE, DURING AND AFTER CONSTRUCTION.
2. INSPECT AND MAINTAIN EROSION CONTROL MEASURES ON A DAILY BASIS.
3. THE WORK AREA SHALL BE GRADED, SHAPED AND OTHERWISE DRAINED IN SUCH A MANNER AS TO MINIMIZE SOIL EROSION, SILTATION OF DRAINAGE CHANNELS, DAMAGE TO EXISTING VEGETATION, AND DAMAGE TO PROPERTY OUTSIDE OF THE WORK AREA. SILT FENCES AND CHECK DAMS WILL BE NECESSARY TO ACCOMPLISH THIS END.
4. CUT AND CLEAR TREES; DISPOSE OF DEBRIS.
5. STRIP AND STOCKPILE TOPSOIL. TOPSOIL SHALL BE STOCKPILED, WITHOUT COMPACTION, AND STABILIZED AGAINST EROSION.
6. CONSTRUCT ALL DITCHES AND SWALES.
7. ALL DITCHES AND SWALES SHALL BE STABILIZED PRIOR TO DIRECTING ANY FLOW INTO THEM.
8. ROUGH GRADE SITE OR PHASED WORK AREA. DISTURBED AREAS SHALL BE STABILIZED UPON COMPLETION OF ROUGH GRADING PER THE EROSION CONTROL NOTES.
9. INSTALL DRAINAGE STRUCTURES, CULVERTS, END SECTIONS, RIP RAP APRONS, AND OTHER DRAINAGE FACILITIES.
10. INSTALL ALL UNDERGROUND UTILITIES.
11. CONSTRUCT BUILDINGS.
12. FINISH GRADING TO PREPARE FOR PAVEMENT, LOAMING AND SEEDING. ALL DISTURBED AREA SHALL BE STABILIZED WITHIN 72 HOURS OF FINAL GRADING.
13. FINISH PAVING ALL PARKING AREA AND DRIVES.
14. PERMANENT SEEDING SHALL BE PERFORMED UPON COMPLETION OF DRIVE AND PARKING AREA PAVING.
15. COMPLETE PERMANENT SEEDING AND LANDSCAPING.
16. TEMPORARY EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL ALL DISTURBED AREAS ARE STABILIZED AND HAVE A HEALTHY VEGETATIVE COVER.
17. CLEAN ALL DRAINAGE STRUCTURE SUMPS OF SEDIMENT AND DEBRIS (INCLUDES ALL STRUCTURES WITHIN THE LIMIT OF WORK).
18. DUST SHALL BE CONTROLLED DURING CONSTRUCTION BY ADEQUATE USE OF WATER.



NO.	DATE	REVISION DESCRIPTION	BY
1	01-29-09	REVISED PER SITE SPECIFIC REVIEW	

OWNER:  
**DIFAVA REALTY, LLC**  
 23 HOLSTEIN AVE.  
 LONDONDERRY, NEW HAMPSHIRE 03053

APPLICANT:  
**DIFAVA REALTY, LLC**  
 23 HOLSTEIN AVE.  
 LONDONDERRY, NEW HAMPSHIRE 03053

MAP 15 LOT 62-3  
**GRADING PLAN**  
**DIFAVA FIRE PROTECTION, INC.**  
 3 ENTERPRISE DRIVE  
 LONDONDERRY, NEW HAMPSHIRE 03053

6 West Broadway  
 Derry, NH 03038  
 ph: (603) 437-5777  
 fax: (603) 437-6977

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 Construction Administration • Geospatial Design • Lighting Design

DATE: MAY 22, 2008      SCALE: 1" = 30'  
 JOB #: 07731      SHEET #: C3

