



Londonderry Conservation Commission
Tuesday, June 9, 2009
Minutes
Page 1 of 4

1 **Present: Deb Lievens, Gene Harrington, Mike Considine, Paul Nickerson, Ben LaBrecque, and**
2 **Mike Speltz**

3
4 Call to order; 7:35 P.M.

5
6 D. Lievens appointed M. Speltz to vote for Ken Henault

7
8 Estey easement- M. Speltz reported that he met with Tom and Harold Estey to review the terms of the
9 Purchase and Sale agreement for a 74-acre conservation easement being bought by the Town. He will
10 be redrafting the easement deed based on revisions he received from the Estey's attorney. Some
11 sections were completely omitted in their attorney's version and M. Speltz is not convinced that it
12 accurately reflects H. Estey's input.

13 In addition, H. Estey and his brother Bill are planning to enter into a land exchange agreement.
14 M. Speltz advised that the closings on the easement and land swap should be done simultaneously. He
15 is still awaiting the property description and title search information from Town Counsel and will
16 request an update.

17
18 Gulf South Addition, CUP- Michael Malynowski and Chris Tymula of MHF Design Consultants
19 presented a site plan for an addition to the Gulf South medical supply warehouse at 12 No. Wentworth
20 Ave (14-44-25). When first permitted in 1999, a 35,000 square foot future addition had been approved
21 to the rear of the building, although now the footprint has been reduced to 25,000 sf. A conditional use
22 permit is required for the resulting work to take place in the Conservation Overlay District buffer on
23 the eastern side of the property. Two areas of disturbance will occur, one diagonally across from the
24 southeastern tip of the existing building and the other on the north side of the lot, directly east of the
25 proposed addition.

26 M. Malynowski explained that the 800 sf of impact to the south is a result of adding a small
27 strip of pavement to restore the long-term erosion caused by trucks exiting from the southernmost
28 loading dock. When concern was expressed that the trucks could then erode the restored edge and
29 curbing, it was suggested that the problem should not reoccur since it was most likely only caused by
30 the increase in standard trailer length in the last decade from 48 feet to 53 feet. To be sure, the LCC
31 also asked if landscape boulders could be placed outside that edge to ensure no further encroachment
32 takes place.

33 The 2,200 sf of impact to the north would come about when the slope at the back end of the
34 detention pond is restored and previously approved drainage connections are installed. Although no
35 new parking will be created, additional runoff is anticipated from the pavement expansion associated
36 with the new loading dock area. M. Speltz asked how the impacted areas would be re-vegetated. M.
37 Malynowski replied that right now, only grass is planned for reestablishment but that if the LCC
38 preferred, something like a New England wildflower mix could be used.

39 M. Malynowski then asked whether the LCC would interpret installation of riprap aprons for
40 the drainage pipes as actual wetland impacts since the wetland is a man made result of the detention
41 pond. G. Harrington answered that the State does not differentiate between man made and naturally
42 occurring wetlands. M. Malynowski said he would examine whether the drainage could be rerouted to
43 avoid the issue before initiating the D+F process with the State. If it is rerouted, D. Lievens stated that
44 as long as the buffer impact is equal to or less than this current proposal, the applicant need not return
45 to the LCC. She asked, however, that any such revised plan still be submitted for LCC records.



Londonderry Conservation Commission

Tuesday, June 9, 2009

Minutes

Page 2 of 4

46 P. Nickerson asked for a review of snow storage sites, which M. Malynowski pointed out on
47 the eastern side of the building and on grassed areas to the rear of the lot. G. Harrington noted that the
48 plans reflected an incorrect map and lot number of 14-25. M. Malynowski said that would be
49 corrected.

50 **P. Nickerson made a motion to recommend approval of the CUP request to the Planning**
51 **Board with the further recommendation that they require a series of boulders or similar way of**
52 **keeping the traffic on the driveway at the south end. M. Speltz seconded. The motion was**
53 **approved, 6-0-0.**

54
55 Merrill easement- Ken Merrill forwarded information to the LCC regarding a Natural Resources
56 Conservation Service drainage project to take place this summer, which will update and replace a
57 failed drainage system on the south side of their orchard on map and lot 17-6. He asked if the LCC
58 needed to review the plan beforehand because of the conservation easement on the property.

59 After reviewing the plans, it was decided there was no comment other than that the Merrills
60 need approval from the Rockingham County Conservation District since they actually own the
61 easement. M. Speltz noted that the project is an improvement associated with the existing agricultural
62 use, which is permitted by the easement deed.

63
64 M. Speltz left the room.

65
66 Aquatic Resource Mitigation Fund- RCCD has submitted an application on behalf of the Town to
67 obtain funding from the State's Aquatic Resource Mitigation program to restore wetlands on map and
68 lot 6-113 (see May 26, 2009 minutes). Because the application proved to be more complicated than
69 was originally expected, Tracy Degnan of RCCD has updated the quote for the scope of work to be
70 done.

71 At the last meeting, the LCC voted to expend an amount not to exceed \$2,000 from the
72 conservation account to cover the estimated expense. It is now known that the invoice will total
73 \$1,500. D. Lievens discovered after reviewing other upcoming expenses, however, that the funding
74 should be split between the conservation account and the line item budget. It was therefore decided to
75 override the vote made on March 26 with a modified motion. **G. Harrington made a motion to**
76 **authorize the Chair to expend an amount not to exceed \$1,000 from the conservation fund and**
77 **\$500 from the line item budget to pay RCCD for their services associated with the ARM grant**
78 **application. P. Nickerson seconded. The motion was approved, 5-0-0.**

79
80 Musquash trails- M. Considine stated that the trail workday held on May 30th was successful even
81 though the number of volunteers was fewer than expected. The majority of the new loop trail was
82 completed between Faucher and Alexander Roads and the remainder was flagged for M. Considine to
83 finish. Materials were placed in the location for a future bridge to be built by Boy Scout Russell Saur
84 as part of his proposed Eagle Scout project. He will also blaze the trail and install signage, hopefully
85 by fall.

86
87 M. Speltz returned.

88
89 CIP- Applications for the Capital Improvement Plan are due July 15. The LCC has requested \$1
90 million each year for the past several years. No potential land acquisition is currently before the LCC
91 to be used as a direct rationale for funding, but since the overall Open Space plan is not complete and



Londonderry Conservation Commission

Tuesday, June 9, 2009

Minutes

Page 3 of 4

92 because an opportunity could arise at any time, the LCC decided to request \$1 million. In the worst-
93 case scenario, if future economic conditions make it seem imprudent to ask for that amount, the LCC
94 could always recommend to the Town Council that they not support the request.

95 **G. Harrington made a motion to prepare an application to submit to the Capital**
96 **Improvement Plan Committee for a \$1 million placeholder for the Open Space Plan. M. Speltz**
97 **seconded. The motion was approved, 6-0-0.**

98
99 SB 381- Under the new law created this year by NH Senate bill 381, conservation commissions in
100 NH are allowed to expend funds via a land trust or another “qualified organization” to either purchase
101 land in their own towns or in other towns without having to retain any executory interest in the
102 property. Each individual commission would need a warrant article passed in their towns to adopt the
103 provisions of RSA 36-A:4-a, I(b). If passed, a conservation commission would still need approval
104 from their governing body (in Londonderry’s case, the Town Council), to expend funds on projects
105 *outside of their town* but would no longer need such permission for land purchased *within their*
106 *municipal boundaries.*

107 The LCC has discussed this topic several times since the fall of 2008, mainly in pursuit of a
108 way to modify the language to ensure that the Town Council would always retain the final approval of
109 any land transaction. Town Counsel has stated that the language of the RSA cannot be changed. M.
110 Speltz has therefore suggested the LCC research the legality of either adding language to their
111 procedures or devising a letter of agreement with the Council. The consensus was to pursue either
112 possibility, beginning with input from the LCC’s Town Council Liaison. M. Speltz will update
113 Commissioners at the next meeting.

114
115 Sunnycrest monitoring reports- The Natural Resources Conservation Service informed the LCC that
116 monitoring reports going back several years for the Sunnycrest easements are missing from their
117 records. D. Lievens contacted RCCD who owns the easements and who files annual reports with the
118 LCC. She then relayed their response to NRCS that they should definitely have RCCD’s reports in
119 their files. Since NRCS has had a recent change in staff, it may be a simply oversight, but the LCC can
120 supply copies from their files if NRCS cannot locate their own.

121
122 May 26, 2009 minutes- **G. Harrington made a motion to approve the minutes of the May 26, 2009**
123 **public session as written. B. LaBrecque seconded. The motion was approved, 6-0-0**

124 **P. Nickerson made a motion to approve the minutes of the May 26, 2009 non-public**
125 **session as written. G. Harrington seconded. The motion was approved, 6-0-0.**

126
127 DRC (2)- 1) PSNH Scobie Pond Substation site plan, 13-110

128 No comments

129
130 2) PSNH Scobie Pond (4th Autotransformer), 13-111

131 Comments: Note on plan identifies Verizon as telephone provider; should identify
132 FairPoint.

133
134 **Gene Harrington made a motion to go into Non-Public Session for the purpose of discussing**
135 **possible land acquisition per RSA 91-A:3. Mike Speltz seconded.**

136



Londonderry Conservation Commission

Tuesday, June 9, 2009

Minutes

Page 4 of 4

137 **Roll call vote: Aye, Mike Speltz; Aye, Gene Harrington; Aye, Paul Nickerson; Aye, Mike**
138 **Considine; Aye, Ben LaBrecque; Aye, Deb Lievens.**

139
140 **G. Harrington made a motion to go out of Non-Public Session. P. Nickerson seconded. The**
141 **motion was approved, 6-0-0.**

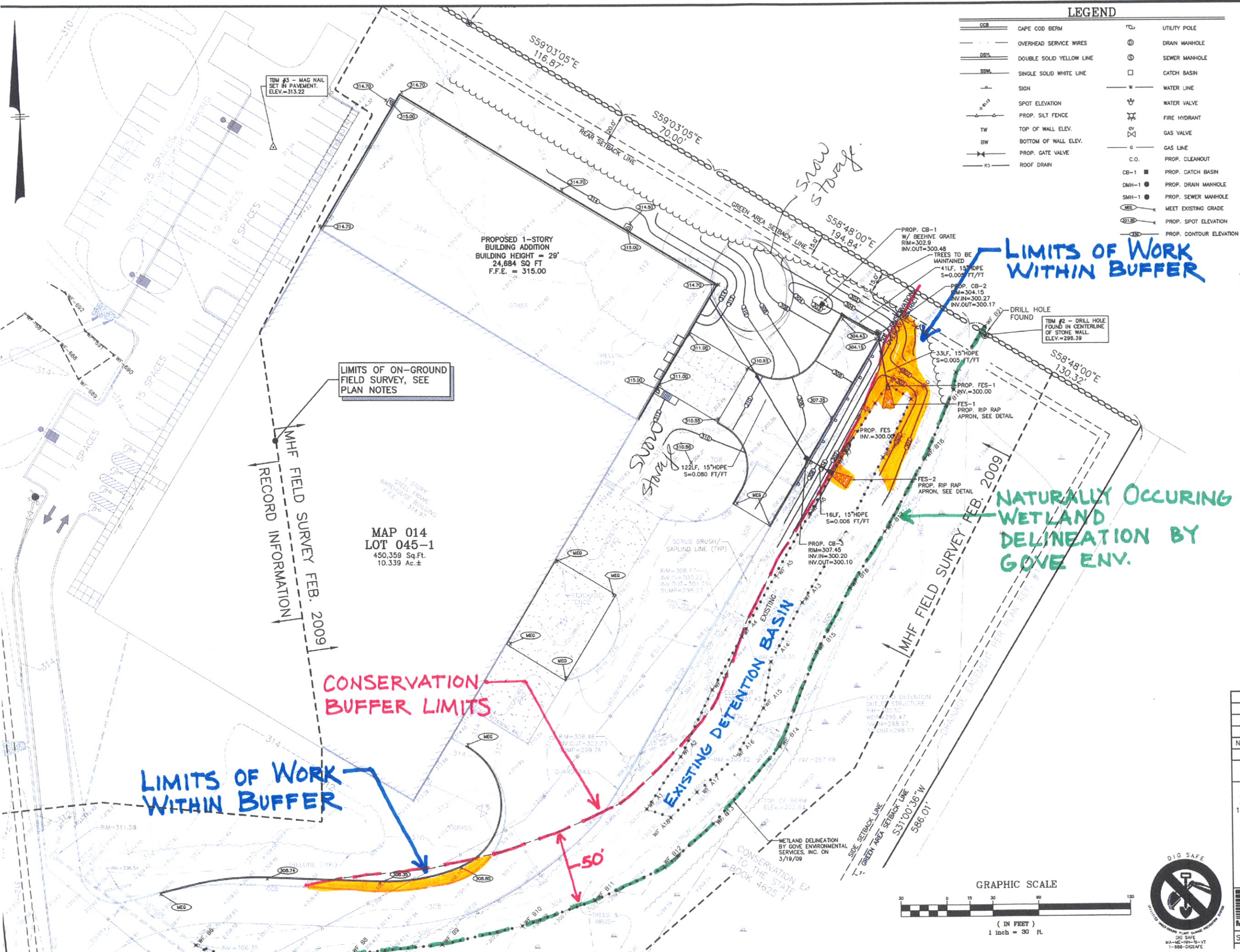
142
143 **G. Harrington made a motion to seal the minutes of the Non-Public Session indefinitely. P.**
144 **Nickerson seconded. The motion was approved, 6-0-0.**

145
146 **D. Lievens entertained a motion to authorize the Chair to expend an amount not to exceed \$60**
147 **from the line item budget to reimburse M. Considine for the purchase of bridging materials for**
148 **the Musquash Conservation Area. M. Speltz so moved. G. Harrington seconded. The motion**
149 **was approved, 5-0-1 with M. Considine abstaining.**

150
151 **The meeting adjourned at 9:10 PM.**

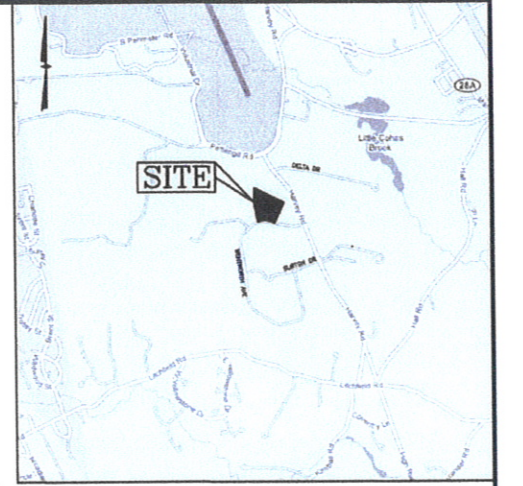
152
153 Respectfully submitted,

154
155
156 Jaye Trottier
157 Secretary



LEGEND

CCB	CAPE COD BERM	UD	UTILITY POLE
OSW	OVERHEAD SERVICE WIRES	DMH	DRAIN MANHOLE
DSYL	DOUBLE SOLID YELLOW LINE	SMH	SEWER MANHOLE
SSWL	SINGLE SOLID WHITE LINE	CB	CATCH BASIN
SIGN	SIGN	W	WATER LINE
SPOT ELEV	SPOT ELEVATION	WV	WATER VALVE
PROP. SILT FENCE	PROP. SILT FENCE	FH	FIRE HYDRANT
TW	TOP OF WALL ELEV.	GV	GAS VALVE
BW	BOTTOM OF WALL ELEV.	GL	GAS LINE
PROP. GATE VALVE	PROP. GATE VALVE	C.O.	PROP. CLEANOUT
RD	ROOF DRAIN	CB-1	PROP. CATCH BASIN
		DMH-1	PROP. DRAIN MANHOLE
		SMH-1	PROP. SEWER MANHOLE
		ME	MEET EXISTING GRADE
		SP	PROP. SPOT ELEVATION
		CE	PROP. CONTOUR ELEVATION



- NOTES:**
- 1) ALL SITE DRAINAGE PIPE SHALL BE CORRUGATED HIGH-DENSITY POLYETHYLENE PIPE WITH STANDARD JOINTS, DUAL-WALL, SMOOTH INTERIOR AS MANUFACTURED BY ADS, INC. OR APPROVED EQUAL, UNLESS OTHERWISE NOTED ON PLAN.
 - 2) ELEVATIONS ARE BASED ON NAVD 88.
 - 3) ALL PROPOSED ELEVATIONS AS SHOWN ARE BOTTOM OF CURB ELEVATIONS, UNLESS OTHERWISE NOTED.
 - 4) ANY UTILITY FIELD ADJUSTMENTS SHALL BE APPROVED BY THE LOCAL AUTHORITIES AND THE DEVELOPER PRIOR TO INSTALLATION. SEE UTILITIES PLAN FOR PROPOSED UTILITY LOCATIONS.
 - 5) THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE ONLY. THE CONTRACTOR IS TO VERIFY EXACT LOCATION PRIOR TO CONSTRUCTION. THE CONTRACTOR IS TO NOTIFY THE DESIGN ENGINEER OF ANY DISCREPANCIES.
 - 6) ALL CONSTRUCTION SHALL CONFORM TO TOWN DEPARTMENT OF PUBLIC WORKS AND ALL APPLICABLE STATE AND FEDERAL STANDARDS.
 - 7) THE CONTRACTOR SHALL CALL AND COORDINATE WITH DIG-SAFE (1-888-344-7233) PRIOR TO COMMENCING ANY EXCAVATION.
 - 8) THIS SITE WILL REQUIRE A USEPA NPDES PERMIT FOR STORMWATER DISCHARGE FOR THE SITE CONSTRUCTION IF THE DISTURBANCE EXCEEDS ONE ACRE (ACTUAL DISTURBANCE = 57,500 SF). THE CONSTRUCTION SITE OPERATOR SHALL DEVELOP AND IMPLEMENT A CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP), WHICH SHALL REMAIN ON SITE AND MADE ACCESSIBLE TO THE PUBLIC. A COMPLETED NOTICE OF TERMINATION (NOT) SHALL BE SUBMITTED TO NPDES PERMITTING AUTHORITY WITHIN 30 DAYS AFTER EITHER OF THE FOLLOWING CONDITIONS HAVE BEEN MET: FINAL STABILIZATION HAS BEEN ACHIEVED ON ALL PORTIONS OF THE SITE FOR WHICH THE PERMIT IS RESPONSIBLE; OR ANOTHER OPERATOR/PERMITTEE HAS ASSUMED CONTROL OVER ALL AREAS OF THE SITE THAT HAVE NOT BEEN FINALLY STABILIZED.
 - 9) ALL TRAFFIC CONTROL AND TEMPORARY CONSTRUCTION SIGNAGE ARRANGEMENTS, ACCEPTABLE TO NHDOT AND TOWN DEPARTMENT OF PUBLIC WORKS, SHALL BE EMPLOYED DURING OPERATIONS WITHIN THE PUBLIC RIGHT-OF-WAY.
 - 10) SEE EROSION & SEDIMENT CONTROL PLAN FOR LOCATION OF SILT FENCE AND EROSION CONTROL MEASURES.

- PLAN NOTES:**
- 1) BOUNDARY INFORMATION BASED UPON ACTUAL ON-GROUND SURVEY PERFORMED BY MHF DESIGN CONSULTANTS, INC FEBRUARY 2009.
 - 2) THE TOPOGRAPHIC AND PLANIMETRIC FEATURES TO THE LIMITS SHOWN ARE BASED UPON A FIELD SURVEY BY THIS OFFICE IN FEBRUARY 2009.
 - 3) ADDITIONAL TOPOGRAPHIC AND PLANIMETRIC FEATURES SHOWN ARE TAKEN FROM RECORD SITE PLANS AS PREPARED BY OPECHEE CONSTRUCTION CORPORATION AND ASSOCIATED ENGINEERING SERVICES, DATED 12/28/98 (REVISED TO 3/15/99) AS APPROVED BY THE TOWN OF LONDONDERRY PLANNING BOARD ON 4/19/99. COPY OBTAINED FROM OPECHEE CONSTRUCTION.

NO.	DATE	DESCRIPTION	BY
1	6-08-09	ADD CONSERVATION OVERLAY DISTRICT	MAM

REVISIONS

GRADING & DRAINAGE PLAN

ASSESSORS MAP 14 - LOT 25
PROPOSED WAREHOUSE FACILITY ADDITION
 12 NORTH WENTWORTH AVENUE, LONDONDERRY, NEW HAMPSHIRE 03053

OWNED BY:
 SARNIA SEACOAST, LLC
 C/O CP MANAGEMENT
 11 COURT STREET, SUITE 100
 EXETER, NH 03833
 BOOK 3419 PAGE 2698

PREPARED FOR:
SARNIA SEACOAST, LLC
 11 COURT ST, STE 100, EXETER, NEW HAMPSHIRE

44 Shiles Road, Suite One
 Salem, New Hampshire 03079
 (603) 893-0720
ENGINEERS • PLANNERS • SURVEYORS
 www.mhfdesign.com

MHF Design Consultants, Inc.

SCALE: 1" = 30'
 DATE: APRIL 27, 2009
 DRAWN BY: CHFCXFD BY: PROJECT NO. SHEET NO.

