



Londonderry Conservation Commission
Tuesday, May 9, 2006
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Present: Deb Lievens; Gene Harrington; Mike Speltz; Mike Considine; George Herrmann and Mark Oswald, Town Council Liaison

Also present: Susan Bulmer, resident

Call to order

G. Herrmann was appointed to vote for the empty seat.

Ravenna Investment Assoc., Inc.- Deb Brewster from TFMoran presented an updated conceptual along with developer Alex Vallis involving four vacant lots (7-5, 6, 7 and 10) between Orchard View Drive and Route 102. Ravenna holds a purchase option on the lots which are currently owned by Shaw's. D. Brewster reviewed the small wetlands on the south side of the lot in the meadow area, the 30 foot grade difference from Orchard View Drive down to Route 102 and with the 15 inch and 24 inch discharge pipes that impact the property.

When the plan was first revealed in October of 2005, a coffee shop to the east and fast food restaurant in the middle were to be joined by a sit down restaurant on the western end. Unable to place a leachfield large enough for the sit down restaurant on the property, the developers were forced to pursue connecting to town sewer. Although enough nearby land owners banded together to share in the cost, the added expense of the Town's impact fee proved cost prohibitive and the restaurant idea was abandoned. The fast food user would be moved west with its own septic system while a bank would be placed in the middle and share a septic system with the coffee shop. The New Hampshire Department of Transportation had allowed for three curb cuts onto 102 but the elimination of the larger restaurant and the desire for safety made it possible to only use the existing curb cut at the Hess gas station to the east and simply add a second access off of Orchard View Drive.

Storm water from the Apple Tree Mall area will be hard piped to underground treatment units approved by the Town Engineer, after which storage and detention will be done on the surface. Maintenance of the underground treatment will be made a condition of the plan's approval. Sediments would mainly be trapped in a forebay area. Storm water would then move to a nutrient uptake management area, using nutrient uptake soils and plants to remove pollutants. A separate area will utilize biological plantings for treatment before the water is discharged. D. Brewster said she could return at a later date to explain this system in more detail. M. Speltz asked that the focus be on particulate matter, petroleum products and salt rather than nutrients. D. Brewster noted that a salt limitation could be added to the management plan. He also requested that water samples be taken from the site as it is now and then again after the new system is in place to compare what is being discharged into the wetland on the other side of Route 102. D. Brewster said she would provide the LCC with the list of items to be tested for prior to the research. M. Oswald gave D. Brewster Russ Lagueux's phone number to see if Envirosense could do the testing.

The Dredge and Fill permit needed to create such a system would produce 18,500 sf of wetlands impact while the pavement and parking would fill another 10,000 sf. The total of 28,500 sf would completely fill the wetland area on the lots (this amount does not include the wet area between the lot lines and Route 102). When the question was raised of whether a conservation buffer would be associated, D. Brewster insisted that the nutrient uptake storm water management area was not a manmade wetland and therefore no buffer would apply. Mitigation for the wetland impacts had been discussed in 2005 and D. Brewster relayed that a contribution towards conservation of other land in Londonderry was still of interest to the developer. At the State's rate of \$60,000.00 per acre, a contribution of \$39,250.00 to the Open Space Protection Fund could be discussed later on.

D. Lievens made a request that when the shrubs are cleared from the property that they be burned since they are predominantly made up of an invasive species. Simply dumping them could allow them to reroot. D. Brewster said she would check with their wetlands specialist.



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M. Speltz inquired about the number of easements on the property and their impact on the project. D. Brewster said that the groundwater management easement required by the State because of the Hess gas station has been lifted for the time being. She added that a limited Phase II assessment of the four lots found them to be free of contaminants. The underground utility easement will be relocated because of the proposed septic area location. A drainage easement will remain in its current location as well as the access easement regarding Hess' driveway. A second access easement extending down to Winding Pond Road will be discontinued.

M. Considine asked for some kind of consensus from the LCC regarding the project in order for the applicant to have an appropriate amount of direction. G. Harrington stated he did not like destroying the 'natural wetland,' as D. Brewster had described it, to install the proposed system. While M. Speltz replied that the applicant would first be required to demonstrate that the new system has replaced the function the wetland had provided, he also agreed with G. Harrington that the functionality of natural wetlands have not been equaled by any artificial means. The LCC left it up to the applicant to show that the new system can provide the function of the current wetland. M. Speltz also asked them to prepare to explain what remedy there would be if the new system were put into place and found insufficient.

George property- D. Brewster provided the LCC with the final boundary survey of the George property. She reviewed the 12 acre area that is to be subdivided off for the George family, along with the wetlands that have been surveyed. D. Lievens reported that the environmental baseline has been completed, verifying that an accelerant had been used by the renter of the George home to burn tires as was suspected. The renter will be responsible for cleaning the area up but there is still some question as to who will remove the tires.

She also stated that a potential owner of a lot abutting the LCC's Tanager Landing access piece contacted her to find out if they would be clearing the land because he would offer his assistance. She replied that perhaps in the future there may be a parking area for the trail system the LCC would like to create and perhaps he could assist with that.

June 30th is the scheduled closing date.

National Grid- D. Lievens will be walking National Grid's property with their representative on May 12th as the first step in attempting to place an easement on their land that will in turn provide a permanent connection between the Musquash and the George property.

Litchfield connection- D. Lievens stated that the Town's GIS Manager and his Litchfield counterpart were very close to producing a map that accurately shows where conservation land in both towns converges.

AES easement- D. Lievens informed the LCC that there have been three inquiries from appraisers in the last 24 hours regarding the AES easement which is on AES property. The State is trying to discern whether it can be used for Airport access mitigation. She told them that since the piece is already protected, it shouldn't need to be protected again by the State.

I-93 mitigation- The State has acquired land in the area of lots 11-4A, 11-43 and possibly 11-42 through eminent domain for I-93 mitigation (the exact location has yet to be determined). Londonderry had not only requested that this land be taken for mitigation but it now connects to the Musquash through the Continental Paving easement.

Musquash- Londonderry Trailways has obtained a grant for the Musquash that will pay for three sets of bollards, a new bridge and printing of a new map. M. Considine described where the bollards should be placed and added that the LCC had previously voted to expend \$500.00 from the general fund for a gate at Alexander Road.

M. Oswald suggested getting an opinion from the National Grid representative mentioned above as to how they think ATV use should be dealt with. If they are in favor of somehow prohibiting it then perhaps



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PSNH could be persuaded to do the same, since power line areas are convenient travel routes for ATV's. M. Considine cautioned that any prohibition should be worded so as not to exclude hikers, bicycles, campers, etc.

Scobie Pond D+F (PSNH)- PSNH provided a wetlands matting post-construction report regarding the new poles they have put in and the matting they used to do so.

Sanborn Road restoration project- Russ Lagueux contacted D. Lievens about this project on the old LeClerc tire dump (now Town owned land), some of which will involve removal of items from wetlands. The LCC agreed to have him attend an LCC meeting or submit a letter to explain what the effort will entail. D. Lievens said she believed a Dredge and Fill permit will have to be obtained.

Gas pipeline D+F- A D+F permit by notification was incorrectly distributed to various Town departments as well as Concord when all copies should have been given to the LCC for signatures. This will trigger a 25 day waiting period. The State has requested that Tennessee Gas reseal the edges of the casing on the portion of pipeline that runs under Rockingham Road. G. Harrington speculated that water must be flowing down along the pipeline.

Foxtail Estates- D. Lievens reported that Foxtail Estates subdivision has been approved, including the 40 x 40 box culvert with the natural bottom that the LCC had requested in place of a culvert at a wetland crossing.

April 25, 2006 minutes-

M. Speltz made a motion to approve the minutes of the April 25, 2006 public session as presented. G. Herrmann seconded. The motion was approved 4-0-1. (G. Harrington abstained as he had not attended the meeting).

M. Speltz made a motion to adjourn. G. Herrmann seconded. The motion was approved, 5-0-0.

Respectfully submitted,

Jaye Trottier
Secretary