



Londonderry Conservation Commission  
Tuesday, September 26, 2006  
Minutes  
Page 1 of 3

**Present: Deb Lievens; Mike Speltz; Mike Considine; Paul Nickerson and Mark Oswald, Town Council Liaison**

Call to order

Chase Road CUP- Lynn Zebrowski of Keach-Nordstrom Associates presented a request for a Conditional Use Permit for a proposed subdivision on lot 1-62. This 9.69 acre piece would be subdivided into four lots, one 4.9 acre lot containing the existing house and barn and the remaining three to be sold for new construction.

After allowing for all of the Town's subdivision and zoning regulations, the location of the wells on lots two and three require a CUP. L. Zebrowski explained that on proposed lot two, after placing the driveway to accommodate sight distance regulations and providing the required area for the leachfield and building envelope, the well installation, casing and piping would create an 80 square foot buffer impact. On lot three, this associated impact would result in approximately 780 sf of buffer disturbance. She offered that while they would prefer not to plant on top of the water lines, the portions of the buffer impacted could be replanted following construction.

D. Lievens inquired as to why the northern portion of lot two could not be used in order to remove the buffer impact. L. Zebrowski replied that anything placed there such as the house or leachfield would be completely within wetland buffers. Considering the limited amount of lawn area that future owners would be afforded on that lot, D. Lievens noted the inherent danger in such a situation where owners may unwittingly expand their yard into the no cut zone. M. Speltz stated his concern that the driveway construction could conceivably result in further buffer impact if it is placed in a way just slightly different from the plan being presented. L. Zebrowski did not think either would become an issue and added that no trees within the buffer would be cut for sight distance purposes. She agreed to have conservation boundary markers placed all along the buffers in the subdivision.

M. Speltz asked if a three lot subdivision would be a consideration since it would eliminate the impact. While it would be possible to do so, L. Zebrowski replied that the current owners would like to maximize the use of their 9.69 acre lot. M. Speltz stated that economic advantage cannot be the sole purpose in seeking a CUP. L. Zebrowski countered that although economic advantage is part of the reasoning, the Town's rules and regulations are the cause of the well locations. D. Lievens verified that the wetlands involved were not named wetlands but it was also believed that they drain into Beaver Brook to the southeast.

D. Lievens entertained a motion and following some discussion, **M. Speltz made a motion to recommend approval of the CUP to the Planning Board with the comment that while it appears that the use of the buffer for the wells is driven by economic advantage, there is no significant net advantage to moving the wells out of the buffer, given the low amount of impact that they will cause and also with the request that all wetland buffers are properly marked with conservation boundary markers with a minimum of two markers per lot, at intervals no greater than 150 feet and at all significant turns in the buffer boundary. M. Considine seconded. The motion was approved, 4-0-0.**

Sanborn Road D+F- Deb Brewster of TFMoran presented a minimum expedited Dredge and Fill permit application for work associated with a proposed 96 unit multi family building on Sanborn Road. This proposal had been conditionally approved by the Planning Board when it was originally presented several years ago. When the Town enacted their growth ordinance, the limit on building permits prevented the project from moving ahead. Now that the moratorium has been lifted, the project is again underway.



**Londonderry Conservation Commission**  
**Tuesday, September 26, 2006**  
**Minutes**  
**Page 2 of 3**

During that time, changes in the area have occurred, specifically to the parking area at North School. While the developer had previously obtained all other necessary CUP's and wetlands permits, the expanded pavement at North School necessitated the relocation of the school's driveway which will now be located over an existing culvert. The Town Engineer is requiring that the failing 12 inch culvert pipe be replaced with a new 15 inch concrete pipe. Because of this and the fact that Sanborn Road will be widened, an abutting isolated wetland will be impacted by 365 sf of fill. D. Brewster noted that this wet area is an expansion of what was existing several years ago when the project began. M. Speltz suggested that the newly developed wet areas may be the result of the increased amount of impervious surface created by the parking lot expansion. In relocating the existing pipeline to be closer to Sanborn Road and impacting this smaller wetland, D. Brewster noted that it will no longer infringe on a larger wetland just to the north.

The LCC was not opposed to the application but P. Nickerson and D. Lievens will still perform a site walk on September 29<sup>th</sup>.

Pillsbury Road 'sidewalk' D+F/CUP- While reviewing the LCC's concerns with this proposal to fellow members not previously present at the July 11<sup>th</sup> and September 12<sup>th</sup> meetings, M. Speltz noted that the trail will cross over School District property upon which exists a conservation easement. While the resolution may simply involve a 'friendly condemnation' by the School District of the Town's easement, this issue still needs to be addressed with regard to both the trail and its associated swale.

M. Oswald offered to arrange a meeting the first week of October so he and D. Lievens can speak with the Town Engineer and the Director of Economic Development. If and when the issue with the easement is sorted out, the initial concern for the swale in the wetland buffer can be discussed, along with the fact that the LCC's comments had not been previously provided to Town staff by the engineer.

M. Speltz speculated as to whether a non-impervious surface could be used for the trail since it would be preferable and would seem to greatly reduce the overall cost.

Ammunition rounds on Ingersoll- M. Speltz previously provided shells and casings of both shotgun and high power rifles which were collected in the area of a woods road connecting Griffin Road to Bockes Road on the Ingersoll property. Considering the threat to the safety of surrounding abutters, the LCC had asked M. Oswald if he could address the issue with the Police Department. M. Oswald reported that he forwarded the evidence to the Town Manager who will be in touch with the Chief of Police.

Musquash- M. Oswald stated that he spoke with the Town Manager who will, in turn, talk to the Town Engineer about having the Public Works Department place Jersey barriers at predetermined access points in the Musquash. M. Considine reviewed where he felt bollards would be most effective and where the barriers should be placed. As reported at the last meeting, there is roughly \$1,000.00 left in Londonderry Trailway's current budget which they would donate to adding another set of bollards to the Musquash.

D. Lievens reported that National Grid has not expressed any interest in curtailing ATV use on their property.

Monitoring- Yearly inspections are required of the easements on the Plummer, Moose Hill and Ingersoll properties and Phase I of Sunnycrest. D. Lievens spoke with Mary Currier of the Rockingham County Conservation District who gave an estimate of \$2,500 for 48 hours of monitoring work at \$50.00/hour, plus mileage expenses. Such an expense would exceed the LCC's existing budget. After speaking with D. Lievens, the RCCD offered to take care of the phase of Sunnycrest at no cost since they will be taking control of that easement in the near future. The LCC will do their own annual walk of the Plummer



**Londonderry Conservation Commission**  
**Tuesday, September 26, 2006**  
**Minutes**  
**Page 3 of 3**

easement and will utilize last year's documentation provided by Karin Ruben to monitor the Moose Hill parcels. It was decided to contract with the RCCD to monitor Ingersoll.

Airport D+F- Notification had been received at the September 12<sup>th</sup> meeting that the Airport has applied for a D+F in order to install a pipeline that will take airplane deicing fluids and presumably other runway runoff directly into the Merrimack River. D. Lievens contacted the Merrimack River Watershed Council as requested. They informed her that the Airport is supposed to file for a Non-point Pollution Discharge Elimination System permit, which the MRWC would have a chance to review, but they have yet to see one. D. Lievens also spoke with the New Hampshire Department of Environmental Services who expressed their own concerns. They asked that D. Lievens provide them with a copy of the LCC's comments and questions, which she did.

Miscellaneous- D. Lievens provided information about the following:

1. The 2006 Watershed Conference on November 11<sup>th</sup>.
2. The Carbon Coalition's request for local Conservation Commissions to initiate climate change resolutions to see if towns "will go on record in support of effective actions by the President and Congress, etc." (D. Lievens will forward this information via email to LCC members)
3. A notice from the State Department of Transportation regarding geotechnical field explorations on I-93 by the power lines approximately one mile north of exit five.

MacGregor cut D+F- At the August 22<sup>nd</sup> meeting, the LCC had voted to recommend approval of this D+F application to the Wetlands Bureau with the request that an open bottom box culvert be added. D. Lievens received notice that the box culvert will not be open on the bottom "due to the fact that there is not an intermittent stream at this location." However, "the depth of the culvert was increased to provide 12 inches of stone on the bottom of the culvert."

DRC-

- 1) Zannini subdivision, 18-27  
No comments.
- 2) Gilcreast house site plan, 6-64-1  
No comments.

September 12, 2006 minutes- **P. Nickerson made a motion to approve the minutes of the September 12, 2006 public session as written. M. Considine seconded. The motion was approved 2-0-2. (M. Considine and M. Speltz abstained as they had not been present on September 12<sup>th</sup>).**

**P. Nickerson made a motion to approve the minutes of the August 22, 2006 nonpublic session as written. M. Speltz seconded. The motion was approved 2-0-2. (The abstaining votes were the same as above).**

Respectfully submitted,

Jaye Trottier  
Secretary