

Present: Deb Lievens; Gene Harrington; Marge Badois; Mike Considine; Paul Nickerson; and Ben LaBrecque

D. Lievens called the meeting to order at 7:32 PM.

62 Adams Road Lot Line Adjustment- Jack Szemplinski, owner of Map 6 Lot 113-1, returned with a proposed lot line adjustment involving his property, along with Map 6 Lots 90 and 90-1, owned by Harold Kicza (see August 26, September 23, October 28, and December 16, 2014 minutes). At the last presentation in December of 2014, a Conditional Use Permit (CUP) was sought for a total of 8,800 sf of Conservation Overlay District (COD) wetland buffer impact that will occur along the existing gravel driveway on Lot 90-1 which lies almost entirely in that buffer. After the lot lines are adjusted, that driveway will become shared access with Lot 113-1 as well as the location for underground utilities to 113-1. J. Szemplinski indicated at the December meeting that COD buffer signage would be placed all along the wetland buffers in compliance with the zoning ordinance, including the driveway, to ensure future owners are aware of the "no-cut zone." G. Harrington also requested that the existing driveway be monumented to identify its exact current location if and when it is paved. It was agreed that a total of 10 pipes would be installed to make the driveway limits obvious, and it was further negotiated that any given pipe would not be more than 1 foot from the edge of the existing gravel drive. Based on those conditions, the Commission had recommended approval of the CUP to the Planning Board.

J. Szemplinski explained that upon further consideration, the placement of those pipes would be impractical because of potential damage to tires or the loss of the pipes themselves due to vehicles. This could be avoided by making them flush with the ground, however they would then most likely become lost and defeat the purpose. He asked that the pipes instead be installed along the limits of the proposed access and utility easement (See Attachment #1). He proposed a stipulation that when the driveway is paved, it must be at a distance from the pipes of at least six and a half feet. Using the limits of the permanent easement will provide a written description of the exact location of the pipes since the easement is documented by metes and bounds and is recorded at the Registry of Deeds. He explained that the 6.5 foot distance is based on the easement being 25 feet wide, and the center of the 13-foot paved driveway being 12.5 feet from either side, leaving 6.5 feet from the edge of pavement to the edge of the easement. G. Harrington stated that the intent of the having pipes one foot off the edge of pavement as discussed in December was to ensure that the location of that gravel drive not shift over time since it is located almost completely within the COD buffer. J. Szemplinski noted that the driveway will be paved sooner than later because the Fire Department will be requiring it be paved before any Certificate of Occupancy is issued for a future home on Lot 113-1 to ensure proper emergency vehicle access.

M. Considine made a motion to recommend approval of the Conditional Use Permit with the condition that 10 pipes be installed along the bounds of the proposed access and utility easement on Map 6 Lot 90-1 and that the edge of driveway pavement be at a distance of 6.5 feet from the monumentation. B. LaBrecque seconded. The motion was approved, 6-0-0.



NE Cottontail Rabbit habitat- Heidi Holman of NH Fish and Game was present to discuss possible sites on conservation land in Londonderry that could be converted to NE Cottontail (NEC) habitat in an attempt to re-populate the endangered species. Specifically, F&G is looking for demonstration project sites for a large scale grant program sponsored by National Fish and Wildlife Foundation and Eversource. Seed money has been provided by both groups to facilitate the program which will bring upwards of \$3 million for fish and wildlife conservation efforts in NH in the next few years. A draft proposal was forwarded to Commissioners prior to the meeting in order to provide H. Holman with feedback at this meeting (see Attachment #2). Five possible sites were discussed: parcels adjacent to the Cohas Marsh (off of Delta Drive, Aviation Park Drive and Litchfield Road), Phases 2 and 3 within the Musquash (where a timber cut was done in 2013 to initiate new NEC habitat), the Cooper property (Map 11 Lot 11) and School District properties west of the Middle School, High School and Matthew Thornton Elementary (see Attachment #3). Following some discussion of the potential pros and cons associated with the various choices, the Commission asked H. Holman to perform a cost-benefit analysis of each and return with those figures at a future meeting. They also noted that to be of any serious consideration, land owned by the School District would need to be placed in permanent conservation (via a deed restriction) to preserve any habitat created. They therefore suggested she discuss the possibility with the School District before going any further with that option. H. Holman said she would investigate the Commission's requests and return at a future date.

Londonderry Rail Trail, Phase III- A public hearing took place on January 6 regarding the Commission's consideration of an possible expenditure of \$100,000 from the Land Use Change Tax (LUCT) fund for part of the construction of Phase III of the Londonderry Rail Trail. There was consensus at that meeting of expending the funds, however not enough voting members were present due to a delay in the reappointment of three Commissioners. Members of Londonderry Trailways explained at that public hearing that their own fund raising efforts and a citizen's petition on the 2015 Town Warrant would generate the remaining cost of Phase III. That petition did not make the deadline for the Town Meeting warrant, however Commissioners discussed the possibility of still voting on the expenditure on the chance that Trailways is able to raise the remainder of the money needed. Following a brief discussion, G. Harrington made a motion for the Commission to approve the expenditure of up to \$100,000 from the Land Use Change Tax fund towards construction of Phase III of the Londonderry Rail Trail project, contingent on Londonderry Trailways obtaining the balance of funding for Phase III and obligating it by August 1, 2016. P. Nickerson seconded. The motion was approved, 6-0-0.

 School House Square CUP- Project engineer Jack Szemplinski originally presented this Conditional Use Permit (CUP) application to the Commission on January 6. This residential development would take place on Map 12 Lots 57 and 60 with access from Mammoth Road via a proposed private road. That road would bisect an existing wetland (with approval of a State approved Dredge and Fill permit) and in doing so, leave one portion south of the road that would be large enough to trigger the Conservation



Overlay District 50-foot wetland buffer. Grading associated with the roadway would result in 2,600 sf of buffer impact. Without a quorum of Commissioners present on January 6, an official vote was postponed, although there were no objections to the application at that time. **G. Harrington made a motion to recommend approval of the Conditional Use Permit for School House Square to the Planning Board as presented on January 6, 2015.** P. Nickerson seconded. The motion was approved, 5-0-1 with M. Considine abstaining as he was not present for the presentation.

Monitoring (Ingersoll)- G. Harrington made a motion to authorize the Chair to expend an amount not to exceed \$650 from the line item budget to the Rockingham County Conservation District for performing the annual monitoring the Ingersoll conservation easements on map 1 lots 1 and 3-2 in 2014. P. Nickerson seconded the motion. The motion was approved, 6-0-0.

<u>Seekins Subdivision</u>- A copy of the fully executed Minimum Impact Expedited Dredge and Fill (D+F) application associated with this project was received by the Commission (see the December 16, 2014 minutes).

<u>Town Fair Tire</u>- A copy of the fully executed Minimum Impact Expedited Dredge and Fill (D+F) application associated with this project was received by the Commission (see the December 16, 2014 minutes).

- DRCs- 1. Seekins Subdivision; Map 12 Lot 11
- 100 Comments: No comments.

- 2. Verani Subdivision; Map 17 Lots 36-4 & 37
- Comments: No comments.

- 3. Mammoth Road Self-Storage Site Plan; Map 15 Lots 127, 128 & 129
- Comments: Applicant needs to present to Con Comm for Conditional Use Permit

<u>Membership</u>- D. Lievens announced that Truda Bloom has officially resigned as Commissioner as she no longer lives in Londonderry.

- <u>Elections</u>- **G. Harrington nominated M. Badois as Chair of the Commission. B. LaBrecque seconded.** The motion was approved, 6-0-0.
- D. Lievens nominated G. Harrington as Vice Chair of the Commission. P. Nickerson seconded. The motion was approved, 5-0-1 with G. Harrington abstaining.

National Grid Maintenance Notice- National Grid notified the Town in writing that they are proposing to conduct maintenance and repair along the shared electrical utility corridor in Londonderry. The



correspondence explained that utility maintenance work is exempt from the standard State wetlands permitting process, however notice is required of the proposed work to any town in question as well as the Department of Environmental Services Wetlands Bureau. All work is to be conducted in accordance with Best Management Practices.

<u>Musquash Field Day</u>- M. Considine gave a brief summary of this annual event that took place on February 7. He noted that attendance was down compared to recent years, which may have been in part because of competing events taking place that day, including the Town Deliberative Session. He also suggested that new ideas be considered for next year, whether they involve a new location, a different time of year or different activities.

Target Shooting in the Musquash- A task force was recently formed by the Town Council and charged with considering this ongoing issue. M. Considine has acted as representative for the Commission and said the group is comprised of a variety of residents, including both hikers and target shooters, as well as representatives of the Police and Fire Departments. Several meetings have taken place and M. Considine reported that the fact finding phase has been completed. The group has also performed site visits to areas impacted within the Musquash, they have received input from the Town Attorney and have seen a presentation from M. Considine himself. At this point, the task force is considering several options; 1. Creating an ordinance that precludes target shooting in some form in town, 2. Using only existing State RSAs to preclude unsafe target shooting, and 3. Finding a safe location either within the Musquash or elsewhere in Town for target shooters to use. A report to the Town Council is due in early April.

<u>December 16, 2014 minutes</u>- **G. Harrington made a motion to approve the minutes of the**<u>December 16, 2014 public session</u> as written. B. LaBrecque seconded the motion. The motion was approved, 4-0-2 with P. Nickerson and B. LaBrecque abstaining as they had not attended the meeting.

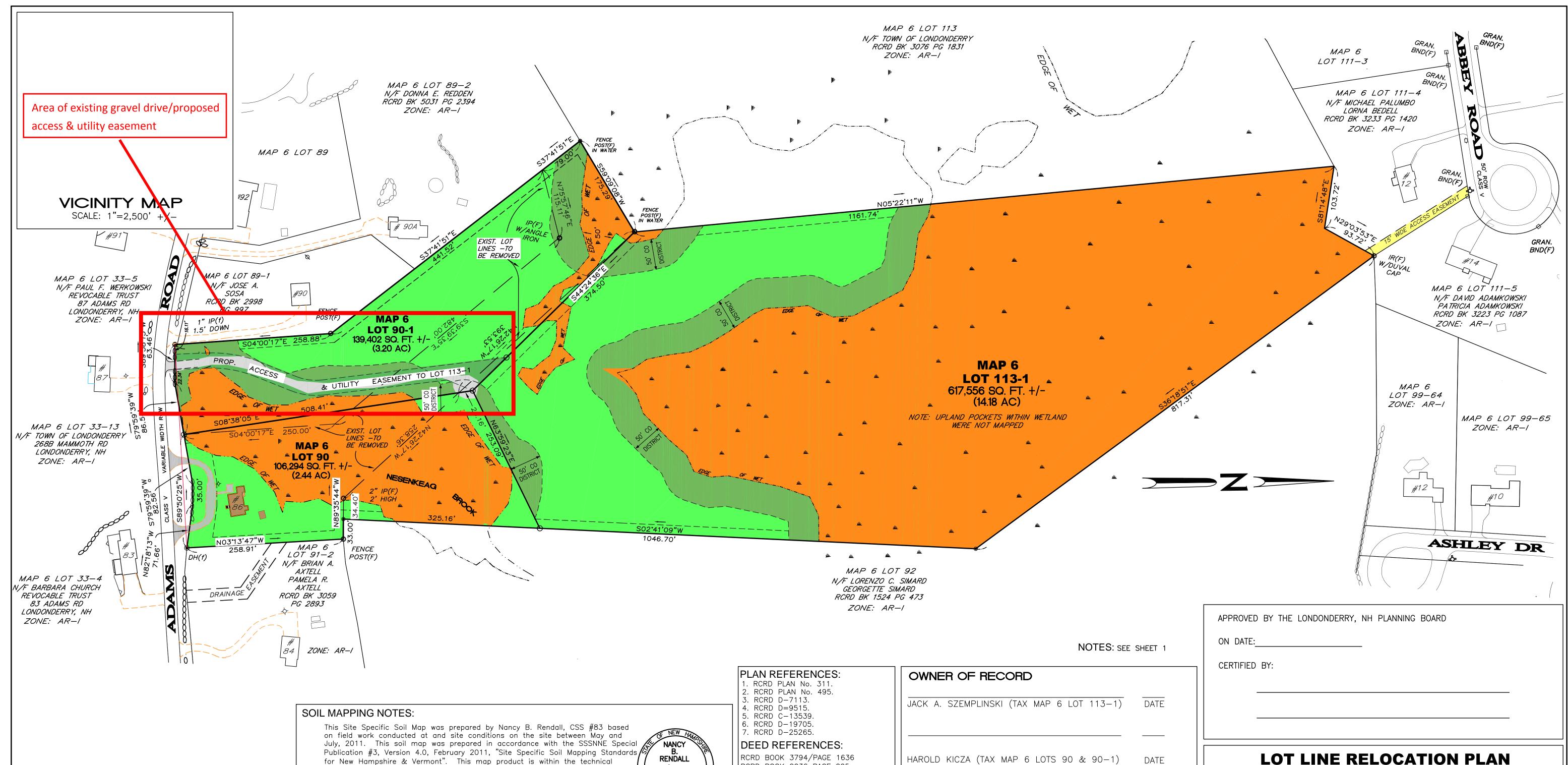
D. Lievens made a motion to approve the minutes of the <u>December 16</u>, 2014 <u>non-public</u> <u>session</u> as written. M. Considine seconded the motion. The motion was approved, 4-0-2 with the same abstentions noted above.

January 6, 2015 Public Hearing minutes- G. Harrington made a motion to approve the minutes of the Public Hearing held on January 6, 2015 as written. M. Considine seconded. The motion was approved 3-0-3 with M. Considine, P. Nickerson and B. LaBrecque abstaining as they had not attended the meeting.

D. Lievens made a motion to go into <u>Non-Public Session</u> per RSA 91-A:3 for the purpose of discussing possible land acquisitions. P. Nickerson seconded the motion.

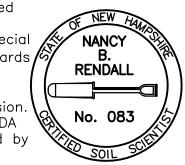


157 158	Roll call vote: Aye, Deb Lievens; Aye, G. Harrington; Aye, Mike Considine; Aye, Paul Nickerson; Aye, Ben LaBrecque, and Aye, Marge Badois.		
159	. , , , ,		
160	G. Harrington made a motion to go out of Non-Public Session. P. Nickerson seconded the motion.		
161	The motion was approved, 6-0-0.		
162			
163	G. Harrington made a motion to seal the minutes of the Non-Public Session indefinitely. P.		
164	Nickerson seconded the motion. The motion was approved, 6-0-0.		
165			
166	The meeting adjourned by consensus at approximately 9:50 PM.		
167			
168	Respectfully submitted,		
169			
170			
171	Jaye Trottier		
172	Associate Planner		



- GENERAL AND SUBSEQUENT CONDITIONS . NO CONSTRUCTION OR SITE WORK FOR THE SUBDIVISION MAY BE UNDERTAKEN UNTIL THE PRE-CONSTRUCTION MEETING WITH TOWN STAFF HAS TAKEN PLACE, FILING OF AN NPDES-EPA PERMIT AND THE SITE RESTORATION FINANCIAL GUARANTY IS IN PLACE WITH THE TOWN. CONTACT
- THE DEPARTMENT OF PUBLIC WORKS TO ARRANGE FOR THIS MEETING. THE PROJECT MUST BE BUILT AND EXECUTED EXACTLY AS SPECIFIED IN THE APPROVED APPLICATION PACKAGE UNLESS MODIFICATIONS ARE APPROVED BY THE PLANNING DIVISION AND DEPARTMENT OF PUBLIC
- WORKS, OR IF STAFF DEEMS APPLICABLE, THE PLANNING BOARD. ALL OF THE DOCUMENTATION SUBMITTED IN THE APPLICATION PACKAGE BY THE APPLICANT AND ANY REQUIREMENTS IMPOSED BY OTHER AGENCIES ARE PART OF THIS APPROVAL UNLESS OTHERWISE UPDATED, REVISED, CLARIFIED IN SOME MANNER, OR SUPERSEDED IN FULL OR IN PART. IN THE CASE OF CONFLICTING INFORMATION BETWEEN DOCUMENTS, THE MOST RECENT DOCUMENTATION AND THIS NOTICE HEREIN SHALL GENERALLY BE
- DETERMINING. IT IS THE RESPONSIBILITY OF THE APPLICANT TO OBTAIN ALL OTHER LOCAL. STATE AND FEDERAL PERMITS, LICENSES, AND APPROVALS WHICH MAY BE REQUIRED AS PART OF THIS PROJECT (THAT WERE NOT RECEIVED AS PRIOR TO CERTIFICATION OF THE PLANS). CONTACT THE BUILDING DEPARTMENT AT EXTENSION 115 REGARDING BUILDING PERMITS.

for New Hampshire & Vermont". This map product is within the technical standards of the National Cooperative Soil Survey. It is a special purpose product, intended for use in the permitting of a proposed residential subdivision. It was produced by a certified soil scientist and is not a product of the USDA Natural Resources Conservation Service. There is a narrative report prepared by the certified soil scientist that is meant to accompany this map.

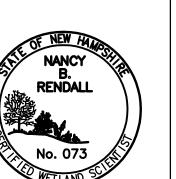


## **WETLAND NOTES:**

- 1. Wetlands were field delineated by Nancy B. Rendall, Certified Wetland Scientist, #073 in the May 2014.
- 2. Wetland delineation was performed to the standards in the "Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, USACE, October, 2009."

3. Hydric soils were determined in accordance with the protocol in "Field

- Indicators of Hydric Soils in the United States A Guide for Identifying and Delineating Hydric Soils, NRCS, Version 7.0, 2010." 4. Dominance of wetland vegetation was assessed using the National List of Wetland Plant Species that Occur in Wetlands - Northeast; Region 1,
- 5. Wetlands were classified using the USFWS Methodology, "Classification of Wetlands and Deepwater Habitats, Cowardin et al, 1979.



### LEGEND:

RCRD BOOK 2036 PAGE 005

- O IRON PIPE/ REBAR FOUND
- BOUND FOUND DRILL HOLE FOUND
- O DRILL HOLE/ REBAR TO BE SET □ BOUND TO BE SET
- CATCH BASIN FLOW DIRECTION 274X0 SPOT ELEVATION EXISTING UTILITY POLE

—OHE— OVERHEAD UTILITIES TREELINE --- STONEWALL

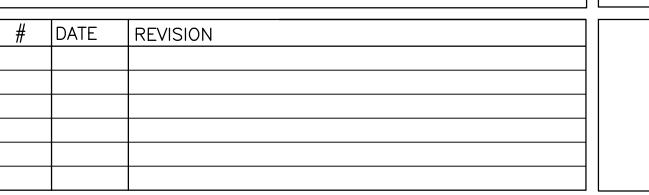
SOIL LINE SOIL DESCRIPTION

EXISTING CONTOUR LABEL TEST PIT

HAROLD KICZA (TAX MAP 6 LOTS 90 & 90-1)

I CERTIFY THAT THE WORK PERFORMED IN PREPARATION OF THIS PLAN HAS AN ERROR OF CLOSURE NO GREATER THAN 1:10,000.

DATE ALBERT T. TRUDEL, LLS C.S.I. ASSOCIATES



TRUDEL

TAX MAP 6 LOTS 90, 90-1 & 113-1 86 AND 88 ADAMS ROAD LONDONDERRY, NEW HAMPSHIRE 03053

OWNER OF RECORD: TAX MAP 6 LOTS 90 AND 90-1 HAROLD KICZA 86 ADAMS ROAD

TAX MAP 6 LOT 113-1 JACK A. SZEMPLINSKI 258 DAMON DRIVE ALTON, NH 03809

OWNER OF RECORD:

SCALE: 1"=80'

LONDONDERRY, NH 03053

SHEET 2 OF 6 JULY 30, 2014



BENCHMARK ENGINEERING, INC. Consulting Engineers Land Planners 1F Commons Drive, Suite 35 Londonderry, New Hampshire 03053

Phone: (603) 437-5000

#### A Draft Proposal For Cooperative New England Cottontail Management On Londonderry Conservation Lands

Strategy Statement: As part of a comprehensive strategy to protect rare and endangered wildlife impacted during the development of the industrial landscape in Londonderry, businesses are contributing funds to NH Fish and Game to restore habitats and monitor wildlife population responses in the surrounding area. Successful implementation of these actions includes coordination with the Town of Londonderry Conservation Commission to manage vegetation and monitor multiple species on fee-owned town conservation parcels.

Background: As the industrial landscape surrounding the Manchester Airport is developed the amount of habitat available for the State Endangered New England Cottontail (NEC) and other state listed species will be reduced substantially. In order to maintain NECs on the landscape it is critical that new habitat be created. Managed parcels must be in close proximity to one another (1-2 km) to facilitate movement between habitat patches or be connected by landscape features such as utility Right of Way (ROW) that are managed for persistent shrub cover. A total of sixteen conservation lands owned by the Town of Londonderry have been identified as potential locations for creating or enhancing habitat for the New England cottontail (see Table 1). Habitat projects would include connecting suitable habitat patches together, and creating suitable habitat by manipulating existing vegetation.

Objective 1: The first objective includes the creation and linkage of young forest and shrublands by removing forest canopy cover and establishing desired plant composition and structure. It is expected that the regenerating vegetation will provide suitable NEC habitat in 5-10 years. Once the habitat is deemed suitable, the local NEC population will be augmented (as necessary) with the release of rabbits from a captive breeding program. The creation of young forest and shrubland habitat will also benefit a wide variety of wildlife species that have been declining in New Hampshire including brown thrasher, Eastern towhee, black racer, and American woodcock.

Objective 2: The second objective is the monitoring of species at risk. Monitoring will be conducted using radio telemetry for New England cottontail, Eastern hognose snakes (state endangered) and black racer snakes (state threatened), all of which have been documented in Londonderrry's industrial area. Monitoring will provide more detailed information on the status of these species as the landscape is modified. NHFG will require access to select town owned lands for the capture and monitoring of said species.

			Project
Id	Property	Parcel Acres	Acres
1	Cooper Parcel	34.19	20
2	Cohas	4.49	*
3	Cohas	2.12	*
4	Cohas	9.73	*
5	Cohas	6.63	*
6	Cohas	7.11	*
7	Cohas	14.98	5
8	Cohas	7 <i>.</i> 75	*
9	Cohas	16.24	10
10	Cohas	6.61	*
11	Musquash	36.99	20
12	Musquash	13.48	10
13	Musquash	19.45	10
14	School	69.82	20
15	School	33.65	10
16	School	36.81	10

115

**Table 1.** Summary of conservation lands that could be managed for young forest habitat to benefit New England cottontails and other associated species of greatest conservation need. \*Smaller parcels may be managed to provide connectivity between larger core patches.

## New England Cottontail Habitat Management Opportunties Town of Londonderry Conservation Parcels



0 0.75 1.5 Miles

A Description of Proposed Management Actions By Land Unit, As Listed In Table 1.

#### Musquash Conservation Area

New Hampshire Fish and Game, Londonderry Conservation Commission, Wildlife Management Institute and UNH Cooperative Extension have previously worked with the town's consulting forester to identify potential habitat management areas for New England cottontail within the Musquash Conservation Area. These potential habitat areas were identified as having the least impact on other natural resources and recreational uses, while still providing high quality opportunities for management. Staff from all agencies assisted with outreach about the habitat management projects including site walks and a televised information program. The Town of Londonderry approved the initial implementation of habitat work on the Musquash Conservation Area in Fall 2012. The timber harvest was conducting in March 2013, creating a ~20 acre habitat patch.

NH Fish and Game continues to work with the Conservation Commission to monitor the regenerating habitat and evaluate additional management actions that may be needed to facilitate habitat regeneration. Site walks were conducted in Spring 2014 to survey for the presence of invasive species. No invasive plants were found. It is estimated that the habitat will take 5-10 years to develop into suitable habitat for the New England cottontail, at that time NHFG intends to release rabbits from the captive breeding program at the site.

Two additional project areas were identified by the forester for creating habitat for New England cottontail on the property. One of the proposed project areas requires a substantial road improvement for the timber to be harvested. The successful implementation of this project would be dependent on the successful submission of a trails grant by the Londonderry Conservation Commission to offset this cost.

#### **Cohas Marsh Conservation Area**

Parcels owned by the Town of Londonderry as part of the Cohas Marsh Conservation Area are currently occupied by New England Cottontails. These parcels are adjacent to the greater 1,000 acre landscape of industrial lots that provide the majority of habitat for the New England cottontail in the town. Enhancement of existing shrublands to maintain suitable habitat in addition to timber harvesting to create new habitat would be recommended. These parcels are small in size, but cumulatively they have the potential to provide a substantial amount of connecting habitat and a few core patches. These parcels were transferred to the Town of Londonderry following the expansion of road infrastructure in the area. It is anticipated that the proposed management of these lands would pose minimal conflict with current use of this area.

#### Cooper Parcel

This large parcel is connected to the greater landscape by a utility ROW that passes through. It is possible that there is existing habitat that is occupied on the parcel at this time although no formal surveys have been conducted. Creation of a large core habitat patch on this parcel would provide substantial benefits to the persistence of the species. It is unknown if there are any potential use conflicts for this property.

#### **School Conservation Area**

Three parcels were identified as being owned by the Town of Londonderry in the vicinity of the local schools. A utility ROW connects these parcels the Musquash Conservation Area. The largest parcel has no existing development and has the potential to provide a high quality core habitat patch of 20 acres. The remaining two parcels have infrastructure supporting the schools, but back lands that could provide smaller 10 acre habitat patches. It is unknown if there are any potential use conflicts for these parcels.

### **Integrated Conservation Planning**

There are a number of additional priority wildlife species occurring in the Town of Londonderry, such as the Blanding's (state endangered) and spotted turtles (state threatened); and various other natural resource and recreation objectives identified by the Conservation Commission. It is anticipated that through discussion an integrated plan may be developed to provide maximum benefit for multiple wildlife species, prevent adverse impacts to other state regulated species, and facilitate the town objectives for these properties.

### Implementation Timeline (DRAFT)

Fall/Winter 2014 - Trap and collar New England cottontails for telemetry monitoring.

Winter 2014-2015 – Meet with the Conservation Commission to discuss potential habitat management projects. Draft plans and organize public information events.

Spring 2015 - Capture and implant radio tracking devices in black racer and hognose snakes.

Fall/Winter 2015 - Trap and collar New England cottontails for telemetry monitoring.

Winter 2015-2016 — Begin implement habitat management projects on town parcels. \*Contingent on funding.

Londonderry Conservation Commission Meeting Minutes - February 24, 2015 - Attachment #3 Cohas Marsh Parcels

0 0.5 1 Kilometers



# Town of Londonderry Musquash Swamp Phase 2 (~20 acres)

0 0.25 0.5 Kilometers





## Musquash Phase 3

0 0.25

0.5 Kilometers





# Town of Londonderry Cooper Conservation Parcel (~12 acres)

0 0.125 0.25 Kilometers





# Town of Londonderry School Area Conservation Project (~45 acres)

