

Present: Deb Lievens; Gene Harrington; Mike Considine; Paul Nickerson; Marge Badois; Mike Speltz, alternate; and Kellie Walsh, non-voting alternate

The Conservation Commission held a public hearing prior to the regular meeting at 7:00 PM regarding the regarding the purchase of a conservation easement for approximately \$395,000 on 26 +/- acres of map 11, lot 33 (18 Kimball Road), owned by Leah R. Doyle (see separate public hearing minutes).

D. Lievens called the regular meeting to order at 7:34 PM. She appointed M. Speltz to vote for Truda Bloom.

Fed Ex Ground Facility site plan; D+F and CUP- Project manager Jim Petropulos of Hayner/Swanson, Inc. was joined by wetland scientist Bob Prokop to present applications for both a minimum expedited Dredge and Fill (D+F) permit as well as a Conditional Use Permit (CUP) related to a site plan for a 300,000+ one-story warehouse/distribution facility on map 14 proposed lot 45-2. Configuration of the site (see Attachment #2) will be a result of a separate lot consolidation application involving the current 45-2 along with lots 45 and 46. Wetland impacts resulting from grading to be done on northwestern corner of the lot will total 2,220 square feet while an associated 30,280 sf of Conservation Overlay District (COD) buffer will be disturbed (see Attachments #3 and #4). B. Prokop described this wetland as being of relative "marginal" value with little vegetation, but having wetland soils nonetheless. Mitigation is proposed just south of the impacts where loaming and seeding with a conservation seed mix will be followed by the planting of 95 trees in order to create an area of forested upland that will eventually buffer the wetland (see Attachment #5).

M. Considine questioned the proposed number of parking spaces (600). J. Petropulos stated that the number of employees at a facility that is in operation 24 hours a day necessitates that amount of parking. M. Speltz asked if the applicant could use pervious pavement to offset the amount of stormwater runoff. J. Petropulos said he could convey the request, but stated that it is not in Federal Express' policy to do so. G. Harrington verified that there will be no impact on a wetland to the east of the property. D. Lievens asked if the salt storage shed located just east of where the wetland and buffer impacts will occur will be secured to prevent salt entering the wetland. J. Petropulos answered that it will be contained and curbed.

D. Lievens explained the policy of the Conservation Commission to perform a site visit in order to verify the conditions stated in the minimum expedited D+F application before signing it. Plans were then made for J. Petropulos to meet G. Harrington and M. Badois on site in the morning of January 16.

D. Lievens entertained a motion to authorize the Chair to write a letter to the Planning Board recommending approval of the CUP as presented. M. Badois so moved. M.



Considine seconded. The motion was approved, 6-0-0.

40 41 42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

Wallace Farm Workforce housing project- Wetland scientist Luke Hurley of Gove Environmental Services provided the Commission with revised wetland and COD buffer impact figures associated with a proposed workforce housing project on 48, 52 and 62 Perkins Road (map 16, lots 1, 2 and 3). When last before the Commission on November 12, 2013, wetland impacts totaled 9,820 sf and 67,610 sf of buffer area was to be disturbed (see November 12, 2013 minutes). Several Commissioners subsequently joined engineer Karl Dubay and L. Hurley at the site to view the area. With input from the Commission, the plans were reengineered in several areas, resulting in a decrease of 45% in buffer impacts which would now total 30,550 sf. (L. Hurley said he would confirm this number with the Chair since another figure of roughly 40,000 was included in a portion of the paperwork presented, but was not believed to be correct). Wetland impacts were reduced from 9,820 sf to 6,690 sf (see Attachments #6 and #7), and stream impacts were reduced from approximately 280 linear feet to 197. While mitigation is no longer required by the State and Army Corps of Engineers for the lower wetland impacts, the project still includes them (see Attachment #7). M. Speltz requested that a box culvert be used at "wetland impact #2" as he did at the November presentation. L. Hurley explained that since the first request, the applicant has found no conclusive evidence that a box culvert would be best suited in that situation and therefore decided against using one.

5960616263

64

65

66 67

68

G. Harrington made a motion to authorize the Chair to write a letter to the Wetlands Bureau stating that the Commission reviewed the D+F application and have no objection to it, but ask that the Department of Environmental Services consider requiring for the lower crossing a box culvert with daylight openings of some sort. P. Nickerson seconded. The motion was approved, 6-0-0.

M. Speltz made a motion to authorize the Chair to write a letter to the Planning

69 70 Board recommending approval of the CUP, subject to: 1) the confirmation of the total buffer impact being 30,550 sf; 2) the mitigation being performed in accordance with agreements with DES and the Army Corps of Engineers; and 3) the COD buffer signs being placed in sufficient numbers so as to be inter-visible. P. Nickerson seconded. The motion was approved, 6-0-0.

71 72

73

74

75

76

77

78

<u>Hicks acquisition</u>- At their September 23 meeting, the Town Council voted to approve the Commission's recommendation of the purchase of 119 High Range Road, map 6 lot 2-1, for conservation purposes. During the subsequent title search, the attorney for the Town had the grandchildren of the owners execute separate quitclaim deeds to their parents and/or grandparents since there was a question of possible inherited interests in the land on their part. In order to record them at the Rockingham County Registry of Deeds, they are each subject to a standard Land & Community Heritage Investment Program (LCHIP) fee and



possibly transfer taxes as well. The Hicks family has requested that the Town cover the costs, considering the fees were unexpected and in view of the significantly reduced selling price for the land. At the most, the fees would total approximately \$455, but the attorney is attempting to have only the LCHIP fees apply, which would cost \$175. The Town Finance Director has given the opinion that the fees can be taken from the Open Space Protection Fund as part of the closing costs in completing the title search.

D. Lievens entertained a motion to authorize the Chair to expend an amount between \$175 and \$455 from the Open Space Protection Fund to pay the transfer tax and LCHIP fees for the quitclaim deeds needed to clear the title on the Hicks property. M. Speltz so moved. P. Nickerson seconded. The motion was approved, 6-0-0.

<u>Musquash Field Day</u>- Commissioners had a brief discussion on preparations for this annual event to take place on February 15.

<u>Conservation funds</u>- D. Lievens reported that she and M. Speltz continue to research the history of funds appropriated for conservation purposes in Londonderry following the recent decision of the Town Attorney that Open Space Protection Fund (OSPF) monies cannot be spent on stewardship activities of conserved land in town (see December 10, 2013 minutes).

Based on a former Town Attorney's opinion, the Commission voted in 2013 to expend \$37,000 from the OSPF on an outdoor recreation guide project. It was noted that while that money was then taken by the Town from another source of conservation monies, no requisite vote was actually taken by the Commission to make an expenditure from that other source.

<u>DRCs</u>- 1. Industrial Drive Extension Consolidation and Lot Line Adjustment, Map 14 Lots 45, 45-2, & 46. No comments.

FedEx Ground Facility Site Plan Map 14 Lot 45-2 (proposed).
 Comments: A. Please consider pervious pavement for the daytime parking area; B. Please be sure salt storage structure is built to adequately contain salt. There should be a front cover/door when it is not being used; C. Please be sure snow storage is not adjacent to wetlands & forebays.

3 & 4. Wallace Farm Lot Line Adjustment & Consolidation and Workforce Housing Site Plan. Comments: We suggest an open box culvert with some type of daylight' opening at wetland impact area #2 on the "Wetland Impact Summary Plan" presented to the Commission on January 14, 2014.

5. <u>Kestrel Estates Subdivision Map 12 Lot 138.</u>



118	Comments: Given the steepness of the north facing slopes, the project may force					
119	the Town into using an excessive amount of salt which will make it difficult to meet					
120	its total maximum daily load (TMDL) of salt.					
121						
122	December 10, 2013 minutes- G. Harrington noted that the vote taken to cancel the December					
123	24, 2013 meeting was missing from the draft minutes. M. Considine made a motion to					
124	approve the minutes of the December 10, 2013 public session as amended. M. Badois					
125	seconded. The motion was approved, 6-0-0.					
126	G. Harrington made a motion to approve the minutes of the December 10, 2013 non-					
127	public session as written. M. Considine seconded. The motion was approved, 6-0-0.					
128						
129	G. Harrington made motion to adjourn the meeting. M. Considine seconded. The motion					
130	was approved, 6-0-0.					
131						
132	The meeting adjourned at approximately 10:05 PM.					
133						
134	Respectfully submitted,					
135						
136						
137						
138	Jaye Trottier					
139	Associate Planner					



0 1,500 3,000 4,500 FEET

PHOTO DISPLAY
FEDEX GROUND FACILITY
INDUSTRIAL DRIVE
LONDONDERRY, N.H.

PREPARED FOR: FIG. 2

SCANNELL PROPERTIES

900 E. 96TH ST., SUITE 175, INDIANAPOLIS, IN 46240

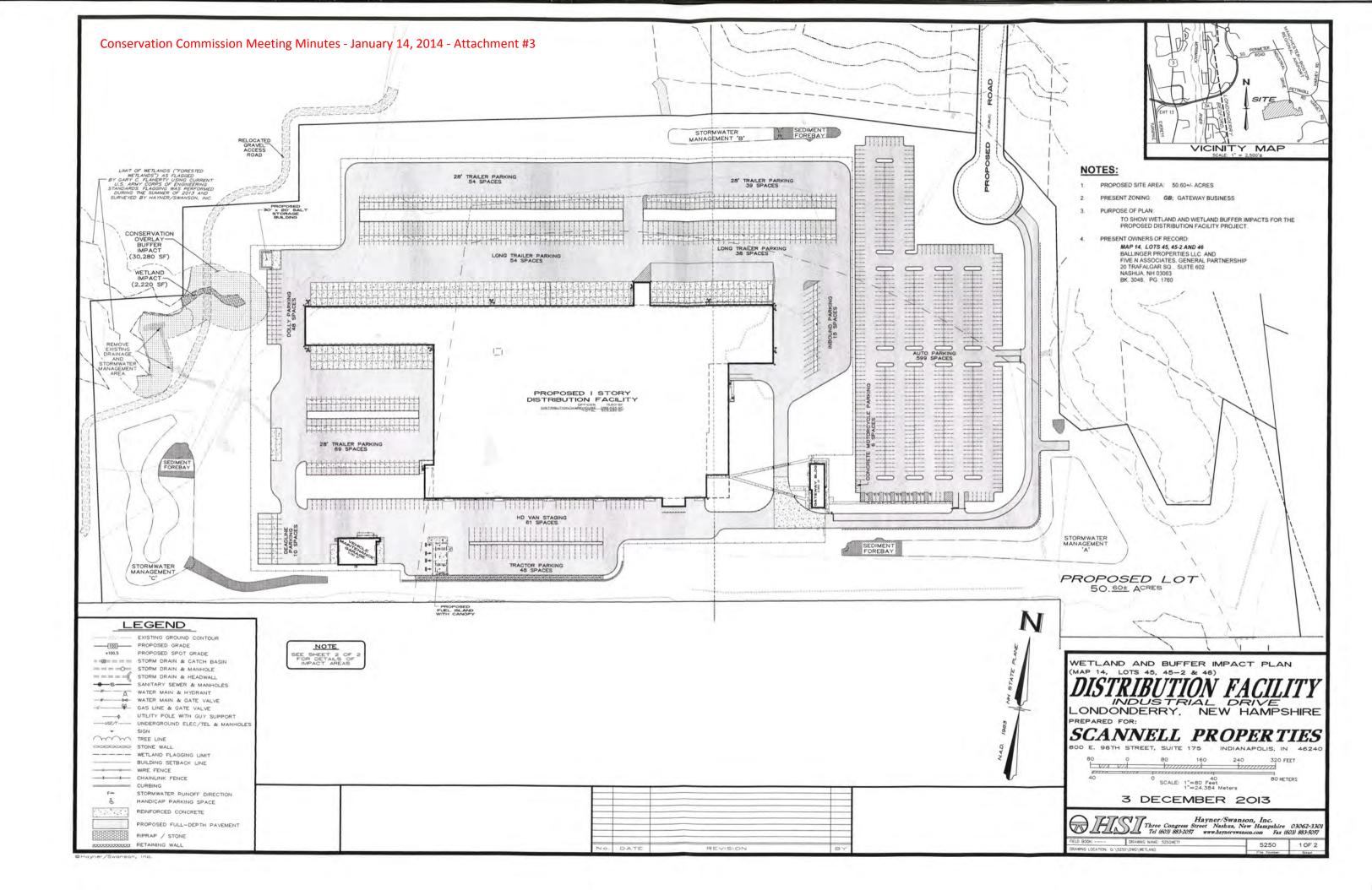
DECEMBER 2013

Hayner/Swanson, Inc.
Three Congress Street Nashua, New Hampshire 03062-3301
Tel (603) 883-2057 www.haynerswanson.com Fax (603) 883-5057

DRAWING: 5250 USGS
LOCATION: Q: \5250\DWG\5250 SITE

5250

File Number



Application for a Conservation Overlay District Conditional Use Permit Form A - For a Use permitted by Conditional Use Permit

A. Name of Project:	Proposed Distribution Facility	delenation france, managing and a series	***************************************
B. Location of Project:	Pettengill Road (Street)	14 (Map #)	45,45-2,46 (Lot #)
C. Applicant:			
Name:	Scannell Properties		
Address:	800 E. 96th Street, Suite 175		
/ (w/w/) w/w/w/	Indianapolis, IN 46240		
Phone:	317-670-1015		
	317-843-5957	-	
Fax: Signature:	317-843-5957	D	relopne

II. Required Information:

- Plans showing existing and proposed conditions.
- Wetland delineation certified by a Certified Wetlands Scientist and mapped by a licensed land survey or.
- Areas on plans highlighted to show areas where conditional use permit is sought
- Narrative description of project and conditional use permit request.
- Criteria for conditional use permit described (see below).

III. Optional Information:

- Aerial Photographs
- Site Photographs

IV. Conditional Use Permit Criteria

Address, in the provided boxes, the following criteria in accordance with Section 2.6.3 of the Zoning Ordinance:

 The proposed construction is essential to the productive use of land not within the CO District.

The proposed construction of the relocated gravel drive in the western part of the site is needed in order to provide interim access to the remainder of Lot 45. Furthermore the slope construction on the western part of the proposed site development is needed in order to accommodate all of the elements of the proposed distribution facility.

2. Design and construction materials will be such as to minimize impact upon the wetlands and will include restoration of the site consistent with the permitted use.

The entire site has been designed to minimize impacts to wetland areas that abut this site on three sides. Specifically, on the west side of the site, a 2.5:1 slope is proposed to minimize the impacts to the wetland complex located in that part of the site. Part of the work includes the removal of an existing storm water basin that was part of the earth excavation operation on this site. The area will be loamed, seeded and replanted with trees (white pines, poplars and gray birch trees spaced 20-feet on center) to create a better wetland buffer than currently exists.

3. There is no feasible alternative route on land controlled by the applicant that does not cross the CO District nor has less detrimental impact upon the wetlands. Nothing in this section shall limit the applicant from exploring alternatives with abutting property owners:

No reasonable alternatives exist in order to meet the program outlined by the proposed distribution facility. The wetland impact has been kept to a minimum.

4. Economic advantage is not the sole reason for the proposed location of the construction:

Maintaining access to the remainder of Lot 45 is the main reason for the proposed wetland impact. The restored buffer improvements (ground cover and trees) should provide a much improved buffer to the remaining wetland area.

- 5. Square Footage of Wetland Impacts: 2,220 sf
- 6. Square footage of Buffer Impacts: 30,280 sf

PROJECT NARRATIVE

The proposed project is comprised of three separate parcels that total approximately 138.7 acres (see attached plans). The current property owners intend on subdividing their property to create the lot needed to accommodate the proposed distribution facility (approximately 50.6 +/- acres). Furthermore, it is our understanding that the property owner will build approximately seven-hundred (700) feet of new public road to access the proposed site. The proposed roadway will include public utilities (sanitary sewer, water, power, telecommunications and gas), which will be extended to the end of the proposed cul-de-sac with the purpose of serving the distribution facility.

The site is almost entirely cleared. With regard to topography, the main part of the site is relatively flat. As can be seen on HSI's base map there is a gentle slope from south to north in the central and eastern portion of the property, with approximately a six-foot grade differential over the majority of the site. Towards the western part of the proposed lot, there is a significant slope away from the center of the tract with grades ranging from 290.00 to 250.00. A steep bank exists along the southerly property line. A NHDOT Conservation Easement abuts the property to the north and northeast.

Per the Flood Insurance Rate Maps (FIRM), this parcel is <u>not</u> located within a 100-year flood hazard area (see attached FIRM map).

SCS Soils mapping for the site references the predominant soil type for this property as a combination of 26B — Windsor loamy sand and 45B — Montauk fine sandy loam (see attached SCS Soil Mapping). It is our understanding that the site has been previously used as a sand and gravel pit.

The wetland limits as shown on the Preliminary Site Plan have been mapped by Gary Flaherty and surveyed by Hayner/Swanson, Inc. A forested wetland area of 2,220 square feet is intended on being filled as a result of the proposed sitework and construction of a gravel access drive that serves as an interim access to undeveloped lands to the south and west. It should be noted that approximately 30,280 square feet of Londonderry Conservation Overlay District area will be impacted by this construction. Mitigation for these impacts will occur on the west side of the relocated gravel drive. It is being proposed to loam and seed that area with an upland mix that should provide for a stabile ground cover. Furthermore, that area will be planted with 1-inch caliper, 4-5 foot high white pines, poplars and gray birch trees spaced 20 feet on center. Over time, the combination of ground cover and trees will provide a good buffer for the remaining wetland areas.

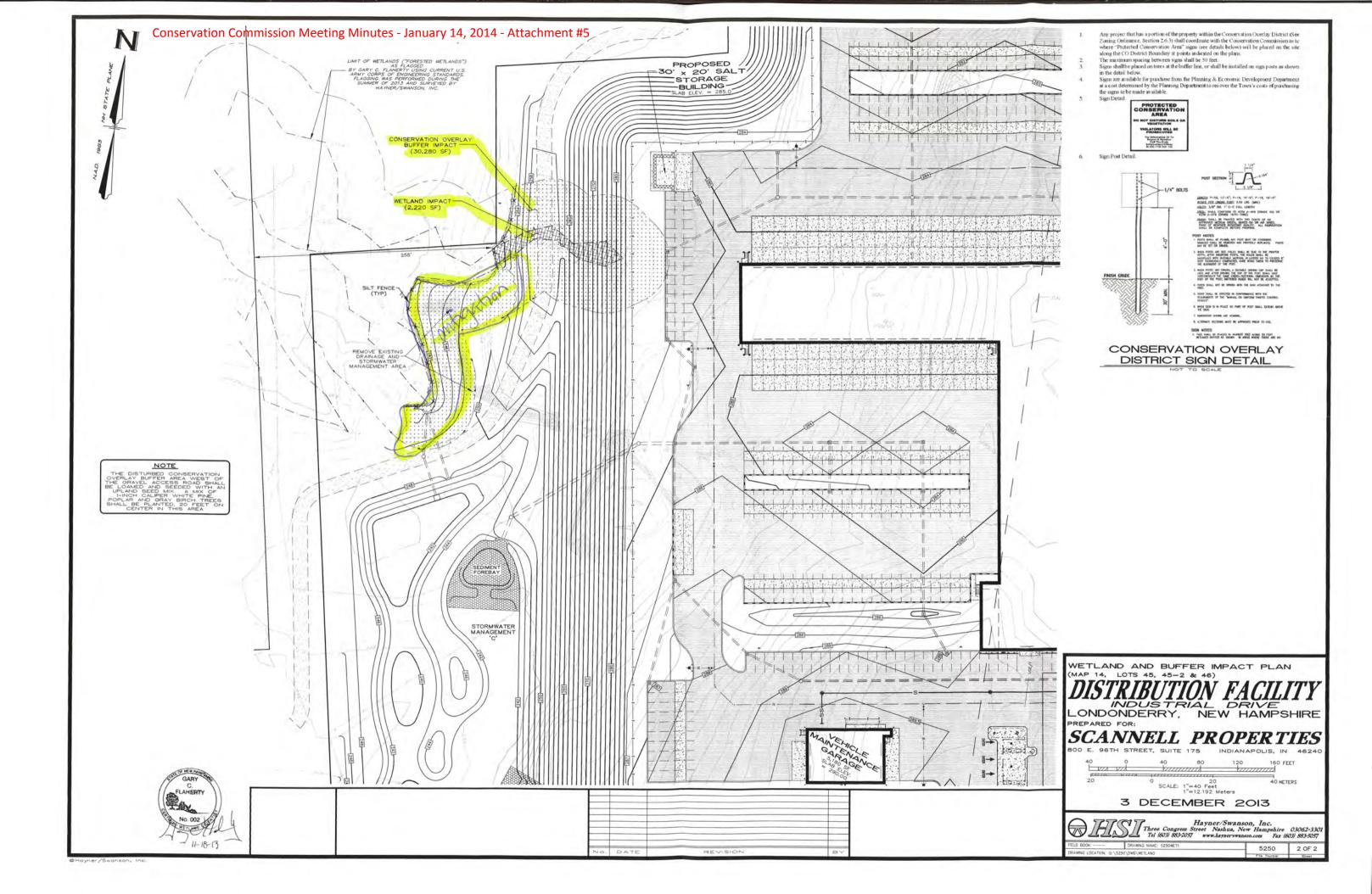
HSI has prepared a Preliminary Site Plan showing a proposed 1-story distribution facility with associated site improvements. A 303,925 square foot footprint is being represented on the plan. The Preliminary Site Plan shows loading on all four sides of the building along with trailer, tractor and van parking spaces. Employee parking is provided in one location as shown on the plan, and a total of 599 spaces are provided. Access is primarily provided via a new public road, which is being designed and constructed by

the property owner. This new road will connect to the intersection of Pettengill Road and Industrial Drive.

With regard to stormwater, both quantitative and qualitative measures will need to be incorporated in the design to comply with Town of Londonderry, NH and New Hampshire Department of Environmental Services (NHDES) requirements.

The Town of Londonderry, NH Site Plan regulations do <u>not</u> allow for an increase rate of runoff leaving a development when compared to the existing property condition. Furthermore, they have a standing practice that does <u>not</u> acknowledge underground infiltration chambers as an acceptable form of dealing with storm water runoff. Therefore, a surface-type storm water management solution is needed to comply with their requirements.

The Preliminary Site Plan proposes to use curbing and catch basins to capture storm water runoff. Runoff from the parking lot in the east part of the site will be directed into Stormwater Management Area 'A'. The northeast part of the site will be piped into a long narrow detention basin identified as Stormwater Management 'B'. The majority of the roof area and the western part of the site will carry runoff into Stormwater Management Area 'C' as shown on the Preliminary Site Plan. Each area will include a sediment forebay, detention area and an outlet control structure. The make-up of this system will provide for initial grit and sediment removal in the forebay area, settling of suspended solids and residence time in the larger detention space and then ultimately a discharge to an existing outlet that attempts to mimic the current drainage patterns of the property.



Application for a Conservation Overlay District Conditional Use Permit Form A - For a Use permitted by Conditional Use Permit

Conditional Use permit is as pa	rt of a: 📓 Site Plan 💢 Subdivision		
I. General Information:		•	
A. Name of Project:	Wallace Farm		
B. Location of Project:	48 & 62 Perkins Road	16	1,2,3
	(Street)	(Map #)	(Lot #)
C. Applicant:			
Name:	Tom Monahan		
Address:	141 Main Street	·	
	Nashua, NH		
Phone:	603-880-0502		
Fax:	603-880-0278	-	
		Al the forces the special participation of	
Signature:			
I. Required Information:			•
 □ Wetland delineation licensed land surveyor □ Areas on plans high □ Narrative description 	ing and proposed conditions. certified by a Certified Wetlands Scient. Iighted to show areas where condition of project and conditional use permit described (see below).	nal use per	. *
I. Optional Information:			•
□ Aerial Photographs□ Site Photographs			
/. Conditional Use Permit C	riteria	•	
ddress, in the provided boxes oning Ordinance:	s, the following criteria in accordance	with Section	on 2.6.3 of the

N

The proposed construction is essential to the productive use of land not within the CO 1. District.

One half of the 46 acre site lies east of wetland area, bisecting the buildable area of the site. There is not alternative access option that would allow access to the eastern portion of this site and is essential to the productive use of the land. Eight of the proposed ten apartment buildings will be located on the eastern side of the property. During discussions with the Planning Board, they encouraged the Applicant to locate the buildings on the east side of the site; moving them off Perkins Road reduces impacts on abutting properties.

Design and construction materials will be such as to minimize impact upon the wetlands and will 2. include restoration of the site consistent with the permitted use.

Impacts to wetland and buffer areas have been reasonably minimized to the extent possible while maintaining a safe road design. Upon construction completion, all disturbed areas will be stabilized consistent with NHDES Alteration of Terrain criteria along with Londonderry regulations.

There is no feasible alternative route on land controlled by the applicant that does not cross the 3. CO District nor has less detrimental impact upon the wetlands. Nothing in this section shall limit the applicant from exploring alternatives with abutting property owners:

There is no feasible alternative route on land controlled by the applicant to avoid the proposed wetland impact. The wetland complex cuts the site in half, with half of land located on the eastern side of the wetland. This wetland presently has five wetland crossings from past farm activity on the site; along with evidence of past disturbance.

Economic advantage is not the sole reason for the proposed location of the construction:

21 acres lie to the east of this 46 acre property making it impossible to reasonable use the property as zoned. To reduce impacts to abutting properties, 8 of the 10 garden style buildings will be on the east side of the site, well away from the homes that lie along Perkins Road.

- 6,690 1/13/14 30,550/13/14 Square Footage of Wetland Impacts: 9,820 5.
- Square footage of Buffer Impacts: 67,610 6.

Wallace Farm

Perkins Road

Conservation Overlay District CUP

Conditional Use Permit Criteria Narrative

This application encompasses two proposed projects impacting the same wetland complex on a 46 acre site. The lower site 24 acre area involves the construction of 240 apartment units, 120 of which will be allocated to Workforce Housing as allowed by local Ordinance and supported by State Statute. The upper area of the site will contain Elderly Housing units and although the exact details of the project are being finalized, the road layout has been planned. Given the requirement by NHDES that all anticipated impacts be reviewed at once, the Applicant is putting forth this CUP application to address all wetland and buffer impacts together.

The subject site involves three properties totaling 46 acres. The existing wetland complex involves a narrow perennial stream that bisects the property south to north down the middle of the site. Past farm activity has impacted/altered this wetland system and five wood road crossings presently bisect the wetland.

The proposed roadway location, aligning across from Vista Ridge Drive, was strongly supported by Staff and the Planning Board; creating a safe four way intersection. In addition, the southern apartment project and northern senior housing development will be connected by the same private road system, meeting both site plan regulation requirements and addressing Fire Department emergency access requirements. This application involves the filling of 9,820. 6,690 square feet of wetland and 30,550 square feet of the 50 foot wetland buffer. We have designed the site to minimize the impacts to wetlands and buffer areas. We have looked at alternative designs, and there is no alternative design that will have less detrimental impact upon the wetlands or buffers.

Conservation Commission Meeting Minutes - January 14, 2014 - Attachment #7 21 ACRES OF DEVELOPABLE LAND IS NACCESSIBLE AND REQUIRES THE WETLAND IMPACTS WETLAND IMPACT #3 430 SF - PEM1E WETLAND IMPACT SUMMARY WETLAND IMPACT #2 WETLAND IMPACT #5 2,300 SF - R4SB1,3/PSS1E 2,220 SF - PSS/F01E PSSIE 90 LENGTH OF STREAM IMPACT = 97 LF R4981,1/PSS1E 2,300 PENIE 430 PSSIE 110 PSS/F01E | 12,220 PSS1E 290 R4SB1,3/PSS1E 1,290 TOTAL = 0.15 AC. 6,890 SF WETLAND IMPACT #6 250 SF - PS\$1E TOTAL WETLAND RESTORATION ON SITE = 3,220\$ (SEE vitigation plans) STREAM IMPACT SUMMARY ACCESS
 UTILITIES WETLAND IMPACT #7 1,290 SF - R4SB1,3/PSS1E LENGTH OF STREAM IMPACT = 100 LF TOWN BUFFER IMPACT SUMMARY PURPOSE 11,570 4,730 FUTURE PLOUSING 20,410 OTAL BUFFER MAPACTS = 45,070 SF
(MOST OF THESE TO BE PLANTED AND RESTORE
TOTAL STREAM BUFFER RESTORATIONS = 4,500S
(SEE MITIGATION PLANS) WETLAND IMPACT #1 90 SF - PSS1E WETLAND IMPACT SUMMARY PLAN WETLAND IMPACT #4

> DESCRIPTION REVISIONS

110 SF - PSS1E BUFFER IMPACT #4 = 20,410 SF (TOTAL ALONG PARKWAY)

APPLICANT:
WALLACE FARM, LLC
HASHUA, NEW HAMPSHIRE 03060

The Dubay Group, Inc. 87 Indian Meck Ross. - Windham, NH 030 603-458-6462 - www.(Bedubaypromp.com

Engineers | Plarmers | Surveyor

