

Present: Deb Lievens; Gene Harrington; Mike Considine; Truda Bloom; Ben LaBrecque; and Marge Badois

D. Lievens called the meeting to order at 7:33 PM.

NeighborWorks Subdivision and Site Plans (CUPs and D+F)- Robert Tourigny and Tom Krebs of NeighborWorks Southern New Hampshire were joined by engineer Earle Blatchford of Hayner/Swanson, Inc. and Luke Hurley of Gove Environmental to present three Conditional Use Permits (CUPs) and a Minimum Impact Dredge and Fill (D+F) application associated with a proposed 78-unit rental workforce housing project on map 12, lot 59-3. The subdivision would carve out the 20.1 acres needed per the inclusionary housing ordinance and create new lot 59-4 (see Attachment #1). Through a variance obtained from the Zoning Board of Adjustment, the 12-building development will be constructed in two phases; 38 units in the first and 40 in the second (see Attachment #2). NeighborWorks will own and manage the two and three bedroom two-story townhouses and community building and are making use of existing 2003 approvals granted for Whittemore Estates wherever possible. What remains of 59-3 would continue on as the Whittemore Estates development approved in 2004 where four additional buildings, including a clubhouse, have yet to be built by a separate developer (see Attachment #3). Town staff requested that the applicant submit, along with the site and subdivision plans for the new development, an amended site plan for the remainder of Whittemore Estates in order to update Town records. The existing conservation easement (see Attachment #1) created during the Whittemore Estates project and deeded to the Town will not be impacted by the new development and will remain in its entirety with lot 59-3.

Three CUPs are being sought, the first two being related to Conservation Overlay District (COD) buffer impacts on lot 59-4. These are caused in large part by the required stormwater management area along the northeastern side of the property which abuts a perennial stream (causing 26,900 square feet of 100-foot buffer impacts), as well as construction of smaller drainage structures (6,840 sf of impact on the 50-foot buffer) (see Attachment #4). E. Blatchford explained that constraints caused by wetlands, COD buffers and an existing sewer easement made an alternate location of the management area impossible, nor could it be made perpendicular to the buffer to minimize impact. Instead, it was designed to at least occupy only the first 50 feet of the 100-foot buffer. For safety and liability reasons, the management area will be fenced.

D. Lievens and G. Harrington asked about proposed maintenance to the portion of the stormwater management area within the buffer. E. Blatchford replied that periodic inspection and the necessary removal of excess sediment (and/or trash) would be the only intrusion, allowing the buffer to re-vegetate naturally. Native wetland plants will be established in the basin of the structure, although they will be monitored and maintained so that they do not become overgrown and trap more sediment. It was confirmed with the applicant that no mowing would take place in the buffer, nor would any chemicals for turf or for herbicides be used to manage any vegetation. It was also confirmed that vegetation will be allowed to grow through the fence and only pruned manually if they pose any damage.



G. Harrington asked if the design of the parking lot on the southernmost end of the development (see Attachment #4) could be reconfigured in a way that would lessen the proposed impact of over 25 feet into the 50-foot COD buffer located there. E. Blatchford said he should be able to rearrange some parking spaces and limit that impact to a maximum of 25 feet. D. Lievens noted that the two separate forms used (Form "A" for a permitted use and Form "B" for buffer reduction) could actually be combined into a single Form "A," since drainage structures are a permitted use in the COD with approval of a CUP. G. Harrington made a motion to authorize the Chair to review the amended Form "A," which would combine the two forms presented at this meeting, and upon confirming that no modifications were made to the information contained therein, relay the Commission's recommendation to the Planning Board to approve the Conditional Use Permit for proposed map and lot 12-59-4. M. Considine seconded. The motion was approved, 6-0-0.

The third CUP is related to the existing Whittemore Estates site and is renewal of the original CUP obtained for that development. A previously approved driveway crossing to the easternmost buildings proposed on lot 59-3 (see Attachment #5) will create 10, 185 sf of buffer intrusion as well as 2,670 sf of wetland impacts. E. Blatchford noted that the majority of the buffer impacts have already occurred since the area of Phase II of Whittemore Estates was cleared at the time Phase I was built. A Minimum Impact D+F application will be submitted to the State Wetlands Bureau to update that previously permitted wetland impacts. The square footage of those wetland impacts, E. Blatchford pointed out, are only roughly half the size of the impact initially approved for Whittemore Estates, and a quarter of the size of impacts approved for a preceding project. He added that the combined buffer impacts on 59-4 and 59-3 are approximately 9,000 sf less that the total permitted in 2003 for Whittemore Estates. Typically, a site walk performed by at least two Commissioners would take place for a Minimum Impact D+F, however pictures taken in December 2012 by Gove Environmental were reviewed and deemed sufficient. G. Harrington made a motion to recommend approval of the Conditional Use Permit for the amended Whittemore Estates site plan dated May, 2013 to the Planning Board. M. Considine seconded. The motion was approved, 6-0-0. T. Bloom made a motion to recommend approval to the Wetlands Bureau of the Minimum Expedited Dredge and Fill as presented. G. Harrington seconded. The motion was approved, 6-0-0.

The issue of COD buffer signage was discussed, first with the question of whether signage was placed on the Whittemore Estates buffer. E. Blatchford did not think it had been marked, but was not sure. Per Town Site Plan Regulations, COD signs are required every 50 feet along the buffer. Considering the number of signs that would therefore be required for the significant length of buffer involved, D. Lievens offered to consult with the applicant and Town staff to strategically locate signs in a way that would resolve the issue but still adequately mark the buffer. G. Harrington made a motion to authorize the Chair to work with the applicant and Town staff and any other Boards and Commissions to generate a location plan for COD signage on Map 12, Lot 59-4. T. Bloom seconded. The motion was approved, 6-0-0.



Michael Morrison of Municipal Pest Management Services, Inc. on a site walk of map 6, lot 113 to survey the extent of the invasive plant Phragmites found on that Town owned property. D. Lievens presented the contract bid supplied by M. Morrison to the Commission, noting that only one bid could be obtained due to the limited availability of licensed experts trained to apply herbicides in wetlands. The requisite wetlands permit would cost \$290, while the herbicide applications and dead biomass mowing would cost an additional \$3,880 (see Attachment #6). Permission has been obtained in writing from the three abutters on map 6, lots 110-3, 110-4, and 110-5 to access the rear portions of their lots where the Phragmites has spread. M. Morrison will also be contacting one of the abutters about gaining access to 6-113 through one of their lots. M. Considine made a motion to authorize the Chair to expend an amount not to exceed \$4,170 from the Open Space Protection Fund for work associated with the stewardship of map 6, lot 113, that being the elimination the invasive Phragmites species. T. Bloom seconded. The motion was approved, 6-0-0.

D. Lievens said she forwarded the estimate to School Department staff so that they could have the opportunity to remove the Phragmites growing in front of the High School if they so choose. She also reported that the Galerucella beetles purchased and released on 6-113 to combat the invasive Purple Loosestrife appear to be effective at controlling the plant.

Monitoring- Holly Green of the NH Department of Environmental Services recently contacted the Rockingham Country Conservation District (RCCD) requesting to be included in the next annual monitoring of the Ingersoll easements. Since they could not grant the necessary consent for her to do so, D. Lievens contacted H. Green to give permission on behalf of the Town, although she explained that the next monitoring would not take place until sometime after the start of the next fiscal year on July 1, 2013. To obtain an estimate for the work, G. Harrington made a motion to authorize the Chair to contact RCCD to obtain an estimate to monitor the Ingersoll easements in fiscal year 2013/2014. M. Badois seconded. The motion was approved, 6-0-0.

ATV activity on conservation land- A letter recently sent to D. Lievens claims that residents of the Reed Street area are using an un-trailed access with their ATVs that leads to the Kendall Pond Conservation Area (map 4, lot 56). While examining a map of the area, G. Harrington noted that the ATVs would have to cross Beaver Brook to access KPCA. It was thought that perhaps instead, the ATVs are accessing privately owned land on map 7, lot 30 to the south or State owned conservation land to the north on map 7, lot 112. M. Considine offered to contact the State Conservation Officer so the State can investigate possible ATV activity on their property.

<u>DRC</u>- <u>Nevins Retirement Cooperative Association – Site Plan Amendment, Map 7 Lot 122-Comments: Our original recommendation to have the walking trail stands.</u>

Land Use Change Tax- D. Lievens reported that to date, the Land Use Change Tax (LUCT) has generated



\$126,827.20 in revenue for the Conservation Fund. At the 2012 Town Meeting, a citizen's petition was approved whereby 40% of any LUCT funds collected beyond \$100,000 would be directed to the general fund. D. Lievens said she would confirm with the Finance Director whether the \$126,827.20 figure reflects the amount before or after the transfer to the general fund.

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<u>Bridges of Historical Significance</u>- The New Hampshire Department of Transportation (DOT) is seeking assistance from various municipalities to help identify "readily known bridges built after 1945 that have exceptional historic significance." D. Lievens made the information, including photographic examples, available to Commissioners in the event any had recommendations to make to DOT.

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May 14, 2013 minutes - T. Bloom made a motion to approve the minutes of the May 14, 2013 public session as written. G. Harrington seconded. The motion was approved, 6-0-0.

M. Considine made a motion to approve the minutes of the May 14, 2013 non-public session as written. B. LaBrecque seconded. The motion was approved, 6-0-0.

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<u>Target shooting in the Musquash</u>- M. Considine reported that he spoke with the Town Attorney on this issue (see May 14, 2013 minutes), but did not receive any significant guidance on the matter. He said he would talk again with the Town Manager and will also contact the State Conservation Officer to investigate how target shooting is prohibited in State parks (assuming it is). D. Lievens offered to contact the State Department of Resources and Economic Development (DRED) as well. Approaching local State legislators to craft a bill that would somehow restrict target shooting in the Musquash was also discussed.

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T. Bloom made a motion to go into <u>Non-Public Session</u> per RSA 91-A:3 for the purpose of discussing possible land acquisitions as well as the potential release of portions of non-public minutes regarding possible land acquisitions. M. Badois seconded.

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Roll call vote: Aye, Marge Badois; Aye, Gene Harrington; Aye, Deb Lievens; Aye, Truda Bloom; Aye, Mike Considine; and Aye, Ben LaBrecque.

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G. Harrington made a motion to go out of <u>Non-Public Session</u>. T. Boom seconded. The motion was approved, 6-0-0.

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G. Harrington made a motion to seal the minutes of the <u>Non-Public Session</u> indefinitely. T. Bloom seconded. The motion was approved, 6-0-0.

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G. Harrington made a motion to release the previously redacted portions of the non-public minutes as discussed in the non-public session. M. Considine seconded. The motion was approved, 6-0-0.

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157 158 159	T. Bloom made motion to adjourn the meeting. approved, 6-0-0.	G. Harrington seconded.	The motion was
160	The meeting adjourned at 9:55 PM.		
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162	Respectfully submitted,		
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166	Jaye Trottier		
167	Secretary		

Londonderry Conservation Commission - Meeting Minutes May 28, 2013-- Attachment #1 PARRISH HILL CONDO ASSOCIATION
c/o PATER REAL ESTATE
82 WEST BROADWAY
DERRY, NH 03038
VOL 4733 PG 0861
(AR-1 AGRICULTURAL-RESIDENTIAL) NOTES: RTE. 28 R.C.R.D. PLAN No.D-33000 PURPOSE OF PLAN TO SUBDIVIDE LOT 59-3 INTO TWO (2) LOTS BEING NEW LOT 59-3 AND NEW LOT 59-4. LOT AREAS SITE AR-1: AGRICULTURAL/RESIDENTIA ELDERLY HOUSING DISTRICT (LOT 59-3 ONLY)
MULTI-FAMILY WORKFORCE HOUSING (LOT 59-4 ONLY) 20 ACRES 100 FT SEE SHEET 7 AND SEE VICINITY MAP SCALE 1" = 2500" **PLAN REFERENCES:** MASTER LOT LINE RELOCATION PLAN, LOTS 59, 59-3 & 64, MAP 12, WHITTEMORE ESTATES, MAMMOTH ROAD, LONDONDERRY, NH 03053 PREPARED FORRECCRO OWNER. APPLE BLOSSOM ESTATES, LLC, ADDITIONAL OWNERS, LANET A & MARTIN R. FLANDERS, AND DAVID A. BIENVERNUE. DATED. AUGUST, 2003 WITH REVISIONS THRU 3'08'04, SCALE 1"= 100". AND PREPARED BY THIS OFFICE.

RECORDED: RCRD - PLAN NO. D-31590 NEW 59-3 LOT 59-3 IS SERVICED BY MUNICIPAL SEWER AND WATER SUPPLY BY PENNICHUCK WATER WORKS. 29.806 ACRES THE PARCEL ARE NOT LOCATED WITHIN THE 100-YEAR FLOOD BOUNDARY AS DETERMINED FROM THE FLOOD INSURANCE STUDY, TOWN OF LONDONDERRY, INI., PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PAREL INJURIES: 33015C0319E, DATE: MAY 17, 2015. CONDOMINIUM SITE PLAN, LOT 59-3, MAP 12, WHITTEMORE ESTATES, MAMMOTH ROAD, LONDONDERRY, NH 03053 PREPARED FOR: BUDROSE HOLDINGS, LLC, DATED: JANUARY 19, 2007 WTH REVISIONS THRU 2080/7, SALE 1" = 100". AND PREPARED BY CUOCO & CORMIER ENGINEERING ASSOCIATES, INC.

RECORDED: RORD - PLAN NO. D-34548 THIS PLAN CONSISTS OF FIFTEEN (15) SHEETS, SHEETS 1-8 OF 15 WILL BE RECORDED AT THE ROCKINGHAM COUNTY REGISTRY OF DEEDS, SHEETS 1-15 OF 15 ARE ON RECORD AT THE TOWN OF LONDONGERY PLANNING DEPARTMENT. LOT 59-3, MAP 12 WAIVERS: WAIVERS FROM THE FOLLOWING SECTIONS OF THE SUBDIVISION REGULATIONS WERE GRANTED BY THE LONDONDERRY PLANNING BOARD ON SEE SHEET 1. SECTION 3.08.8 DRAINAGE STUDY . ZONING NOTE . THE ZONING/BUILDING SETBACKS DEPICTED ON THIS PLAN ARE THOSE WE HAVE INTERPRETED FROM THE LATEST ZONING OFFINANCE OF THE MUNICIPALITY AND, AS SUCH, ARE ONLY OPPINIONS EXPRESSED BY HATNERS, SWANSON, INC. THE FINAL INTERPRETATION OF THE ORDINANCE AND AND THE THE APPROPRIATE ZONING AUTHORITY, SANCE BULDING ORBESTATION, PROFOSCED USES, AND OTHER FACTORS CAN AFTECT THE SETBACKS, PROFIT OF ANY DEVELOPMENT OF THIS PROFESTY. THE BUILDER/OWNER MUST CONSULT WITH THE TOWN/CITY ON NOTICE THE CORNECT ANY DEVELORING ORGANIANCE. SEE SHEET 5 AND 12 OF 15 1 OF IS MASTER SUBDIVISION PLAN L= 100. NEW 2-8 OF IS SUBDIVISION PLANS Γ= 40° TOPOGRAPHIC SUBDIVISION PLANS T= 40" 59-4 AND IO. OF 20.119 ACRES (876,367 SF) SEE SHEETS 4 AND ", SEE SHEET AND 9 OF 15 FOR LONDONDERRY LENDING TRUST DATE SEE SHEET 2 APPROVED BY THE LONDONDERRY, NH PLANNING BOARD ON: CERTIFIED BY: CHAIRMANI DATE SECRETARY DATE LOT 59 MAP 12

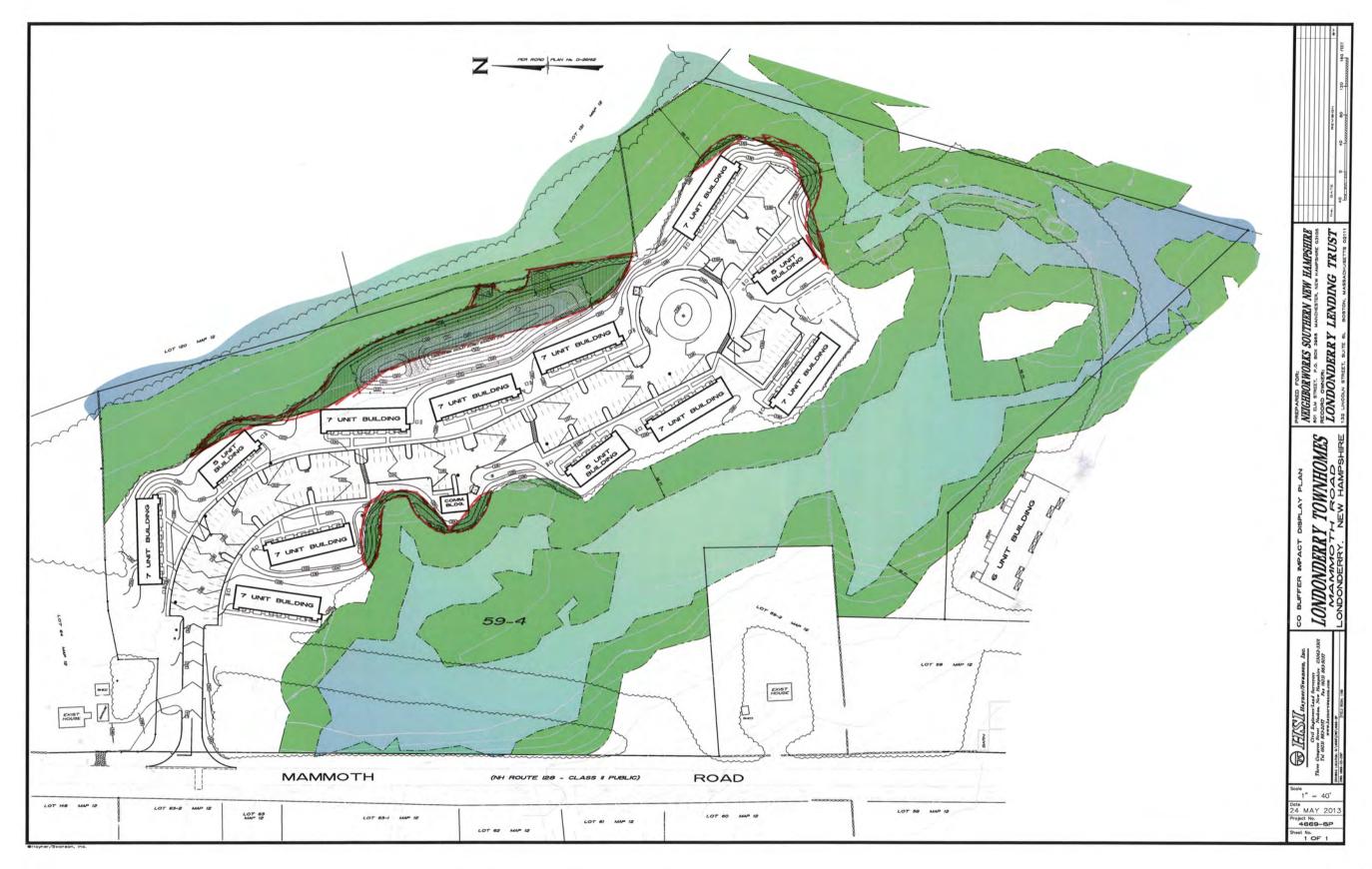
JANET A. MARTIN R. FLANDERS
390 MAMMOTH ROAD
LONDONDERRY, NH 03053
VOL 4456 PG 1207
(AR-1 AGRICULTURAL RESIDENTIAL) MASTER SUBDIVISION PLAN EXISTING 20 FT SEWER EASEMENT (VOL 3662, PG 131) LONDONDERRY, NEW HAMPSHIRE NEIGHBORWORKS SOUTHERN NEW HAMPSHIRE MAMMOTH (NH ROUTE 128 - CLASS II PUBLIC) ROAD 801 ELM STREET, P.O. BOX 3968 MANCHESTER, NEW HAMPSHIRE 03105 RECORD OWNER: LOT 63-2 LOT 63 MAP 12 MAP 12 LONDONDERRY LENDING TRUST LOT 63-1 LEGEND LOT 62 MAP 12 LOT 57 LOT 56C MAP 12 STONE BOUND 200 300 IRON PIN mmmh · LPIN O LPIPE IRON PIPE DRILL HOLE & STONE WALL SCALE: 1"=100 Feet 1"=30.480 Meters STONE BOUND TO BE SET THIS PLAN DEPICTS A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION BETWEEN WITH OCCOPED PROPERTY 2013 IN ACCORDANCE WITH AND SUPERFURING AND SUPERFURING AND THE CITY/TOWN WITHIN WHICH THE LOCATED THE SURVEY WAS PERFORMED AS AN URBAN BTANDARD PROPERTY SURVEY, AS DEFINED IN THE NH CODE OF ADMINISTRATIVE RULES, (CATEDORY I, CONDITION I, NHLBA STANDARDS) WITH A TRAVERSE ERROR OF LOCATED BETTER THAN I PART IN 15,000. IRON PIN TO BE SET BENCHMARK 24 APRIL 2013 WETLAND FLAGGING LIMIT No. I BUILDING SETBACK LINE Hayner/Swanson, Inc.

Three Congress Street Nashua, New Hampshire 03062-3301

Tel (603) 883-2057 www.hsynerswanson.com Fax (603) 883-5057 (1929 NGVD DATUM) DRAWING NAME: 4689-SU8-FS61 4669-SU8-FS61 4669-SUB 1 OF 15







Londonderry Conservation Commission Meeting Minutes - May 28, 2013 - Attachment #5 59-4 59-3 CONSERVATION
OVERLAY BUFFER
IMPACT AREA
(TYP.) MAMMOTH (NH ROUTE 128- CLASS II PUBLIC) CONDOMINIMUMS

MAMMOTH ROAD

LONDONDERRY, NEW HAMPSHIRE NEIGHBORWORKS SOUTHERN NEW HAMPSHIRE 0 SCALE: 1"=40 Feet 1"=12.192 Meters 21 MAY 2013

4669-WE 1 OF 1

Municipal Pest Management Services, Inc.

19 Oak Terrace Kittery, Maine 03904 Website: www.swamp-inc.net e-mail: swampfixer@myfairpoint.net

Londonderry Conservation Commission 2013 Invasive Plant Control Project Nesenkeag Headwaters Emergent Marsh Phragmites australis

The wetland is an emergent marsh dominated by native plants- cattail (*Typha latifolia*) and Bur- reed (*Sparganium* spp.) The site has several common invasive plants- *Phragmites australis* and Purple Loosestrife. (*Lythrum salicaria*). Beetles were recently released and appear to becoming established and controlling the Purple Loosestrife. However, *Phragmites australis* shows evidence of rapid expansion across the marsh surface. The colony is approximately two acres in size and has high stem density and height. The colony is shading out native plants and will likely dominate the entire marsh within ten years. There is a one to two foot deep area of dead biomass from previous years growth in the colony interior.

This project will include an initial herbicide application in late August/ early September 2013 followed by secondary applications to mid October 2013. The herbicide will control the entire plant including roots, stems and leaves. It is recommended that the dead biomass material following control be mowed to the substrate to allow sunlight penetration and allow regeneration of native plants in 2014. Mowing should be completed by hydraulic mowers capable of cutting the dead biomass into tiny pieces that can decompose rapidly.

The following costs are proposed:

- State Aquatic Herbicide Permit application-\$290.00
- Initial Rodeo Herbicide application-\$2,400.00
 - a. Hand sponge applications to outer perimeter stems
 - b. Hydraulic sprayer application to interior areas
- Secondary Herbicide applications- \$490.00
- Dead biomass mowing with low ground pressure tracked vehicle-\$990.00

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Michael Morrison, President/ Entomologist Municipal Pest Management Services, Inc.