



Londonderry Conservation Commission

Tuesday, July 22, 2008

Minutes

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Present: Gene Harrington (Acting Chair); Mike Considine; Truda Bloom; Mike Speltz; and Brian Farmer, Town Council Liaison

Call to order; 7:30 P.M.

Gene Harrington appointed M. Speltz to vote for Deb Lievens.

M. Speltz made a motion to go into Non-Public Session for the purpose of discussing possible land acquisition per RSA 91-A:3. M. Considine seconded.

Roll call vote: Aye, Mike Considine; Aye, Brian Farmer; Aye, Truda Bloom; Aye, Gene Harrington; Aye, Mike Speltz

M. Speltz made a motion to go out of Non-Public Session. T. Bloom seconded. The motion was approved, 5-0-0.

M. Speltz made a motion to seal the minutes of the Non-Public Session indefinitely. T. Bloom seconded. The motion was approved, 5-0-0.

July 8, 2008 minutes- M. Considine noted that on page one, under the topic of "Trees cut in the Musquash," the word "circumference" should be replaced with "diameter." The other Commissioners agreed. **T. Bloom made a motion to approve the minutes of the July 8, 2008 public session as amended. M. Speltz seconded. The motion was approved, 3-0-2** (G. Harrington and B. Farmer abstained as they had not attended the meeting).

M. Speltz made a motion to approve the minutes of the July 8, 2008 non-public session as written. T. Bloom seconded. The motion was approved 3-0-2 with the same abstentions as noted above.

Trees cut in Musquash- T. Bloom noted to her fellow Commissioners that the resident on Red Fern Circle who alerted the LCC to the trees being cut in the Musquash had commented how appreciative he was that the LCC addressed and followed through with the situation so promptly.

Alteration of Terrain permit, 14-38- DES sent notification to the Town that the owners of 14-38 (Rear Harvey Road) have applied for an Alteration of Terrain permit to expand an excavation and mining operation already existing on their abutting lot 14-35. This would entail the disturbance of approximately 400,000 square feet of land on 14-38. G. Harrington noted that Horsetrail Brook flows across both lots and recalled the Army Corps of Engineers had instated a 100 foot buffer on either side of the brook as part of the mitigation for the proposed Airport access road. After examining the 2005 aerial photography of the Town's GIS system, it was questioned as to whether such a buffer was even being observed presently on lot 35. To ensure the water quality of the brook, it was decided to send a letter to DES asking them; 1) to confirm the Army Corps' buffer plan, 2) to verify whether it is being enforced on lot 35 and 3) if the plan details can be made available in order to address concerns regarding water quality.

Eagle Scout project (B. Cardwell)- Brandon Cardwell of Londonderry Boy Scout Troop 109 presented his proposed Eagle Scout project to the LCC on July 8th to build a 40 foot bridge between two of the soccer fields on West Road. M. Considine and Mark Oswald performed a site walk in July 12th and confirmed the conditions of the area. The gully itself that the bridge would span is dry, although it is technically considered part of the



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wetland the bridge is intended to protect. During a heavy rain, however, M. Considine estimated that water could certainly flow through there. M. Oswald and M. Considine had discussed with Brandon that the best plan would be to place some natural rock in the gully and span it with two 20 foot sections of pressure treated lumber. M. Considine said it will be a significant project but the LCC agreed that B. Cardwell seemed to be well in control of the situation.

Coca Cola addition CUP- TF Moran filed a Conditional Use Permit application regarding two wet ponds that will be built to treat stormwater generated by the impervious surface added to their site with their proposed 115,000 square foot addition. When shown the conceptual version of the plan at their June 24th meeting, G. Harrington had requested that the pond on the eastern side of the building be rotated to make it parallel with the buffer so that runoff will not be channeled directly into the wetland. The updated plan submitted with this CUP application demonstrated that the pond was indeed made parallel and is no longer perpendicular to the buffer.

T. Bloom made a motion to authorize the Chair to recommend approval to the Planning Board of the Conditional Use Permit for this project. M. Considine seconded. The motion was approved, 5-0-0.

SNHPC conference- G. Harrington informed LCC members of the Southern New Hampshire Planning Commission's Conservation Commission Institute conference on July 30th from 6:30 to 8:30 p.m. regarding the Merrimack River Watershed Restoration Plan. He stated that he hoped to attend and invited his fellow Commissioners to do the same. M. Speltz explained the importance of representation for Londonderry since a pool of mitigation funds will be distributed to those towns who demonstrate the need for wetland protection and restoration.

Shoreland Protection Act- Chair Deb Lievens forwarded an article published recently in the Derry News that identified local bodies of water affected by the Comprehensive Shoreland Protection Act, questioning why Beaver Brook was noted to be impacted in Derry but not in Londonderry. G. Harrington stated that it was simply an omission on the newspaper's part and that portion of Beaver Brook within Londonderry is indeed included under the CSPA.

Brookview Drive- Brian Farmer informed LCC members that the Town Council is working with the State to identify sources of grant funding to purchase the four lots at the end of the cul de sac on Brookview Drive and raze the houses. That area is easily flooded and those four houses in particular have been damaged so often that the owners are willing to sell to the Town. The abutting addition to South School will only add to the flooding potential due to the adding of impervious surface. Since conservation land currently surrounds that peninsula, the addition of that southern portion of the road will contribute protection for both Black Brook and Beaver Brook while creating additional flood storage for the area. M. Speltz noted that it would be worth it to mention in the pursuit of a grant that those brooks will be protected at their headwaters with an impending purchase of a conservation easement in another portion of town.

DRC (3)-

1. Pittore Bros. Paving, site plan (change in use), 13-99

Comments: We would like to meet with the applicant to discuss issues with the CO district buffer. This plan will require a CUP.

2. Kitty Hawk Landing, site plan, 17-5

Comments: Snow storage seems minimal. Trees should not be planted in snow storage areas.



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3. Kendall Pond condo conversion, 6-46-2

Comments: No comments

M. Speltz made a motion to adjourn the meeting. T. Bloom seconded. The motion was approved, 5-0-0.

The meeting adjourned at 9:30 PM.

Respectfully submitted,

Jaye Trottier
Secretary