



Londonderry Conservation Commission

Tuesday, May 30, 2023

Draft Minutes

Present: Marge Badois, Chair; Gene Harrington, Vice Chair; Deb Lievens, member; Bob Maxwell, member; Tiffani Macarelli, member (arrived at 7:32); David Heafey, member; Susan Malouin, member; and Jim Leary, alternate member

Absent: Mike Speltz, alternate member

Also present: Amy Kizak, GIS Manager/Comprehensive Planner

Marge Badois called the meeting to order at 7:30pm.

DRC and Wetland Permit - Proposed Manufacturing Facility Site Plan - Map 14, Lot 49-3 - 55 Pettengill Rd: Jim Petropulos of Hayner/Swanson, Inc. appeared on behalf of applicant New Balance Development Group. He noted Jim Halliday and Kevin Smith of NB Development Group were also in the audience. They were soliciting comments on the proposed design review submittal and New Hampshire Department of Environmental Services dredge and fill application for a development at the corner of Pettengill Road and Ray Wieczorek Drive. The parcel was recently subdivided into a 4-acre and a 17-acre parcel. This development is on the 17-acre parcel and is in the Gateway Business Zone. There are two small isolated manmade wetlands on the property that are not vernal pools but will be impacted. Due to their size, they do not require a buffer, per Londonderry code. The proposal is for construction of a 102,418 square foot state-of-the-art manufacturing facility, with accompanying site improvements. There will be 270 parking spots. The stormwater practices employed will include a sub-parking lot leach field and surface infiltration basin. B Maxwell asked if the future parking to the south is part of the expansion. J Petropulos noted the site has been designed for a second phase, when a duplication of this building will be erected. There will be a total of 450 parking spaces. J Leary asked how long the first phase will last. J Petropulos replied the second phase would begin after the 4-5 year timeframe of the first phase. D Lievens noted she saw no issues with the landscape plan. J Petropulos said the Heritage Commission gave their support. S Malouin asked why quaking aspen were chosen over something longer lived, such as bigtooth aspen. J Petropulos will ask the landscape architect. M Badois questioned the amount of parking and expressed concern over the amount of impervious surface. J Petropulos said it is designed to accommodate the employees and noted the parking lot complies with Town regulations. He said they are requesting a waiver on the truck loading, as the regulations require an island, which does not make sense in this plan. G Harrington asked about the wildflower mix and J Petropulos said there are no invasive species, but he will find out what the mix contains. D Lievens noted they are concerned the wildflowers will not be native to New England and will die prematurely. J Petropulos said the intent of the landscape plan is to soften the west side and hide the surface stormwater practice, which will be accomplished with berming and trees. The perimeter of the site will have a conservation mix for a naturalized look. M Badois asked if the roof is designed to accommodate solar panels and J Petropulos replied that it is designed for a future load, as is the wiring. J Leary asked about the number of



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employees. J Petropulos replied it will start at 250 and grow to 450 under the second phase. G Harrington read an email from M Speltz regarding a report from the National Heritage Bureau (NHB) that an endangered plant was found on the site and asked about a plan to transplant it. J Petropulos said the longleaf bluet has been found by botanist Robert Prokop in four small areas and they will be reporting this to the NHB. J Petropulos said if these issues become design review comments, they can be incorporated into the plans.

D Lievens made a motion that they recommend to the wetlands bureau approval of their request for permits. G Harrington seconded. The motion passed, 7-0-0.

Conditional Use Permit – Eversource 391 Transmission Line Project - Map 013, Lot 111-0: Conor Madison from GZA appeared before the Commission and noted that Eversource representatives Stephanie Gardner from Project Services and Donald Stokes from Community Relations were in the audience. They have requested a conditional use permit for temporary wetland impacts on the 391 transmission line that runs from Londonderry to Rochester. It is a one-structure replacement project from wood to steel. There is no tree clearing, no new lines or optical ground wire being installed. They have filed for a statutory permit by notification through the wetlands bureau, which is pending. They have applied for an alteration of terrain permit for upwind disturbance where gravel will be laid. The pad is part gravel, part temporary wetland matting. There is one potential vernal pool, which they have been unable to confirm so far but will do so. This project will last from July 2023 through winter 2024. The mats must be removed after one growing season. They will be coordinating with New Hampshire Fish & Game and the NHB on these permits. The wetlands will be swept for turtle activity. There will be a buffer on any confirmed vernal pools. They are currently doing plant surveys for the NHB. M Badois asked if the new structure will be in the same location as the old one. C Madison said it will be placed three feet closer to the wetlands but it will not impact the wetlands.

G Harrington made a motion that they recommend approval of this project to the Planning Board. T Macarelli seconded. The motion passed, 7-0-0.

Old Business

Wolf/Coyote Presentation: M Badois noted the days for the presentation that match the Library's available dates are October 5 and 12. She is waiting for the Library to confirm which date they prefer. The fee is \$250 for the presenter. The Commission agreed they should ask the Library to split this cost.

D Lievens made a motion that they authorize up to \$125 to sponsor the wolf and coyote presentation. D Heafey seconded. The motion passed, 7-0-0.



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66 **Lithia Springs:** M Badois noted there are encroachments on the property and one of the grant providers
67 has asked for permanent monuments to be installed around the encroachment area, so it is clear it is not
68 included in the easement. The fee to accomplish this is \$1,350. D Lievens asked what was encroaching. A
69 Kizak noted a deck and buildings are over the property line. M Badois said they are negotiating with the
70 abutter for a solution; she believes a lot line adjustment will be done, which will coordinate with where
71 the monuments will be placed. D Heafey asked if negotiations are still underway, would authorizing
72 monies for monumentation need to occur at this point. M Badois noted it has to be monumented,
73 regardless of the outcome of the negotiations. G Harrington asked if approving the fee needed to be
74 done before the closing and M Badois said the monumentation needs to be authorized before the
75 closing.

76 D Lievens made a motion that they authorize \$1,350 to pay for the monumentation. D Heafey seconded.
77 The motion passed, 7-0-0.

78 **Boat Launch:** M Badois said the Commission has discussed installing a boat launch on Scobie Pond. The
79 grant requires a 25 percent match for the grant funds. The Commission is asking for \$30,000 (\$25,000 for
80 the dock and \$5,000 to cover sitework) and would need to contribute \$7,500. B Maxwell asked if the
81 Commission has a sense of how the neighbors will respond. M Badois said they do not, although the
82 design will stay within the 50 foot right-of-way.

83 G Harrington made a motion that they authorize expending \$7,500 from the Conservation Fund as a
84 matching amount for the boat launch at Scobie Pond. D Heafey seconded. The motion passed, 7-0-0.

85 **RCRD Recording Fund:** M Badois noted that Mike Speltz recorded the plan for Lithia and paid the
86 recording fee of \$51.

87 D Lievens made a motion that they reimburse Mike Speltz's expenses of \$51 from the General Fund. B
88 Maxwell seconded. The motion passed, 7-0-0.

89 **Gilchrist Road:** M Badois asked if there were questions regarding the Gilcreast Road purchase and sale
90 that they would like M Malaguti to address. A Kizak said any questions could be emailed to her and M
91 Badois, and they will forward them to M Malaguti. M Badois asked if the Warrant Article was sufficient to
92 guarantee that the Commission ends up with \$750,000. D Lievens asked if they were going to ask for
93 more. G Harrington clarified it was a minimum of \$750,000. D Lievens said she would support the
94 Commission negotiating for more, if they can get it.

95 **Other Old Business:** B Maxwell asked if M Badois had done any research into having the rotting sign at
96 Musquash at Hickory Hill replaced. D Heafey will give B Maxwell the contact information for the sign
97 maker.



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99 **Other Business**

100 **Financial Report:** D Lievens noted the Habitat account is bringing in a small amount of interest monthly.
101 There were few expenses from the General Fund and she doesn't anticipate any more this month. She
102 suggested skipping the May report and presenting the final report in July, as she will not be present at
103 the June meeting. There was a Land Use Change deposit in May. As of May 11, there is \$1,089,432.29 in
104 the Open Space Protection Fund, which counts returning any money to the Town for Land Use Change
105 that passed through the account. With two encumbrances that she is aware of, that leaves \$1,054,000
106 for land acquisition projects. M Badois clarified that this is before they pay for Lithia. The Total Land Use
107 Change was \$700,958.86, which is the largest in years. The Commission automatically gets \$100,000 of
108 that, leaving \$600,958.86 to split between the Commission and the Town. The Commission gets 40
109 percent and the Town gets 60 percent, so the actual amount owed to the Commission is \$340,383.54.

110 **Minutes:** The Commissioners reviewed the public minutes of May 9, 2023. B Maxwell made a motion to
111 approve the minutes as presented. G Harrington seconded the motion. The motion passed, 7-0-0.

112 **Non-Public Minutes:** The Commissioners reviewed the non-public minutes of May 9, 2023. G Harrington
113 noted there is a conflict, as the minutes reflect that B Maxwell moved to seal the minutes during the
114 non-public session, whereas the other minutes said the motion was made after the Commission came
115 out of non-public, which is correct. In line 34, it should state that B Maxwell made the motion to close
116 the non-public session and the next part should be deleted about sealing the minutes indefinitely. G
117 Harrington made a motion to approve the minutes as amended. B Maxwell seconded the motion. The
118 motion passed, 7-0-0.

119 **Non-Public Session**

120 There was no non-public session.

121 **Adjournment:** G Harrington made a motion to adjourn the meeting at 8:18pm. D Lievens seconded the
122 motion. The motion passed, 7-0-0.

123

124 Respectfully Submitted

125 Beth Hanggeli

126 Recording Secretary

