



Londonderry Conservation Commission
Tuesday, January 9, 2024
Draft Minutes

Present: Marge Badois, Chair; Gene Harrington, Vice Chair; Deb Lievens, member; Dave Heafey, member; Bob Maxwell, member; Susan Malouin, member

Absent: Tiffani Macarelli, member; Mike Speltz, alternate member; Jim Leary, alternate member

M. Badois called the meeting to order at 7:30 p.m.

DRC – Site Plan Application – Southern NH Plumbing and Heating Warehouse and Offices – 39 Rockingham Road Map 13, Lot 65-1

Wayne Morrill and Dan Page of Jones & Beach Engineers, Inc. appeared before the Commission to present their project. W. Morrill said they plan to construct a 6,250 square foot warehouse and office building, with large garage doors facing the parking lot to the east. They will be reducing the impervious surface and the edge of the pavement will be moved away from the wetland. He reviewed the proposed parking, new septic system, and stormwater management. They are looking for comments from the Commission before finalizing their plan.

M. Badois asked how cars will be prevented from parking on the pavement within the buffer. W. Morrill offered to erect no-parking signs. M. Badois asked if the pavement could be pulled back from the wetland. W. Morrill said the existing gravel surface is three feet from the wetland. He explained access is needed to the dumpster at the rear of the building. He noted the storage containers on the site will be removed. They are willing to move the snow storage out of the buffer.

G. Harrington noted the land within the buffer should not be maintained and the wetland buffer should be monumented. M. Badois asked about the plans for the swale and the check dam. W. Morrill clarified the check dam is actually a hole with rocks in it that will be cleaned up and identified the direction of flow of the drainage.

M. Badois noted the back corner of the building is on the buffer, which does not allow for construction equipment to avoid entering the buffer. W. Morrill said they will have to be in this area to construct the parking lot and the building.

M. Badois noted this plan appears to take a very bad situation and change it to a bad situation. W. Morrill explained they are cleaning up a site that has gravel, construction vehicles, and storage containers up against the wetland. They can vegetate the area between the impervious surface and the wetland, so there will be a greater greenspace.

The total impact to the buffer will be 6,620 square feet. The current impact is 5,400 square feet. M. Badois mentioned the buffer mitigation policy and recommended they speak with the Planning



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Department to learn more about it. She noted the large state right-of-way between the property and Route 28. B. Maxwell said the Commission would not allow anyone to build in the buffer on this site if there wasn't already a violation in existence. W. Morrill said they can address these issues before creating a finalized plan and thanked the Commission for their input.

DRC – 7-Lot Subdivision – 94 Hardy Road Map 12 Lot 139

Jason Lopez of Keach-Nordstrom Associates appeared before the Commission representing Legacy Building and Development, LLC. He described this project as 11.8 acres of land with an existing single-family house, which will be razed. Seven 1.4- to 2.3-acre single-family home lots will be created. There is no applicable wetland buffer and no wetland impacts. They have performed a drainage study to show treatment and mitigation of runoff. This project has just begun the design review process.

M. Badois noted the GIS map indicates a brook runs on an adjacent lot. J. Lopez clarified there is channelized drainage but he sees no notation of a brook on the survey. He said the wetland extends onto the next property; however, the wetland scientist said the wetlands are less than ½ acre. M. Badois asked for confirmation that the complete wetland on both properties is less than ½ acre. J. Lopez will have the square footage of the wetland added to the plan. If it is over ½ acre, they will appear before the Commission again.

D. Lievens said there is a Historical Society request not to take down the stone wall on lot 139-2. J. Lopez said they have not appeared before the Planning Board or the Heritage Commission yet.

DRC – Non-Residential Site Plan – 58 Wentworth & 3 Burton Drive Map 14 Lots 44-21 & 44-22

Jason Lopez of Keach-Nordstrom Associates appeared before the Commission representing out-of-town property owner Burton Governmental, LLC. and applicant Ryan Companies U.S. Two lots will be combined to create a 7.4-acre lot. The land was previously cleared and disturbed. There is an existing detention pond within an easement. They are proposing to construct a 50,900-square foot laboratory that will be utilized by the U.S. DEA to house the New England Drug Lab and the National Fingerprint Database. The General Service Administration (GSA) and the DEA have specific requirements that must be met regarding security, et cetera.

There are seven pockets of wetlands on the site of less than ½ acre, so there are no wetland buffers. The proposal will fill 16,475 square feet of wetlands, which will require a wetlands permit and fee in lieu. The owner contracted with GZA to conduct a field study and with New Hampshire Fish & Game to address the species discovered via the Natural Heritage Bureau survey.



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D. Lievens asked about the design and location of the building. J. Lopez explained ADA accessibility needs to be maintained at all points of access, so there can be no more than a 2% grade change. He noted the wetlands also dictate the placement of the building.

M. Badois said this is the only confirmed thriving colony of New England cottontails in Londonderry. They are not thriving elsewhere. J. Lopez said he believes there is an agreement with the state to create habitat; however, M. Badois understands placing them in new habitat has not been successful. J. Lopez reiterated New Hampshire Fish & Game are working on this.

S. Malouin asked if there will be drug lab testing onsite and J. Lopez said yes, of confiscated and seized product. The public will not access the site unless invited. There will be security onsite 24/7, 365 days/year. S. Malouin clarified there will be public water and sewer.

J. Lopez said they will return to meet with the Commission once the wetlands permit is ready to submit.

Old Business

Beaver Control – Musquash

M. Badois said the beavers are going to be trapped; the expert said there could be as many as 50 beavers onsite and might not be able to trap all of them. She said at \$75/beaver, the worst-case scenario is \$3,700, plus \$500 for setting the traps.

S. Malouin asked what happens to the beavers. M. Badois said they will be dispatched, as they do not survive when they are relocated. A member of the public, Bob Tellier, said it is illegal to move a beaver to a new location. S. Malouin would like to ensure that the dispatching is done in a humane fashion. M. Badois will find out.

M. Badois said it is possible that by doing bunny cuts, prime beaver food was produced.

D. Lievens moved to approve payment of up to \$3,500 from the open space fund for beaver removal. B. Maxwell seconded the motion. A vote was taken, all were in favor except S. Malouin, who abstained. The motion passed 5-0-1.

New Business

Musquash Field Day

Musquash Field Day will be held on February 17, 2024. M. Badois asked for ideas for a guest participant. She will check with the mountain bikers and the members will continue to think of other ideas.

Approval of Minutes



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119

120 **December 12, 2023**

121

122 On line 15, change "a duck pond" to "Duck Pond." On lines 53-54, change "two-day period" to "taken
123 over a three-month period."

124

125 ***A motion was made and seconded to approve the minutes from the December 12, 2023, meeting as
126 amended. A vote was taken, all were in favor. The motion passed unanimously.***

127

128 **Adjournment**

129 ***G. Harrington moved to adjourn the meeting. D. Heafey seconded the motion. A vote was taken, all
130 were in favor. The motion passed unanimously.***

131

132 The meeting was adjourned at 8:30 p.m.

133

134 Respectfully submitted,

135

136 Beth Hanggeli

137 Recording Secretary

