



Derry Conservation Commission
14 Manning St
Derry, NH 03038

Minutes of Public Meeting July 25th, 2022

On July 25th, 2022 the Derry Conservation Commission met at the Derry Municipal Center, 3rd floor meeting room at 7:00 pm. The following members were present in person: James Degnan (Chair), Will Lowenthal, Rick Buzzanga, Bob Boonstra, and Jeannie Cunningham. Following members were absent Eileen Chabot, Grace Reisdorf, Margie Ives, and Bob Spoerl. Jeannie Cunningham sat for Eileen Chabot.

Approval of Minutes:

Rick Buzzanga motions to approve the minutes of 6/13/22 with the clarity of "Line Storm Trail/ Gulf Rd Property". Bob Boonstra seconds. All in favor, motion carries.

Rick Buzzanga motions to approve the minutes of 6/27/22 with the removal of "following members were absent, Bob Boonstra.". Will Lowenthal seconds. All in favor, motion carries.

Chair's Report, Correspondence & Bills:

Exit 4A: August 4th event hosted by DOT at the West Running Brook Middle School from 6-8pm

DES notice: Forestry PBN, Tax map 11 Lot 58. Related to Denali Estates project.

DES notice: 12 Dixons Grove, Tax map 17 Lot 16. Notice of alleged violation.

DES notice: 19 Weston St, Tax map 17 Lot 006-016. Notice of alleged violation.

DES notice: 18 Weston St, Tax map 17 Lot 11. Notice of alleged violation.

Project Review:

140 Rockingham Road Tax Map 3 Lot 110 presented by Tim Peloquin of Promised Land Survey

Tim Peloquin advised he has brought an excerpt set for the Commission but has a full size set available in the room tonight. The project presented tonight is called Hyla Brook Wedding Venue. Applicant lives in Chester and has been seeking land to build out this project for 2 years. The property is separated from the Frost Farm by one parcel. Parcel is 9.4 +/- acres and is directly across from Rockingham Acres. The parcel is mainly dry per Tim Peloquin with some wetland as noted on the plan. There is no planned impact to the wetland; Planning has advised the applicant to come before us due to the size of the project. Project consists of 12,600sqft building and 101 parking

spaces. It is sized to hold weddings or events of about 200 people. This project did require a variance for use and the approval was granted by ZBA in March. Plans have been submitted to TRC and the plan is to be presenting to them at the Sept 7th Planning board meeting.

Tim Peloquin started to share some detail from the plan-set. The Commission was asked to start at sheet 6. There will be a private drive coming in off Rockingham Rd across from Rockingham Acres. Adjacent to the drive is a wetland. On Sheet 5 there is another mapped wetland to the East. The wetlands abut another parcel and adjacent to a discontinued road called Featherbed Lane. Tim Peloquin then advised a review sheet 12. The sheets detail the erosion control plan and grading. There is an edge of wetland line delineating the wetland and then a hatched line delineating a 25' no cut/ no disturbance buffer. The effort keeps all grading out of the wetland. Tim Peloquin noted this is in good faith and not a requirement. Will Lowenthal asked if the two wetlands shown on this map are one continuous wetland. Tim Peloquin advised it is two mapped systems. Will Lowenthal stated we cannot see any wetland mapping on the adjacent parcel. Tim Peloquin advised the adjacent parcel is not mapped and cited trespass law. Tim pointed out there is directional flow of the eastern wetland toward Map 3 lot 11, but he cannot state definitively if the wetlands on this projects parcel are connected. Tim Peloquin advised there is septic planned on site and it will be upland and away from the wetlands. The project will also require AOT permitting from NH DES. The project will have town water.

Chair noted that on current GIS Mapping we do not show the wetlands as mapped by PLS. There is a lower pocket across Rt 28 that the wetland likely flows out to. The Chair noted that due to trail systems off Robert Frost Farm there may be some recreational use coming down Feather Bed Lane; including accidentally. Tim Peloquin advised that it is believed Feather Bed Lane has Private rights only not public access. Chair noted there will need to be further discussions and Feather Bed Lane may potentially need to be posted as this project develops. Bob Boonstra asked for clarity on one wetland having a 30' setback and on the lower system there is a 75' setback. Tim Peloquin clarified zoning regulation states the setback distances are set by the size of the system. Over an acre triggers the 75' setback. Bob Boonstra then brought back Will Lowenthal's original question of the systems being connected. Discussion started around having the 75' setback on both mapped wetlands on the project parcel; assuming they are connected within the unmapped adjacent parcel. Tim Peloquin again stated trespass law. Chair noted there is a 30" CMP pipe that takes the water away from this site under Route 28. Rick Buzzanga acknowledged Will Lowenthal's concern and added that in instances such as Prime Wetlands there would be different standards regarding mapping and hard boundaries. Rick Buzzanga advised that on page 21 there is a proposed surface sand filter in two locations. Tim Peloquin will get back to us on that. Rick Buzzanga asked about the septic plan. Tim Peloquin advised he did not bring tonight and will follow up. Will Lowenthal noted proposed cabins that have been that were marked as future expansion. Will Lowenthal asked the impact of future septic tie in and if the phase moved forward would we see this project again. Tim Peloquin advised its only conceptual for scale and that it would need to go before Planning and ZBA. Conservation could ask in the approving motion for this project to review any future phase. In terms of septic any piping would need to be away from the wetland the 25' no cut buffer would still be intact. Jeannie Cunningham noted on the landscape plan there was Bradford Pear. Bradford Pear is not listed as an invasive but is a growing concern in NH. Tim Peloquin noted he would take the note back but the applicant's husband is a landscaper whom specifically chose those plantings.

Site-walk set for August 5th at 4:30

Other Conservation Activities

County Forester – Mr. Jordan has been on vacation but will be back at the beginning of August.

RCCD- Awaiting feedback on Doolittle Invasive Plan dates.

Derry Fest – Booth will be shared with Net Zero. Plan is to ask for a corner booth to provide space.

Native Plant Trust- June 13th Will Lowenthal and Eileen Chabot joined the Native Plant Trust to look for dwarf huckleberry. Lower Shields pond is beautiful but a bog. The plant was found.

Non-Public Session: Will Lowenthal motions to enter nonpublic per RSA 91A:3, Section II; Rick Buzzanga seconds. All in Favor. Motion Carries.

Adjournment: Non- Public session effectively ends the meeting.

Meeting Adjourns 7:57pm

Recorder: James Degnan

