



Derry Conservation Commission  
14 Manning St  
Derry, NH 03038

#### **Minutes of Public Meeting August 25, 2014**

On August 25, 2014 at 7:00 pm, the Derry Conservation Commission met in the 3rd floor meeting room of the Municipal Center.

The followings members were present: Jim Arruda, Ric Buzzanga, Eileen Chabot, Paul Dionne, Margaret Ives, Chair, Peg Kinsella, Richard Tripp & Dennis Wiley. James Degnan and Marianne Page were absent. Richard Tripp sat for James Degnan. Tom Cardon, Council Liaison, was present,

#### **Acceptance of Minutes:**

Paul Dionne made a motion to accept the minutes of August 11, 2014 as written. Dennis Wiley seconded the motion. All were in favor. Motion carried.

#### **Chair's Report, Correspondence & Bills:**

*October 24, 2014* – SELT- The 12<sup>th</sup> Annual Fall Foliage fund raiser will be held in Portsmouth. The South East Land Trust merged with the Stratford River Conservancy of Dover. This is to celebrate the merger of these two land trusts.

*Sept 12, 2014* - The South East Planning Commission will hold its annual meeting at the Puritan Conference Center in Concord. There is a \$25.00 donation. The deadline is August 29, 2014.

*November 1, 2014* - The NH Association of Conservation Commissions annual meeting will be held at the Laconia Middle School.

#### **DES:**

*405 Chases Grove Rd.* – Tax Map 06/Lot 19 –from the Land Resources Management Division, a follow up to a letter of deficiency issued on May 8, 2014, DES personnel sent a letter of demands to the Chase's Grove Tenant Association on August 5, 2014 and made the following requests:

1. By October 15, 2014, all docks (single finger & multi fingered docking structures) located in Chase's Grove must be removed from the water and placed out of DES wetlands jurisdiction.
2. By March 1, 2015, all information relative to the historic location, placement, size, and shape of each dock in Chases Grove (single finger & multi fingered docking structures) prior to and up until 1978 shall be submitted to DES. Signed by Jen Drociak, Compliance Specialist, at DES.

#### **Site Review:**

125 Windham Rd. –tax Map/Lot 1023-001, 003 and 004 – This is the third meeting with Engineer, Eric Mitchell and DCC. Since the original plan, an abutting lot had been purchased by the owner. The lot purchased has an existing house on it. The three lots are being combined, thus allowing room for a larger building now being proposed. DCC had done a second site walk for the new design plan on the larger building. DCC had requested the soil report on the area at the previous meeting. The soil report was not available at that time, but has since been supplied to DCC for review. Tonight's discussion is on any concerns that DCC may have with the soil report. No changes to the plan have been made since the last presentation. The Planning Board has reviewed the new design plan with the larger building and they have scheduled a site walk for September 13, 2014. The new design plan has also been brought to the Zoning Board of Adjustment for a variance because to allow two dwelling units on the one combined lot. The ZBA denied the variance, which will be appealed.

The soil reports indicate no groundwater was found when the test pits were excavated. What are the predictions for the seasonal water table fluctuations, especially for areas closest to the pond?

***Additional water table fluctuations have not been followed through, but with the storm water drainage system in place and the elevation of the slab being 3 feet higher than the existing ground, no increase or decrease in the water table is expected.***

Concerns were made of a note on the plan for the pavement around the building closest to the pond and the use of peat as backfill. (sheet 8 of 11). ***Engineered fill is expected to be used in any travel area or trench covered areas. This note will be modified on the plan or removed.*** Same sheet note #3 - The use of underdrain pipe in all areas of seasonal high water table within 5 feet of finished grade. The stability of the pipes and closeness to the pond is of concern. ***This note will be modified on the plan to clarify that all underdrains will outlet in a positive way to detention areas.***

A reference made to Cross Country Construction (meaning not under pavement) and the use of peat and loam. ***This note will be removed from the plan.***

Sheet #9 of 11 - A question was raised on a proposed retaining wall to be built, which would only leave a twelve inch minimum wetlands buffer between the corner of the building and the pond. With the size of this wall and its closeness to the pond, where would heavy equipment be during the construction, was of concern.

Sheet #4 – circles possibly indicate a Redi-rock wall? ***This will be looked into and a clarified explanation of the Redi-rock wall noted on the plan.***

Concerns as to how far the retaining wall will extend and with the excavation of the detention area alongside the parking area closest to the pond, would the detention area banking be stable enough without the wall? **Excavation will be done on the high, side of the pond. Clarify and note on plan. (sheet #8)**

(Sheet #4 note 1)- Industrial 5 INDB wetland setback requirements of 75 feet /greater than one acre were questioned. The scale of the map was also questioned. **It was clarified, that the 75 feet would be the wetland size, not the lot size. Here the setback would be 30 feet. The setback requirements of 30 feet have been met. Any improvements like installation of the wall would be within the 30 feet.**

(Sheet #4 of 11) -What does the referenced outlet structure consist of? **The details of the catch basins and OS #3 were pointed out on the plan and explained as on sheets #9. Sheet #6 shows the grading. All three catch basins will have gas and oil separators. Initially it was for one basin as indicated on plan. This will be clarified.**

(Sheet #5) –Legend shows existing stone wall or ready rock wall? Previously discussed circles are what? **Clarity of the two walls and circles is needed on the legend.**

Clarity was asked for on the legend to distinguish between chain link fence and silt fence. **The pond will be outside the chain link fence. The chain link will be installed around the building for security.**

DCC would like straw to be used with the silt fence instead of hay.

(Sheet 8 of 11) –A piped trench to the pond twelve inches down to be covered with select sand. What is select? **It is sand that meets NH DOT specifications. It is clean sand with no stones or organics.**

Where will the soil stock piles be on site? **There will be some soil piled toward the west side of the building. Any excess will be trucked off the site once excavated. No soil will be stock piled within 50 feet of a wetland.**

(Sheet S-1)- Foundation detail –below structure, compacted fill or undisturbed soil of 24 inches, will the existing fill be removed and replaced with structural fill for support? **All existing unsuitable material will be taken out and replaced with suitable gravel and crushed stone and compacted. Clarity was given There was concern because some fill had been previously dumped in the area. Clarity was given on undisturbed soil. This is soil that was never touched by humans. Excavation will go down to whatever depth is needed to reach undisturbed soil and filled back in as mentioned. Add note to plan.**

(Sheet 9 Of 11) – The definition of free draining fill behind the rock wall was questioned. **This will be crushed stone which has nothing in it to slow down the water. It will be one foot in depth.**

Ric Buzzanga made a motion for the chair to sign the plan with the following 11 conditions that were discussed and to be noted on the plan.

1. Page #8 - note #3 under driveway typical section – modify the note to state all will outlet in a positive way
2. Under cross County Construction. Take out the word Peat
3. Page #9- add an explanation of the ready rock wall to the legend.

4. Sheet #8 -excavation will be from the high side of the pond.
5. Add separated circles and silt fence to the legend.
6. The use of straw instead of hay.
7. Sheet # S-1 – the use of compacted suitable fill
8. Stock piles to be located at the Northwest corner of the building. No piles within 50 feet of a wetland
9. Excess soil is to be removed
10. Sheet #8 –the use select sand that meets NH DOT specifications

Paul Dionne seconded the motion. All others were in favor. Motion carried.

Resident Maureen Rose, who is a close abutter to the property, was present. She was allowed to speak for that reason. She has concerns of her well and septic and the amount of ground vibration. ***No blasting will be done at the site. The only vibration would be from a bulldozer or from the machine used when compacting the footings. A geo-technical survey has been done. Eric Mitchel will advise the client to contact Maureen Rose and to have a geotechnical person on notice before any work is started.***

#### **Update on Conservation activities:**

Chair has been contacted by a resident of Quail Hill, 9-R Tiger Tail Circle. The resident would like DCC to come out and look at a very large pine tree. The tree is on the Quail Hill property but near the resident's house.

#### **Go Green:**

The Walk at Broadview took place and ended up being more of a clean-up. Three bags of debris were removed.

The invasive species to be featured next month is Autumn Olive.

September 13, 2014 – The walk at Collette's Mountain will be at 9:00 am if the trail is ready.

#### **Other Business:**

Going forward, Dennis Wiley would like to have a note about the removal and transportation of Invasive Species put on all plans brought before DCC for approval,

Dennis has been in contact with Doug Cygan, Invasive Species Coordinator from the New Hampshire Department of Agriculture on this matter. Below is some information on the subject sent by Doug Cygan.

Please copy the following links into your browser for viewing.

Regarding the movement of any invasive plants can be found in the rules, AGR 3800 [http://www.gencourt.state.nh.us/rules/state\\_agencies/agr3800.html](http://www.gencourt.state.nh.us/rules/state_agencies/agr3800.html). Below is the excerpt from the rule:

## Part Agr 3802 NH PROHIBITED INVASIVE SPECIES

(b) No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant species, which includes all of their cultivars and varieties, listed in Table 3800.1, New Hampshire prohibited invasive species list.

<http://agriculture.nh.gov/divisions/plant-industry/invasive-plants.htm>

*“ No soil containing any living or viable portion of plants on the New Hampshire Prohibited Invasive species List (AGR Table 3800) shall be transported to or from construction sites without notification and approval from the New Hampshire Department of Agriculture per RSA 430:55”*

This was passed around to the members for viewing.

Paul Dionne made a motion to adopt the note as a standard notation on any plans that came before DCC as part of the Technical Review Committee. Ric Buzzanga seconded the motion.

Discussion took place on the verbiage of the note. A decision was made to table this until another meeting. Paul Dionne made a motion to table. Ric Buzzanga seconded the motion. All were in favor. Motion carried

Chair gave a reminder of the upcoming Derry Town Council Meeting to be held September 2<sup>nd</sup> will be a public hearing on the Land Use Change Tax.

### **Adjournment:**

Paul Dionne made a motion to adjourn. Richard Tripp seconded the motion. All were in favor. The Meeting adjourned at 8:20 pm.

Clerk/Ruth Robinson

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