

Loudon Conservation Commission

April 8, 2009

Meeting Notes

Bob Butler and Jess Storey attended. Lacking a quorum, the Commission did not take any action.

Bill Gabler introduced himself to Bob and Jess and sat in on the meeting. Bill is new to Loudon, but not new to town government and plans to join the Commission. He will bring experience in land use and expertise in utilities to the Commission.

Several people attended the meeting. Bob and Jess provided some feedback as follows.

Leonard Lapadula is working to make headway on his Youngs Hill Road development. He obtained Planning Board approval in 2006, when housing lot prices were higher, permits were difficult to obtain, and builders were easy to engage. These markets are not there any longer, but Mr. Lapadula is trying to make his development viable. He reminded Bob and Jess that he had agreed to give the Conservation Commission \$10,000 to manage deeded open space. He deeded 47 acres to the Town after receiving his approval. The \$10,000 is intended to be used for monitoring, and is/was due two years after his approval, which he noted was last November.

Mr. Lapadula explained how he is working with the Planning Board to keep his project moving forward. He has a good bid for off-site improvements, and while he has to do those improvements within one year after selling the 2nd lot, he is willing to move that forward. He said that would be good for the Town because it would stabilize Youngs Hill Road, and then the Town can pave it.

He asked if the Conservation Commission is willing to work with him with regards to the \$10,000 monitoring fee. He proposed a few ideas, including whether the Commission would divide the fee to tie it on a pro rata basis to the occupancy certificate – 1/10th of the fee per house sold. He also queried whether the Commission would consider halving the fee, or splitting it so that he (the developer) pays half with the receipt of the occupancy certificate while the homeowner pays half after a couple years. He emphasized that any reduction in the fee would be welcome.

Although the Commission could not take action, Jess and Bob provided input to Mr. Lapadula. They said they did not see a problem with tying the fee on a pro rata basis to when the certificate of occupancy for each house is obtained. They were opposed to the notion of having the new home owner pay half the fee at a later date because the Commission is not equipped to keep track of and track down home owners if fees were not paid. They did not commit to Mr. Lapadula regarding a reduction in the fee, though they were sympathetic given the tough economic times. Mr. Lapadula said, with Bob and Jess's agreement, that he would continue to think of creative ways to approach the monitoring fee.

Mr. Lapadula also asked whether the Commission has rules determining how it uses monitoring fees similar to the rules that govern how the Planning Board and Town disperse impact fees per the capital improvement plan. Bill Gabler explained that the state statute governing conservation commissions states that commission can use monitoring fees anywhere in town.

Dave Still from PSNH and John St. John with Nobis Engineering appeared to discuss relocating regulators from Lovejoy Road to another location. Mr. Still explained that this arose out of the project to maintain Line 319, which he discussed with the Commission last fall. He said that the project is going well and that they have only made about half of the impacts predicted (in the worst case scenario they had presented).

As a result of replacing the old wires with wires of increased size, the regulators on Lovejoy Road (they look like large cans on three poles) are no longer necessary to modulate the voltage there. Mr. Still explained they can be put anywhere on the electric line between Lovejoy Road and Chichester. The location needs to be accessed monthly, so PSNH focused on road crossings. There is no ideal spot; however, the first spot with the fewest wetlands and access issues is on Beehole Road. Mr. Still and Mr. St John shared a plan with Bob and Jess and Bill. They explained the site would require a little gravel road that a street vehicle can drive on to the equipment. The expected permanent impact of the driveway and poles is 405 sq ft; the temporary impact during construction is estimated to be 485 sq ft. There is another spot on the other side of the road (the east side) which is a little drier, but it is closer to houses, and PSNH prefers to avoid that type of location.

Mr. Still said PSNH needs a conditional use permit from the zoning board as well as a town driveway permit. He expects a culvert will be needed.

Cindy Balcius for NH Motorspeedway came to the meeting to answer questions. She said they filed their application (a thick request regarding culverting Gues Meadow Brook at the Track and corresponding mitigation projects) at the end of March. They held a sitewalk for the ZBA, which was very helpful. Ms. Balcius also said they are looking for input on the process for deeding the conservation interests to the Town because they are ready to close on property being purchased to mitigate wetland and stream impacts. She added that NH Fish & Game will hold the easement.

Ms. Balcius said the Speedway would be at the Planning Board meeting to discuss a phased approach to the project so that they can now what can be done now.

Ms. Balcius reviewed the history and photos of Gues Meadow Brook from Route 106 through the Track infield. The project includes 58,000 sq ft of impact to the stream in the infield and 12,000 to the brook near 106.

Right now, untreated storm water in the infield goes into the brook. The project will include installation of separate pipes to channel the brook and the storm water. The pipe carrying the brook will be sealed to eliminate the chance of iron in groundwater contaminating natural stream water. The pipe carrying

the storm water drainage will use several water treatment systems, three Hancor Storm Water Quality Units, to force or allow sediment to settle out and to trap gas and oil. The storm water drainage pipe will be perforated and surrounded by rock. Annual maintenance will be required and there are manhole covers (but they don't expect to clean out the brook). The two pipes re-surface as 42 culverts just downstream of the track.

Ms. Balcius predicts this project will create better, non-turbulent conditions and will remove pollutants, creating better conditions for "biologics" that are in the brook. She noted that there is a lot more biological activity downstream of the track.

Other planned impacts to wetlands downstream of the infield and track have been substantially reduced to 9000 sq ft because the functions and values of those wetland systems are much higher than for the brook in the infield. The Speedway needs to expand an access way for an emergency exit per homeland security. A crumpled culvert needs to be replaced. They will cause a temporary impact to pull out a ware that needs to go. They are enhancing a pedestrian walkway. Down (stream) further, they will be widening a little-used road and replacing culvert. Finally, they are creating an almost 2-acre floodplain wetland to accommodate flood storage without impacting abutters downstream. The floodplain is on the Speedway's site in land that is not part of any conservation easement. Ms. Balcius expects that this project should maintain a nice corridor for Gues Meadow Brook through the Speedway with the exception of the road.

The other part of the Speedway's mitigation plan is an easement on a 55-acre lot on Taylor Haines Road. The easement will protect 6031 linear feet of stream channel as well as the upland buffer adjacent to Canterbury River, Bumfagon Brook, Soucook River and an unnamed brook. This will protect almost 16,000 square feet. The site offers some tremendous wetland habitat including scrub-shrub and emergent areas. Ms. Balcius believes there are at least four areas potentially containing vernal pools. There are some thick hemlock stands and a lot of deer and moose. Ms. Balcius reported that the easement includes the confluence of the Canterbury and Bumfagon streams, an unexpected bonus revealed by the survey. The Speedway will also be putting deed restrictions on for a buffer to the Canterbury and Soucook rivers on an adjacent lot which has old gravel pit.

The meeting ended at 7:20.