



Londonderry Conservation Commission
Tuesday, May 14, 2019
Minutes

1 **Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Deb Lievens, member; Mike Noone,
2 member; Bob Maxwell, member; Mike Byerly, member, and Jocelyn Demas, alternate member
3

4 **Absent:** Richard Floyd, member; Raymond Brown, alternate member and Mike Speltz, alternate
5 member; and Town Council liaison member
6

7 **Also present:** Amy Kizak, GIS Manager/Comprehensive Planner
8

9 Marge Badois called the meeting to order at 7:30 pm. She appointed J Demas to vote for R Floyd.

10 **Glenn Aprile - Conservation Ranger:** M Badois introduced Glenn Aprile to the Commission stating that
11 he was the new Conservation Officer. G Aprile introduced himself to the Commission noting that he has
12 been a Londonderry police officer for 32 years and this Friday is officially his last shift. He told the
13 Commission that the retirement board requires a person to take 28 days off, which would be the month
14 of June, so he would officially start July 1, 2019. He pointed out that a Kawasaki 4-wheeler had been
15 purchased for him to use in this position. He asked what the Commission had for expectations of him in
16 this position. M Badois said that she felt the position was going to be morphing as it has never been
17 done before.

18 **ROW Access property release (Map 7 Lot 40-13):** A Kizak reviewed the proposed ROW access property
19 release with the Commission. She said that when this was originally done the land was given to the
20 Town for the potential for a road to be built and connect with Devonshire Lane. She explained that in
21 the original deed the language stated that if a roadway was not to be built, the lot would revert back to
22 the owner of the Shaws Plaza. She said that a road will never be built as there is a house now. She said
23 before the Town can release the deed, it needs to be presented to the Heritage Commission,
24 Conservation Commission and the Planning Board. G Harrington made a motion to recommending
25 returning the ROW access property release Map 7 Lot 40-13 to parcel Map 7 Lot 40-2 to expand their
26 green space with native shrubs. B Maxwell seconded the motion. The motion passed, 7-0-0.

27 **Unfinished Business**

28 **Kendall Pond projects:** M Noone told the Commission that he thought that after all the new items are
29 in place, he would like to have a grand re-opening of Kendall Pond for the public. He said that he might
30 consider moving picnic tables to a better location that might discourage some bad behavior. M Byerly
31 suggested the weekend of June 22, 2019, for a grand re-opening.

32 **Gates:** M Badois asked B Maxwell if he had an update on the Eversource gates. B Maxwell said that he
33 did not at this point and would reach out again to his contacts.



Londonderry Conservation Commission
Tuesday, May 14, 2019
Minutes

34 **Doug Martin, KW Commercial Real Estate, and Paul Kerry, Northeast Nursery:** Doug Martin introduced
35 Paul Kerry from Northeast Nursery, 234 Newbury St, Peabody, MA, to the Commission. D Martin said
36 that Northeast Nursery has found location in Londonderry that is under agreement and had a lot of
37 engineering done to it back in 2006, which was revised again in 2009. He said that the plans never
38 received final approval because the developer never completed them. He told the Commission that they
39 are here tonight for a DRC to see if there have been many changes in setbacks or buffers. Paul Kerry
40 gave an overview of the company noting that they are a full service landscaping company based out of
41 Peabody MA. He said that they currently have a location in Londonderry that they are renting and the
42 owner would like to purchase this property, as he does not want to rent anymore. He said they try to be
43 a one-stop shop for landscaping companies. He said there are three employees at this location, a
44 manager, an outside salesman and a delivery driver/inside salesman. He asked if the 50 foot setback
45 still applied to the edge of wet. M Badois said that was correct. J Demas asked if the company only sells
46 to landscapers. P Kerry said that they will sell to anyone, but they are mostly wholesale. D Martin
47 concluded that there were no big changes from the 2006 plans.

48 **New Business**

49 **Finance:** D Lievens told the Commission that the total money from the rabbit habitat project was \$93,
50 779. 59. She said that she spoke to Justin, Finance Director, about the budget and accounts. She stated
51 that the current budget for the Commission is \$3,350 and there is approximately \$350 left in it, which
52 should be used by July 1, 2019. She said rather than the Commission opening up another escrow
53 account, they should turn the Conservation Fund money into the Habitat Protection Fund, and the
54 money will stay in this account for future rabbit cuts. She noted that everything else, as there is no bond
55 money left, could be called the Open Space Protection Fund. M Badois asked if Justin was okay
56 comingling purchase money with maintenance money. D Lievens said that is he is okay with that. She
57 suggested the accounts be called Habitat Protection Fund and Open Space Protection Fund. The
58 Commission agreed.

59 **Ingersoll:** D Lievens reported going to obtain an estimate from Rockingham Conservation Commission
60 District (RCCD) for Ingersoll property.

61 **Fish & Game meeting with neighbors:** M Badois told the Commission that Fish & Game would like to
62 meet with the neighborhood off of Iroquois to explain that they are trying to create a turtle habitat. She
63 said that she is waiting for Fish & Game to get her a date and she suggested they meet in the evening to
64 try and get the most number of people to attend.



Londonderry Conservation Commission
Tuesday, May 14, 2019
Minutes

65 **Stream brochure:** M Badois passed out a brochure that M Speltz gave her about streams for the
66 Commission to review. She said that M Speltz is asking the creator of the brochure if he/she minds if the
67 Commission uses it/makes one similar in nature.

68 **Commission Vacancy:** M Badois told the Commission that unfortunately, Ray Brown has resigned, and
69 his position will be re-posted.

70 **Phragmites:** M Badois said that she has the month of May in her calendar for monitoring this. D
71 Lievens said that the Commission does need to go out and monitor this at Lot 6-113. She said that this
72 would be extremely wet and hard to access. M Badois suggested trying to monitor this in the fall. D
73 Lievens said she thought they should go out in July.

74 **Ray Breslin, Three Gary Drive:** Ray Breslin told the Commission that Londonderry has two superfund
75 sites in town and feels that Londonderry should be requesting money from the state to help with this.
76 He said that Londonderry is doing a water quality and quantity study now and will hopefully get the
77 results next month.

78 **The Baldwin Senior Living at Woodmont Commons Wetland Permit Application:** The Commission
79 reviewed the Baldwin Senior Living at Woodmont Commons Wetland Permit Application and has no
80 objection.

81 **77 & 83 Nashua Road Wetland Permit Application:** The Commission reviewed the 77
82 & 83 Nashua Road Wetland Permit Application commenting that they have no objection to Dredge and
83 Fill area #1; however, Dredge and Fill area #2 is not required for access to the property and if the
84 building was shrunk, it would not be needed.

85 **Minutes:** The Commissioners went over the public minutes from April 23, 2019. D Lievens made a
86 motion to accept the minutes as presented. G Harrington seconded the motion. The motion passed, 5-0-
87 2, with M Byerly and J Demas abstaining.

88 **Driveways:** M Badois read an email from M Speltz regarding the Meadows issues from last week. She
89 said that they came up with two work arounds beyond simply deleting the seven homes with no back
90 yards, either post buffer signs at 10 foot intervals, so there is no mistaking the line on a narrow lot or
91 install white picket fence around the buffer. She said that Colleen Mailloux, Town Planner, will suggest
92 these options as illustrative ways the developer can meet our concern regarding the encroachment from
93 the homes with no backyards and it will be up to the developer to come up with a solution that satisfies
94 or resolves our concerns. She said they also discussed the issue of buffer mitigation and came up with
95 the idea of using the 75 foot well radius, shown on the plan, as an extension of the 50 foot buffer. She



Londonderry Conservation Commission
Tuesday, May 14, 2019
Minutes

96 said that the well is located near the edge of the wet and since the developer is very limited in what he
97 can do within the well radius, it would be giving up very little, and would add some architecture to the
98 wetland. She said that if possible, the Commission should attend the Planning Board meeting to present
99 these issues.

100 **DRC**

101 **Larson Site Plan (Map 13 Lot 64):** The Commissioners reviewed the DRC for the Larson Site Plan (Map
102 13 Lot 64 asking what is going to be stored in outside storage and if it will be vehicles, will there be any
103 maintenance/mitigation for leaking fuel, oil, etc., into the existing well. The Commission also asked what
104 can be done to prevent run-off or surface water from entering the well and contaminating aquifer.

105 **Adjournment:** G Harrington made a motion to adjourn the meeting at 9:30 p.m. J Demas seconded the
106 motion. The motion passed, 7-0-0.

107 Respectfully Submitted,
108 Beth Morrison
109 Recording Secretary
110