



Londonderry Conservation Commission
Tuesday, March 20, 2018
Minutes

1 **Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Deb Lievens, member; Mike Noone,
2 member; Bob Maxwell, member; Mike Byerly, member; Julie Christenson-Collins, alternate member
3 Mike Speltz, alternate member
4

5 **Absent:** Roger Fillio, member; Richard Floyd, alternate member; and Ted Combes, Town Council
6 member
7

8 **Also present:** Richard Cook
9

10 Marge Badois called the meeting to order at 7:30 pm. She appointed J Christenson-Collins to vote for R
11 Fillio.

12 **Richard Cook/NH Fish & Game - Mathes Trails:** Richard Cook addressed the Commission stating that he
13 was here with a draft agreement for the Town to have a trail from Preserve Drive to join into the Heron
14 Trail, with the purchase of over 150 acres off of Preserve Drive from the Mathes family. He stated that
15 usually NH Fish & Game does not allow mountain bikes on their property, but would allow that use on
16 this trail. He passed out the draft agreement for the Commissioners to read through. M Badois asked if
17 horses would be allowed. R Cook stated he would have to ask the land management department. M
18 Badois asked about parking. R Cook stated that they will not be putting in a parking area, as presently
19 there are spots for two cars in front of the boulders. M Badois noted that the Commission had asked in
20 the beginning of this project to be able to put in a parking apron along with a trail. R Cook asked how
21 much parking. M Badois stated five to six cars. R Cook commented that he thought the two parking
22 spaces were enough as they are not trying to encourage a tremendous amount of public use, as most
23 land they buy is for wildlife habitat. D Lievens stated there is a five year expiration date in the
24 agreement and asked if this would be renewable at the end of the five years. R Cook stated he could ask
25 Jim Oehler the land manager, as he normally does five year agreements the first time and then ten year
26 agreements if there are no problems. M Noone asked if a post with a sign indicating the Mathes trail
27 could be put at the end of Heron Trail. R Cook stated that he did not have a problem with a post. B
28 Maxwell asked if the Commission could clear trees that fell across the trail. R Cook stated the
29 Commission can clear any downed trees across the trail. He also stated the Commission can clear any
30 live trees under 4 inches, but anything over 4 inches would require a phone call. B Maxwell asked if a
31 kiosk was going to be put up. R Cook pointed out that NH Fish & Game has named this "The Musquash
32 Swamp Wildlife Management Area" and was not sure if a kiosk would be created. M Badois asked if
33 anything was being done to honor the Mathes family. R Cook stated the trail would be called The
34 Mathes Trail. R Cook stated that NH Fish & Game is in the process of putting "WMA" on their website
35 and wanted the Commission to go over the trails to make sure they are correct. M Badois handed R
36 Cook a new map that the Commission just updated so he could cross reference for the website. M



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37 Speltz asked R Cook to send the Commission a revised draft and the Commission would check with the
38 Town Manager on the next steps.

39 **Old Business**

40 **Kendall Pond:** M Badois informed the Commission that she had some more information on the camera.
41 She stated that the camera has a wide angle lens, can be on constantly or with a motion sensor and you
42 can pick where or what to monitor. She noted that the images will go to a website where someone can
43 sign in to access the video. She broke down the cost of the camera as follows: \$2500 to get a pole for
44 electricity, \$2900 for an electrician and \$750 for the camera. She asked the Commission if there is a
45 current ordinance that needs to be amended or create a new ordinance with the hours of operation in
46 it. M Speltz stated that there is an ordinance already and asked if the new assistant solicitor for the town
47 might be able to help the Commission with this. M Badois stated the Commission had thought there
48 should be summer hours and winter hours. M Noone stated at the previous meeting with the Town
49 Council and neighbors of Kendall Pond the suggested hours were as follows: 5 a.m. to 8 p.m. (Daylight
50 savings time) and 5 a.m. to 6 p.m. in the winter. G Harrington asked if the hours were just for parking. M
51 Badois stated that was correct, this was for the hours of the parking lot, not for the conservation area.
52 M Badois noted that the ordinance would be specific for the parking lot hours for conservation areas. M
53 Byerly stated he did not like the idea of conservation area versus specific to Kendall Pond. M Badois
54 stated she would ask the assistant solicitor about the ordinance. She also pointed out that the other part
55 of Kendall Pond is to get the correct signage there. She showed an example of a sign she liked to the
56 Commission. The Commissioners went over what was allowed versus not allowed at Kendall Pond for
57 the sign. She stated that in talking to Steve Cotton, he mentioned the Commission should just put up a
58 sign first and see what happens. M Noone asked if the parking lot could be opened again without a
59 camera and suggested using a deer cam first. M Badois suggested phases to Kendall Pond, to start with
60 appropriate signage, take out the logs and camera if needed. B Maxwell offered to look on the web for a
61 camera. M Badois stated that the Commission will remove the trash and recycle bins and emphasize it is
62 a carry in/carry out area like all the conservation lands. She noted that she would summarize tonight's
63 conclusions to Lisa Drabik.

64 **Regarding prospective Eversource mitigation funding:** M Badois informed the Commission that the
65 purchase of the Griffin Road property was approved by the Town Council. M Speltz stated that he talked
66 to the assistant solicitor for the town and found out that Eversource was withdrawing their wetland
67 application because of all the damage in Connecticut, Eversource had to reprogram their capital funding,
68 and will not be clearing the line in Londonderry.

69 **Open Space Task Force:** M Badois informed the Commissioners that she spoke to Colleen Mailloux,
70 Town Planner, and Colleen said to let her know about anything as the Commission reviews the Open



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71 Space Plan. M Speltz stated that he has a meeting with Amy Kizak, GIS Manager/Comprehensive Planner
72 for April 9, 2018. He commented that he thought meeting with Amy and getting the right numbers was a
73 good first step. He stated that the Commissioners could edit the text of the plan as well and then
74 schedule a public hearing on the agenda with the proposed changes. M Speltz stated that this Open
75 Space Plan was not created by the Commission, but in fact, the Open Space Task Force that was created
76 by the Town Council, and noted that the Commission would be making recommended updates to this
77 document. M Speltz encouraged the Commissioners to look over the plan and comment on what can be
78 improved. M Badois asked if the results from the water resource survey should be included. M Speltz
79 stated that it should as the water study will identify threats, and this was not discussed on the last Open
80 Space Plan.

81 **Londonderry Times:** D Lievens stated that the Commission's first article, written by M Speltz, had been
82 in last week's edition of the Times. She asked if anyone had an article for April. M Byerly offered to write
83 an article about what the Conservation Commission does. D Lievens asked him to draft this and email it
84 to her.

85 **New Business:**

86 **Joint Negotiating Committee: re-evaluate the process, flow-chart, and establish criteria agreeable**
87 **with TC (easement vs purchase):** M Badois stated that there were some issues that came up during the
88 Griffin Road purchase regarding the Joint Negotiating Committee (JNC). She stated that there could be
89 some education regarding an easement versus a purchase. She asked the Commissioners for their
90 thoughts. M Speltz stated that the Commission should work up a draft and then sit down with the Town
91 Manager first to see what he thinks. M Byerly noted that he thought there were two things that could
92 have been handled differently. He stated the first was that the Town Council representative on the JNC
93 did not keep the Town Council apprised on what was going on and the second issue was to make the
94 lawyer available to the JNC if needed during negotiation. M Speltz suggested having the assistant
95 solicitor on the JNC now. J Christenson-Collins asked what the next steps would be. M Speltz stated to
96 rewrite the memorandum that lays out the process for the JNC. M Badois commented that she wanted
97 to get the Town Council's input before rewriting the memorandum. M Speltz offered to work on a draft
98 with some guidance.

99 **Wetland:** M Badois informed the Commission that a Carl Benedict had been appointed to DES for
100 dredge and fills and wetland permits.

101 **Wiley Hill Road - Dredge and Fill - culvert:** M Badois stated that more information had been requested
102 on hydrolytic capacity for street crossing and something about the riprap. She stated that it was her



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103 understanding that riprap is treacherous for turtles. G Harrington stated that the engineers say riprap is
104 better to stabilize the bank. D Lievens suggested following up to see what the outcome will be.

105 **Meeting suggestions:** M Byerly stated he would like to see a hard stop time for the Commission's
106 meetings at 10 p.m. He suggested managing the agenda with time sensitive topics to be presented first.
107 M Noone suggested getting estimated times for presentations and helping to keep people on track with
108 the time limits. M Byerly stated that having a standard time limit for presentations would be a good idea
109 and may vary depending upon the presentations. He stated that making two separate lists, such as time
110 sensitive and not time sensitive, for the agenda. He commented that the time sensitive list will get done,
111 but the other list might get carried over to the next meeting with a hard stop at 10 p.m. M. Speltz
112 suggested having applicants state how much time they need as part of asking to appear. M Badois
113 stated that she could also put more information in email to help the time of the meetings as well.

114 **DRC's**

115 **Mr. Steer Lighting Amendment (Map 6 Lot 30):** The Commissioners reviewed the DRC for Mr. Steer
116 lighting amendment with no comments.

117 **MWW Water Tank (Map 15 Lot 40-3):** The Commissioners reviewed the DRC for MWW Water Tank and
118 asked why the applicant wants to take the fence off the entire property versus just around the cleared
119 area.

120 **Non-Public Session**

121 G Harrington made a motion to go into non-public session per RSA 91-A:3 for the purpose of discussing a
122 matter related to property acquisition. The motion was seconded by M Byerly. The motion was passed
123 by M Badois, D Lievens, G Harrington, M Byerly, B Maxwell, M Speltz and J Christenson-Collins with a
124 unanimous roll call vote. M Byerly made a motion to leave non-public session and to seal the minutes of
125 the non-public session indefinitely per RSA 91-A:3. D Lievens seconded the motion. The motion passed,
126 7-0-0.

127 **Adjournment:** G Harrington made a motion to adjourn the meeting at 10:00 p.m. B Maxwell seconded
128 the motion. The motion passed, 6-0-0.

129 Respectfully Submitted,
130 Beth Morrison
131 Recording Secretary