



Londonderry Conservation Commission
Tuesday, August 22, 2017
Minutes

1 **Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Mike Byerly, member; Bob Maxwell,
2 member; Roger Fillio, member; Deb Lievens, member; and Mike Speltz, alternate member

3

4 **Absent:** Mike Noone, member; Margaret Harrington, alternate member; Julie Christenson-Collins,
5 alternate member and Ted Combes, Town Council Member

6

7 **Also present:** Beth Morrison, Recording Secretary; Tim Ferwerda; Jack Szemplinski; Jack Kalantzakos;
8 Rick Welch

9

10 Marge Badois called the meeting to order at 7:30 pm. M Badois appointed M Speltz to vote for M
11 Noone

12 **Lymo Construction CUP:** Tim Ferwerda, a wetland scientist for Meridian Land Services, introduced
13 himself to the Commission and stated he would highlight the changes that were made to the project
14 since he was last here. T Ferwerda noted that there were more tree plantings in an area and that the
15 snow storage had been moved, as had been discussed at the last meeting. He stated that he had
16 brought a copy of the conditional use permit (CUP) today and M Badois passed out copies for the
17 Commission to look at. He read the CUP to the Commission. D Lievens asked if they were applying for a
18 dredge and fill and asked how much wetlands they wanted to fill. T Ferwerda stated it was 3406 SF of
19 wetland impact. D Lievens asked if permission was needed to fill the wet basin. T Ferwerda stated it was.
20 D Lievens stated that if the permit was approved, then the buffer goes away, and maybe the CUP is not
21 needed. T Ferwerda pointed to the map and stated that there would still be a wetland that is
22 undisturbed, so theoretically there would still be a 50 foot buffer. He stated that he talked at length with
23 the engineer about the buffer and concluded the buffer would still be there. M Speltz asked if T
24 Ferwerda would be amenable to treating the area beyond the edge of the pavement as a buffer and
25 post the conservation protected area signs. T Ferwerda stated in his opinion, he thought it would be
26 possible, but they would reserve the right to maintain the pipes. D Lievens stated that in her opinion,
27 essentially there is nothing really wrong with this project, except for the fact that the developers bought
28 a lot that was too small for the project and she feels badly supporting that. D Lievens stated that she
29 would like the recommendation from the Commission to acknowledge that the site is too small for the
30 proposed project and that the Commission does not want to continue to support that. M Speltz stated
31 that if the building a quarter of the size it is now, the project could probably stay out of the buffer. T
32 Ferwerda pointed out that the building footprint has been shrunk from its original already. G Harrington
33 asked how far it was from the proposed edge of wetland to the pavement. T Ferwerda stated in his
34 opinion it was 20 feet. G Harrington asked if they needed that much pavement in the back of the
35 building. T Ferwerda stated he thought it was needed for trucks going in and out. G Harrington asked
36 about how many parking spaces are provided on the plan. T Ferwerda stated there were 65 spaces. G
37 Harrington noted that on the plan at one spot there was 10% of parking for the site and maybe the



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38 parking amount could be shrunk. D Lievens stated that she thought the project would need a variance
39 for parking. M Byerly asked if it would be possible to get the 6 parking spaces in question into the other
40 parking lot. T Ferwerda stated there might be a way and he could talk to the engineer about it. M Speltz
41 made a motion for the Conservation Commission not recommend the approval of the plan as presented
42 because although it creates a mitigating permanent wet basin, it does not adequately protect the newly
43 created basin with an adequate buffer. Should the Planning Board choose to approve the plan, the
44 Conservation Commission recommends relocating the 6 parallel parking spaces along the wetland to
45 other areas on the parcel, this would increase the buffer by at least 8 feet. D Lievens seconded the
46 motion. The motion passed, 7-0-0.

47 **Cross Farm - Jack Szemplinski, Jack Kalantzakos and Rich Welch:** Jack Szemplinski introduced himself
48 and Jack Kalantzakos and Rich Welch to the Commission. He stated that he was here before the
49 Commission tonight to present the idea of doing the lower parking lot with all permeable pavement, so
50 all the water that falls in the pavement will be absorbed into the ground. He stated that they will still be
51 providing the detention areas that are required by the town, but this will help contain the run off. He
52 stated that the upper parking lot will not be permeable pavement as there might be too much turning
53 on it and the lower parking lot will hopefully be used very sparingly in the winter, which would prolong
54 the life of the pavement. M Speltz asked how far it was from the impervious pavement to the edge of
55 wet. J Szemplinski stated that it would be 115 feet. G Harrington asked what the light green square on
56 the map represented. J Szemplinski stated it was a putting green and it was a permeable surface. R
57 Welch stated that it would actually have a concrete base and therefore would be impervious. G
58 Harrington noted that would be the closest impervious. J Szemplinski recalculated to 120 feet. M Speltz
59 asked what was to the left of the putting green. J Szemplinski stated it was a bocce court. J Kalantzakos
60 stated that they want to build all the recreation areas as maintenance free as possible, such as fake
61 grass and a concrete base, as they did not want the association to have to maintain these over time. J
62 Kalantzakos stated that the bocce court could have a clam shell base and could still put turf over it,
63 wondering if that make a difference to the Commission and if it did, it would be something they would
64 consider. J Szemplinski noted that the bocce court would drain into the rain garden now, but they could
65 make provisions so the bocce court is graded to absorb some water as well. J Kalantzakos stated that
66 Hickory Woods is taking out the concrete base in the bocce courts and replacing them with the clam
67 shell base, as it is easier to keep level. R Fillio asked if there would be turf with the clam shell base. J
68 Kalantzakos stated there would be. J Szemplinski added that most of the recreation facilities would not
69 be used during the winter time, which is probably the most sensitive time for run off into the wetlands.
70 M Speltz stated he thought the spring time was the most sensitive and he felt the Commission was in a
71 policy dilemma here because he wondered if the zoning ordinance in the Conservation Overlay District
72 allowed for pervious pavement. G Harrington stated there was no differentiation, but instead states no
73 asphalt in the Conservation Overlay District. M Byerly asked if the developers had done anything with



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74 the Commission's recommendation last time to move the clubhouse somewhere different on the
75 property. J Szemplinski stated they could move the clubhouse somewhere else on the property and they
76 would still have to grade for the detention ponds and rain garden, as they need to be located at the
77 lower most portion of the site. J Kalantzakos explained that this issue has been talked about in great
78 length and taking out the marketing reasons for the clubhouse being where it is, the grading would still
79 need to be done whether the clubhouse was moved or not. D Lievens stated she felt they picked the
80 wrong piece of property for the project, as the wetland will have to be disturbed. J Szemplinski noted
81 that most of the land for this project is very flat, in comparison to Hickory Woods, and the only place to
82 run off attenuation systems is close the wetlands, and therefore the detention ponds will always be
83 created where they are. M Speltz noted that from J Szemplinski description of the land being flat, the
84 parcel is not suited for the project. J Szemplinski asked what M Speltz thought the land would be suited
85 for. M Speltz stated he thought the land would be best suited for open space, but that idea is no longer
86 an option. J Kalantzakos asked the Commission if they should propose the improvement they presented
87 tonight or if the improvements do not matter. M Speltz explained that if the Planning Board were to
88 approve this plan as they have proposed, it would be helpful to have pervious pavement and pervious
89 services under the recreation facilities. M Byerly stated it was a step in the right direction. J Szemplinski
90 stated that the plan is going for final approval in a couple weeks at the Planning Board meeting. M
91 Badois pointed out the Conservation Commission has been requested to attend the meeting. J
92 Szemplinski offered an alternative to grading the area adjacent to the parking lot saying he could
93 possibly put in a retaining wall there, to try and keep as much grading out of the buffer. G Harrington
94 stated that would be an improvement as far as the Commission was concerned, and the wall would be a
95 much clearer demarcation as to where the edge of the buffer is. M Speltz made a motion that the
96 applicant's suggested improvements to the Cross Farm Site Plan to include using pervious pavements, a
97 retaining wall and pervious recreation courts, while the improvements mitigate the disturbance to the
98 buffer, the Commission continues to believe putting the clubhouse in its proposed location is primarily
99 for economic reasons and thus does not meet the forth criterion for a conditional use permit (CUP).
100 However, should the Planning Board choose to approve the plan as presented, the Commission
101 recommends implementing the applicant's improvements as a condition of approval. G Harrington
102 seconded the motion. The motion passed, 7-0-0.

103 J Kalantzakos informed the Commission that they had met with an abutter who had the suggestion for
104 the developers to approach the Commission and see if the Commission wanted to buy some land from
105 the project. He noted that he told the abutter he would present this idea for discussion with the
106 Commission and see what the response would be. He stated that the developers would be open to
107 talking with the Commission regarding land purchase from the project. M Badois stated it would depend
108 on if it is land that is unbuildable or land that would limit the development. M Speltz stated that the
109 Commission would be interested in protecting the natural resources on the property, but noted the



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110 Town Council has a different take, as he understands it, to limit the development, which are 2 different
111 goals. J Kalantzakos stated that he would like to talk about this with the Commission before the Planning
112 Board meeting. M Speltz suggested sharing the natural resources maps with the developers to show
113 them where the resources are on the property and then overlay that with the development plans. He
114 stated after that going to the Town Council with the results and see if the Town Council would support
115 it. M Speltz added that there an open space plan on the Town's website to look at as well. M Speltz
116 asked for J Szemplinski's card and stated he would be in touch.

117 **Old Business**

118 **Polices:** M Badois listed the policies that the Commission has currently to include: camping, DRC,
119 expedited minimum impact, conflict of interest and Kendall Pond parking. She noted that the Planning
120 Board and Zoning Board had rules of procedure, which the Commission does not. She also thought
121 having a procedure for property acquisitions should be created. M Speltz stated that the Joint
122 Negotiating Committee's procedure is what the Commission follows. M Speltz noted that the Land Trust
123 Alliance standards and procedures are the Commission's procedures for everything. D Lievens explained
124 that these had been adapted to Londonderry many years ago that should be in the electronic files,
125 which might be named Londonderry Conservation Commission Standard Operating Procedure. M Speltz
126 suggested asking other conservation commission's for a sample of their policies and procedures. G
127 Harrington suggested checking with the Town Clerk to see if the Commission has policies on file. M
128 Badois stated she would check with the Town Clerk and reach out to NHCCC for a sample.

129 **Trail signs:** M Badois stated that she would like the Commission to finish marking the trails this year
130 before winter. M Badois asked if the Commission knows what Trailways is doing. M Byerly stated that he
131 has not received an email from Charlie with an inventory of the Musquash and he would email him. M
132 Byerly stated he would email Bob Saur as well.

133 **Nevins:** M Badois took out the spreadsheet that Steve Feinberg had presented at the last meeting and
134 wanted the Commission's input. M Badois stated the first column should be the 25 foot variance. M
135 Badois stated that for both 3 and 4, to disturb the soil in the variance area but not in the buffer. M
136 Badois noted that the Nevins should not be altering anything in the conservation zone at all. B Maxwell
137 proposed that the third column be eliminated from the spreadsheet, as the Nevins should not be
138 altering anything in the conservation zone. D Lievens stated that she wanted to footnote the AG204
139 "may dispose of prohibited invasive species shall be disposed of in a manner that bitters are non-living
140 and non-viable" in one section on the spreadsheet. M Badois clarified that they can introduce new
141 plants that are native to the area within the 25 feet of buffer. M Badois asked where the pasture grass is
142 allowed. G Harrington stated in the outer 25 feet of the buffer. M Badois suggested the columns should
143 be the variance area and the outer 25 feet of buffer. G Harrington stated the Nevins may trim or mow



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144 existing plants within the 25 foot variance. M Speltz stated that the existing ordinance allows residents
145 to mow in the buffer. M Speltz stated pointing out where they can mow and where they can put
146 pesticides would be helpful. M Badois noted that the answer to may replace existing lawns beyond the
147 25 foot variance with pasture grass is no. The Commission went over some more points from the
148 spreadsheet. M Badois will redraft the spreadsheet and email it to him.

149 **New Business:**

150 **Planning Board meeting:** M Badois stated that on September 6, 2017, the Planning Board requested the
151 Commission to be present to discuss Cross Farm.

152 **Terms expiring:** M Badois noted it was early, but there are 3 terms expiring at the end of the year being
153 D Lievens, M Badois and M Byerly. M Badois stated there are too many expiring in one year. M Badois
154 stated that if Meg resigned now, she could get that term on the right schedule, so it would be more
155 balanced. M Badois stated that the people will have to reapply and interview.

156 **Improvements:** M Speltz asked where the Commission was in getting the abutters and Town Council
157 together. M Badois stated she has not done anything as of yet because she wanted to see where the
158 Water Task Force project would go. M Badois asked if anyone had information on the study that was
159 done in 1990. M Speltz stated he would email her.

160 **August Walk:** M Byerly stated it would be this Saturday, August 25, 2017, at 9 a.m. starting at the Town
161 Common then going through the new trails in the town forest area and then out the other side to
162 Adams Road.

163 **DRC:** The Commission observed the plans for Harvey Road LLA. The Commission noted that access for
164 proposed Lot 98-1 is going to be in the buffer.

165 The Commission observed the plans for Sanborn Crossing Subdivision. The Commission had no
166 comments.

167 **Minutes:** The Commissioners went over the public minutes from July 25, 2017. D Lievens made a motion
168 to accept the minutes as corrected. B Maxwell seconded the motion. The motion passed, 6-0-1, with G
169 Harrington abstaining.

170 The Commissioners went over the public minutes from August 8, 2017. D Lievens made a motion to
171 accept the minutes as presented. M Byerly seconded the motion. The motion passed, 5-0-2, with M
172 Speltz and R Fillio abstaining.



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173 **Correspondence:** M Badois stated there was a tree farm field day in Lebanon on Saturday, September
174 30.

175 D Lievens made a motion that the Commission hire the Rockingham County Conservation District for
176 \$650.00 to do the monitoring of Ingersol with the money coming from the line item budget. G
177 Harrington seconded the motion. The motion passed, 7-0-0.

178 **Adjournment:** M Byerly made a motion to adjourn the meeting at 10:09 p.m. R Fillio seconded the
179 motion. The motion passed, 7-0-0.

180 Respectfully Submitted,
181 Beth Morrison
182 Recording Secretary
183