



Londonderry Conservation Commission  
Tuesday, May 9, 2017  
Minutes

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

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4 **Absent:** Mike Speltz, alternate member; Margaret Harrington, alternate member; Bob Maxwell,  
5 member; Mike Noone, member; and Julie Chirstenson-Collins, alternate member

6  
7 **Also present:** Beth Morrison, Recording Secretary

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9 Marge Badois called the meeting to order at 7:30 pm.

10 **New Business**

11 **PPNE Dredge & Fill:** G Harrington, while reviewing the dredge and fill, pointed out that PPNE is still  
12 stating that 34,777 SF of wetlands will be impacted. G Harrington pointed to the dredge and fill for the  
13 rest of Commission to observe the wetlands affected. R Fillio asked about the money they are giving to  
14 the state because of this. G Harrington explained that DES used to require local mitigation for any  
15 project, but there was a question as to the effectiveness. He stated that the State started the ARM fund  
16 to have a pool of money, which developers could contribute to instead of purchasing land for mitigation.  
17 He noted that the money will stay in the same watershed, but it might not come back to us without an  
18 application for a grant. R. Fillio asked if a proposal was needed for directing the ARM funds to stay in  
19 town. G Harrington explained that the Commission is only an advisory body at this point; however, if  
20 within the 10 days when a Dredge and Fill application was filed, the Commission could request an  
21 intervention to have more time to get out to the site, but this application was filed on April 27, 2017.

22 G Harrington would like there to be a policy for the Chair to automatically request an intervention when  
23 the next scheduled meeting is outside the 10 day period. D Lievens pointed out that the Commission  
24 made a change to have Jaye Trottier at the Planning Office intervene automatically; however, Jaye is no  
25 longer there so maybe it should be someone who currently works in the office. M Badois clarified that  
26 the D&F was emailed to her, but there was no meeting between its receipt and the deadline. G  
27 Harrington made a motion for the Chair to be authorized to request an intervention on dredge and fills if  
28 the Commission is not going to have to a meeting to consider it within the 10 days. R Fillio seconded the  
29 motion. The motion passed 5-0-0. G Harrington wanted to clarify that M Badois understood what the  
30 other commissioners were asking of her. M Badois stated that she did and would have to send a letter  
31 to the Wetlands Bureau to request more time to look at any proposed sites.

32 G Harrington made another motion to send a letter to the Wetlands Bureau regarding this dredge and  
33 fill that we have no objection to it. D Lievens seconded the motion. PPNE has offered to conserve the  
34 back portion of the property. R Fillio had a question about giving land for conservation purposes and  
35 paying taxes. G Harrington explained if they give the land they do not pay taxes, but in this case, they



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36 are keeping the land and putting a restriction on the deed stating there will be no further construction.  
37 This should be brought up at the Planning Board meeting.

38 M Byerly wanted further clarification on the motion for the Chair to intervene regarding whether the  
39 commission wanted to have an automatic intervention to the Planning Board in place for every dredge  
40 and fill. G Harrington stated that the commission does not want an automatic intervention for every  
41 dredge and fill because the commission is trying to encourage the applicants to come in and meet with  
42 them before they finish their paperwork to address the commission's concerns. He added that once in a  
43 while the commission receives particular applications on a Wednesday morning after the Tuesday night  
44 meeting, so the commission would not have time to discuss before the 10 day intervention period is  
45 over. G Harrington went over the process in which the commission receives an application, noting that  
46 the time clock starts when the application is filed with the Town Clerk. M Badois wanted to make sure  
47 the right department was notified about revising the procedure. G Harrington stated that the Town  
48 Clerk should be the one notified about the policy revision.

49 **DRC**

50 **Jack's Bridge Rd Site Prep:** M Badois laid out the plans for the rest of the Commission to look through.  
51 G Harrington stated that the purpose of this site plan is to depict earthwork to prepare the site for  
52 marketing purposes. D Lievens noted that it appears as though they will be preparing a drainage system  
53 there. G Harrington noted that the site states the drainage system is called a temporary sedimentation  
54 basin and has a temporary plunge pool with a level spreader to collect drainage coming off of the site  
55 and treat it. G Harrington continued stating this will allow for a flat buildable lot in the future. M Badois  
56 asked if there are wetlands on this site. G Harrington explained they have a manmade swale, that they  
57 are calling nonjurisdictional, and looking at the existing conditions, the plan points out a drainage  
58 easement, but he was unsure who it belongs to. G Harrington stated there may be a public sewer that  
59 comes off Harvey and down along the property line down to exit 5. G Harrington stated that the existing  
60 stockpile of soil on the plan will probably be flattened out, and they may have discovered something  
61 needs to be done before more of it erodes into 93. All members agree that they did not see anything of  
62 concern in the site plan.

63 **ARM application:** D Lievens stated that there was not going to be an ARM 2017 application this year  
64 because they want to increase the amount of money in the fund. She specifically asked about the money  
65 for the culvert work in the I-93 corridor and they will be holding that money. She stated they are going  
66 to do more outreach and work with the community, which could be very beneficial. M Badois wondered  
67 if the PPNE project would be affected because of this and D Lievens clarified that was a separate project.

68 **Old Business**



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69 **Musquash Info Night:** M Byerly noted that it will be Thursday, May 11, at 7 p.m. in the Moose Hill  
70 conference room and Mike Speltz would be the presenter. He then went over what the agenda would  
71 be that night. He asked if the commission had any other topics to include and they did not. He stated he  
72 had reached out the cable contact to see if they would broadcast it and record it. With the recording, it  
73 could be posted online for a reference for people.

74 **Saturday May 13th Monthly walk:** M Byerly stated the walk would start at 9 a.m. leaving from Hickory  
75 Hill trail head to overlook and loop back. D Lievens stated it is called a Discovery walk. M Byerly will not  
76 be attending. D Lievens stated that only heavy rain would cancel it.

77 **Stantec:** M Badois passed out the copies that Casey had made for everyone and noted that Casey had  
78 also emailed her this and she could email it to them if needed. M Badois noted that M Noone had  
79 requested to wait until next meeting to discuss this, and she suggested everyone could review the  
80 packet and discuss it at the next meeting.

81 **Water withdrawal ordinance:** M Badois stated that it was passed last fall and there was talk of making it  
82 permanent. She received a message from Kevin Smith stating that the ordinance already existed and the  
83 ordinance was not on the website, but now it is. She added that at the next Town Council meeting they  
84 will review the ordinance. M Byerly asked if it was because of the drought and M Badois explained it was  
85 from trucks sucking water out of the brook and separate from the lawn watering ordinance. She added  
86 that the lawn watering ordinance will be discussed at the next Town Council meeting. Both M Badois  
87 and D Lievens stated they would be attending the meeting.

88 **Minutes:** The Commissioners went over the minutes from April 25th. G Harrington made a motion to  
89 accept the minutes as amended. R Fillio seconded the motion. The motion passed 5-0-0.

90 G Harrington made a motion to adjourn the meeting at 07:51 pm. R Fillio seconded the motion. The  
91 motion passed 5-0-0.

92 Respectfully Submitted,  
93 Beth Morrison  
94 Recording Secretary  
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