



Londonderry Conservation Commission
Tuesday, February 12, 2013
Minutes

1 Present: Deb Lievens; Gene Harrington; Mike Considine; Paul Nickerson; Truda Bloom; and
2 Marge Badois

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4 Deb Lievens called the meeting to order at 7:35 PM.

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6 Liberty Utilities, D+F & CUP, Map 7, Lot 34-1- At their January 8 and 22, 2013 meetings, the
7 Commission questioned the Zoning Administrator's determination that the Conservation
8 Overlay District (COD) would not be triggered by the changes proposed to this lot. Because the
9 Planning Board did not require the applicant to submit a new site plan and instead allowed the
10 proposed changes to be considered an amendment to the 1992 site plan, the Zoning
11 Administrator's written finding was that since the COD ordinance was not adopted until years
12 after the site plan was signed, no COD buffers would be applicable. Consensus amongst
13 Commissioners was that not only would the size of the pond (.58 acres) make the COD
14 applicable, the changes proposed by the applicant were significant enough to view the
15 submission as a new and separate site plan. They requested that the applicant submit a
16 Conditional Use Permit (CUP) application, noting that the Commission would more than likely
17 support it. At the time, D. Lievens said she would discuss the issue with the Zoning
18 Administrator to convey the Commission's rationale.

19 Since that meeting, D. Lievens reported that she did not receive a call back from the
20 Zoning Administrator. She was informed that the project received conditional approval from
21 the Planning Board on February 6 and that Commissioner Mike Speltz had been present to
22 convey the Commissions' opinion. D. Lievens said she would follow up with Town staff to
23 address the issue.

24

25 **G. Harrington made a motion to go into Non-Public Session per RSA 91-A:3 for the purpose of**
26 **discussing possible land acquisitions. T. Bloom seconded.**

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28 **Roll call vote: Aye, G. Harrington; Aye, P. Nickerson; Aye, Mike Considine; Aye, Marge Badois;**
29 **Aye, Truda Bloom; and Aye, Deb Lievens.**

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31 **G. Harrington made a motion to go out of Non-Public Session. P. Nickerson seconded. The**
32 **motion was approved, 6-0-0.**

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34 **G. Harrington made a motion to seal the minutes of the Non-Public Session indefinitely.**
35 **P. Nickerson seconded. The motion was approved, 6-0-0.**

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37 D. Lievens stated that the Commission reviewed two land acquisition recommendations from
38 the Joint Negotiating Committee in non-public session and agrees with the Committee that
39 both would be worthwhile purchases in the interests of Londonderry.



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G. Harrington made a motion to advance the purchase of map 6, lot 2-1 to a public hearing once the Town Attorney has developed a Purchase and Sale (P&S) Agreement. T. Bloom seconded. The motion was approved, 6-0-0.

D. Lievens said she would notify both owner Dan Hicks as well as the Acting Town Manager of the decision and will initiate the process to create the P&S.

G. Harrington made a motion to authorize Commissioner Mike Speltz to generate a conservation easement deed related to the second parcel discussed in non-public session as the Commission has agreed to accept the owner's offer, to be followed by development of a P&S and scheduling of a public hearing. P. Nickerson seconded. The motion was approved, 6-0-0.

Musquash Field Day- M. Considine said all preparations are in order for this annual event scheduled for February 16, 2013. Snowshoe rentals will be provided by Eastern Mountain Sports, which Londonderry Trailways will oversee from their informational table at the entrance. County Forester Fred Borman will give a tour at 11 AM, during which Emma Carcagno of NH Fish and Game will discuss early successional wildlife habitat. D. Lievens, M. Considine, G. Harrington, and M. Badois will also attend.

New England Cottontail- The Commission reviewed a Professional Work Agreement submitted by Town Forester Charlie Moreno related to implementation of Phase I of the NE Cottontail Rabbit Habitat Development. Consensus was to authorize the Chair to sign the agreement after she has confirmed the following with C. Moreno:

- Whether the work will be done this year, particularly prior to bird nesting season;
- Skidders will only run perpendicular to any walking trails and only at a maximum of 5 separate points;
- Disturbances to the land caused by skidders will be addressed after the logging is complete;
- A review of the trees to be cut will take place after they are flagged, including the verification that some trees will be left to shield the walking trails.

G. Harrington made a motion to authorize the Chair to sign the Professional Work Agreement after verifying the aforementioned points with the Town Forester. T. Bloom seconded. The motion was approved, 6-0-0.

Blanding's Turtles- D. Lievens said Fish and Game will be monitoring Blanding's Turtles in the Musquash sometime in April as they did last year.



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80 Potential Mitigation Easement- The Commission reviewed a map sent to D. Lievens by NH Fish
81 and Game (F&G) identifying a “potential easement area” abutting existing conservation land
82 owned by the NH Department of Transportation (DOT). The easement or deed restriction
83 would act as mitigation for a project being done elsewhere. While the specifics about the
84 project and whether the entire lot identified is included are unknown, D. Lievens said F&G is
85 merely looking for the Commission’s general approval of the idea. **P. Nickerson made a**
86 **motion that the Commission supports the concept of a deed restriction being placed on the**
87 **property identified on the map provided by NH F&G. G. Harrington seconded. The**
88 **motion was approved, 6-0-0.**

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90 January 22, 2013 minutes- **G. Harrington made a motion to approve the minutes of the**
91 **January 22, 2013 public session as written. P. Nickerson seconded. The motion was**
92 **approved, 3-0-3 with M. Considine, T. Bloom, and M. Badois abstaining as they had not**
93 **attended the meeting.**

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95 American Chestnut presentation- G. Harrington and P. Nickerson said this event held on
96 January 31 at the Leach Library was very well attended, with upwards of 50 people present.

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98 **G. Harrington made motion to adjourn the meeting. T. Bloom seconded. The motion was**
99 **approved, 6-0-0.**

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101 The meeting adjourned at approximately 8:45 PM.

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103 Respectfully submitted,

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105
106 Jaye Trottier
107 Secretary

