



Londonderry Conservation Commission
Tuesday, January 13, 2009
Minutes
Page 1 of 3

Present: Deb Lievens, Gene Harrington, Mike Considine (non-voting), Ken Henault, Paul Nickerson, Truda Bloom and Mike Speltz

Call to order; 7:35 P.M.

D. Lievens appointed M. Speltz to vote for the empty seat. M. Considine was recently reappointed a full member by the Town Council but still needs to be sworn in by the Town Clerk, meaning he could participate in this meeting but could not vote.

Membership- Full voting member Stephen Fassi resigned from the LCC in late 2008 for personal reasons. Resident Ben LaBrecque attended the December 9, 2008 meeting and expressed an interest in serving as a full member. It was explained to him that new members typically join as alternates to gain experience but are still encouraged to participate in discussions and often end up voting when full members are not available. D. Lievens received word from the LCC's Town Council Liaison that the Council had not yet appointed B. LaBrecque because they are reluctant to make a newcomer a full member. D. Lievens will contact B. LaBrecque to see if he would be interested in beginning as an alternate. M. Speltz could then become a full member as he had offered previously to finish the term vacated by S. Fassi.

Accounts- D. Lievens presented the following invoices and entertained motions for payment on each:

1. **To authorize the Chair to expend an amount not to exceed \$347.50 from the line item budget to pay Eric Mitchell Associates for installation of a new monument to plot the boundary line between Chandler Drive and the Plummer easement on map and lot 8-1 (see November 25, 2008 minutes). P. Nickerson so moved. K. Henault seconded. The motion was approved, 6-0-0.** D. Lievens added that a description of the actual monumentation is forthcoming.

2. **To authorize the Chair to expend an amount not to exceed \$600.00 from the line item budget to pay the Rockingham County Conservation District for monitoring services and the associated report regarding the Ingersoll property. K. Henault so moved. P. Nickerson seconded. The motion was approved, 6-0-0.**

3. **To authorize the Chair to expend an amount not to exceed \$850.00 from the line item budget to pay the annual dues for membership in the New Hampshire Association of Conservation Commissions. M. Speltz so moved. P. Nickerson seconded. The motion was approved, 5-0-1 (G. Harrington abstained as he is on the NHACC Board of Directors).**

4. **To authorize the Chair to expend an amount not to exceed \$15.00 from the line item budget for a NHACC handbook to be given to the next appointed LCC member. K. Henault so moved. P. Nickerson seconded. The motion was approved, 5-0-1 (G. Harrington abstained as he is on the NHACC Board of Directors).**

Elections- D. Lievens entertained nominations for Chair and Vice Chair of the LCC. **G. Harrington nominated D. Lievens as Chair of the LCC. P. Nickerson seconded. The motion was approved, 5-0-1 (D. Lievens abstained). D. Lievens nominated G. Harrington as Vice Chair of the LCC. K. Henault seconded. The motion was approved, 5-0-1 (G. Harrington abstained).**



Londonderry Conservation Commission
Tuesday, January 13, 2009
Minutes
Page 2 of 3

Colby Litchfield- Elliot Health Systems recently purchased map and lot 8-22 (a/k/a Colby Litchfield) on behalf of the Town to mitigate wetland impacts related to the next phase of their construction on map and lot 6-31. Revisions were made to the Quitclaim Deed with Conservation and Recreation Restrictions at the December 9, 2008 meeting with the approval of Jim Gove of Gove Environmental Services and Ken Rhodes of CLD Consulting Engineers. The LCC then voted to recommend to the Town Council that they formally accept this gift and approve the Quitclaim Deed as revised, provided that the Town Attorney approved of the document as well. The Town Manager has since informed D. Lievens that the Council will take up the issue in a public hearing at their January 19th meeting. M. Speltz said he would be present to represent the LCC.

Higgins easement- D. Lievens and M. Speltz will both attend the January 21st Zoning Board of Adjustment Hearing in support of a variance request filed by Dick Higgins allow creation of a lot without the proper amount of road frontage resulting from a subdivision of his property on map and lot 9-85. Because of the conservation easement on that property, D. Higgins had presented a conceptual plan to the LCC on October 14, 2008 outlining his rationale for the subdivision, namely to protect the value of his adjacent lot 9-85-1 without impacting any wetlands on 9-85.

CTAP- The New Hampshire Department of Transportation developed the Community Technical Assistance Program (CTAP) to provide technical assistance regarding land use planning to the 26 NH towns affected by the expansion of I-93. M. Speltz advised making a formal appeal for assistance related to the Town's Open Space Plan to ensure Londonderry benefits from this opportunity. A request for a professional who could accurately discern cost estimates of land or explain the methodology involved would be valuable, he noted, since that has proven to be the most challenging aspect of the Open Space Plan. He offered to approach the Town's Community Development Director about putting a proposal together.

SB 381- The issue remains unresolved as to whether the wording of NH Senate bill 381 can be altered to leave the Town Council with the final say on the expenditure of funds for the purchase of land within Londonderry's boundaries. It has become clear, however, that the Town Council would be the governing body to adopt the language, as opposed to the voters at Town Meeting. D. Lievens will attempt to coordinate a meeting between her, M. Speltz, the LCC's Town Council Liaison and the Town Manager to clarify the matter of modifying the language.

Land Use Change tax- In 1997, residents voted at Town Meeting to use these funds to support the Open Space Plan. At a recent Town Council/Budget Committee workshop, it was suggested that these monies be redistributed by another vote at this year's Town Meeting to help offset the Town's FY2010 budget. While the Council has agreed to remove the possibility from the budget currently under discussion, it was also stated the issue should be revisited for future budgets. The consensus of the LCC was to make sure they are apprised of any potential changes in the allocation of these funds since it is currently the only source for the Open Space Program.

Musquash Field Day- This annual event will take place on February 7th. M. Considine is handling most of the preparation while D. Lievens will take care of publicity, including utilizing the University of New Hampshire Cooperative Extension. She stated she would also invite the County Forester.

DRC's (2)- 1) DiFava Fire Protection site plan, 15-62-3
Comments: Have drainage structures outside the buffer. They are designed parallel not perpendicular according to our recommendation. Do not disturb the buffer in grading the



Londonderry Conservation Commission
Tuesday, January 13, 2009
Minutes
Page 3 of 3

proposed building, units 4 & 5. We recommend the applicant consider building only one building; remove units 4 & 5.

2) Robichaud & Jocicoeur subdivision, 11-25

Comments: Mark buffer with [COD] signs. LCC requests a no-cut zone on the lot behind the buffer as the lot is in the green infrastructure.

December 9, 2008 minutes- **M. Speltz made a motion to approve the minutes of the December 9, 2008 public session as written. P. Nickerson seconded. The motion was approved, 4-0-2 (G. Harrington and T. Bloom abstained as they had not attended the meeting).**

M. Speltz made a motion to approve the minutes of the December 9, 2008 non-public session as written. P. Nickerson seconded. The motion was approved 4-0-2 with the same abstentions noted above.

K. Henault made a motion to go into Non-Public Session for the purpose of discussing possible land acquisition per RSA 91-A:3. M. Speltz seconded.

Roll call vote: Aye, Gene Harrington; Aye, Mike Speltz; Aye, Ken Henault; Aye, Truda Bloom; Aye, Paul Nickerson; Aye, Deb Lievens and Mike Considine present.

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

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

Intent to cut; 8-12- At their December 9, 2008 meeting, the LCC received a Notice of Intent to Cut Timber from the Assessor's office regarding map and lot 8-12 which is owned by the Londonderry Fish and Game Club. The Town Council has approved the application which states approximately 90,000 board feet of timber and 400 tons of whole tree chips are to be removed from an area 85 acres in size. Because 8-12 has less than 34 acres, the LCC had wondered if Fish and Game's abutting lot 8-13 was included as well. After looking at the Town's 2005 aerial maps and more recently updated Google maps, D. Lievens said she would investigate further to verify what has been cut and what is planned to be cut.

Non-public minutes- The LCC will perform their annual review of their non-public minutes at their January 27th meeting.

T. Bloom made a motion to adjourn the meeting at 9:35 PM.. M. Speltz seconded. The motion was approved, 6-0-0.

Respectfully submitted,

Jaye Trottier
Secretary