



Londonderry Conservation Commission  
Tuesday, January 27, 2009  
Minutes

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

**Also present: Brian Farmer, Town Council Liaison (arrived during Non-public Session and remained through the adjournment of the meeting).**

Call to order; 7:33 P.M.

D. Lievens appointed M. Oswald 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.

Musquash Field Day- D. Lievens handed out flyers for members to post in town. M. Considine is handling most of the preparation. The County Forester will be attending and D. Lievens will call the local papers to invite photographers to the event.

M. Oswald temporarily left the meeting.

County Forester/Musquash trees- The County Forester will be offering a four-week program on Fridays in April and May for “woodlot education,” including such subjects as wildlife, tree cutting and chainsaw safety. D. Lievens arranged for him to utilize the Moose Hill Conference Room and a field trip will also be taken to the Musquash Conservation Area to demonstrate the chainsaw safety portion. She therefore asked for a consensus from the Commission about allowing him to cut a small number of trees in the Musquash, noting that his expertise as a Forester would ensure he knows which trees to select. The resulting firewood will be set aside for next year's Musquash Field Day. **P. Nickerson made a motion to give permission to the County Forester to cut a small number of trees in the Musquash Conservation Area for chainsaw safety class. K. Henault seconded. The motion was approved, 4-0-1 (M. Considine abstained).**

G. Harrington arrived.

CTAP- M. Speltz had suggested at the January 13<sup>th</sup> meeting that the LCC develop a proposal along with the Town's Community Development Department to apply for funds from the Community Technical Assistance Program. D. Lievens has since spoken with the Southern New Hampshire Planning Commission who stated that the main intention of the funds concerning conservation is to update open space plans. Since Londonderry's plan is not in immediate need of an overall update, they suggested the LCC work with Londonderry's Community Development Department to apply for CTAP monies appropriated for broader planning issues. April 30<sup>th</sup> is the deadline for the next round of applications, so there is time for the LCC to coordinate some sort of proposal.

January 13, 2009 minutes- Prior to the meeting, Mike Speltz suggested changing the word “presentation” in the last sentence under the “CTAP” topic on page two to “proposal.” **P. Nickerson made a motion to approve the minutes of the January 13, 2009 public session as amended. T. Bloom seconded. The motion was approved, 5-0-1 (M. Considine abstained).**

**T. Bloom made a motion to approve the minutes of the January 13, 2009 non-public session as written. P. Nickerson seconded. The motion was approved 5-0-1 (M. Considine abstained).**



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Higgins easement- Dick Higgins was granted a variance by the Zoning Board of Adjustment to allow creation of a lot without the proper amount of road frontage that would result from a proposed subdivision for 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 in October 2008, which would protect the value of his adjacent lot 9-85-1 without affecting any wetlands on 9-85. He will return to the LCC once he reaches the point where the easement will need to be amended to allow the subdivision.

M. Oswald returned.

DRC's (2)- 1) Reed subdivision, 9-63

Comments: At this time, the LCC does not have a final agreement regarding monumentation. The easement can be marked with the Town signs but the owners were interested in keeping signage reduced around the building lot. This marking should be determined with the LCC and written into the plan.

Aquatic Resource Mitigation Fund- D. Lievens stated that she is hoping to attend this meeting on February 17<sup>th</sup> at which the NH Department of Environmental Services will be presenting "results of a recently completed wetland restoration plan."

Cable show- Paul Margolin, Chairman of the Solid Waste Advisory Committee, suggested to Mike Speltz that the LCC tape a show at the Town's cable studio as his committee recently did for their 20<sup>th</sup> anniversary. In the LCC's case, members could educate the public on the progress of conservation in Londonderry throughout the Commission's nearly 40-year history. If interested, P. Margolin offered to assist making arrangements with the Access Center.

Land Use Change tax- A vote at Town Meeting in 1997 allocated these funds towards conservation efforts. Recent discussions by the Town Council have suggested redirecting these funds in future Town budgets to offset operating costs. Since this tax is currently the only source of funding for the Open Space Plan, the LCC has expressed concern about being apprised as the situation develops. Later in the meeting when Town Council Liaison Brian Farmer was present, he explained that the LCC had not been approached first only because his fellow Council members were unaware that the funds supported open space. He assured the Commissioners that the LCC would be informed accordingly when the Council revisits the subject. In the meantime, he encouraged the LCC to investigate such costs as hiring staff for easement monitoring duties since that is an ever-growing need that could benefit from those funds.

B. Farmer added that a new special revenue fund will be on the Town Meeting warrant to use lease revenue from the new Nelson Road cell tower for activities related to the Town Common and Town Forest. While this would include events such as Old Home Days and Concerts on the Common, it would also aid the LCC in their stewardship of the Town Forest. D. Lievens noted that the removal of invasive species would likely be a priority for those funds.

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

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



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**M. Oswald made a motion to go out of Non-Public Session. G. Harrington seconded. The motion was approved, 6-0-1 (M. Considine abstained).**

**M. Oswald made a motion to seal the minutes of the Non-Public Session indefinitely. G. Harrington seconded. The motion was approved, 6-0-1 (M. Considine abstained).**

**M. Oswald made a motion to proceed with the letter to the party that was discussed in non-public session, giving a deadline date of February 6, 2009 for a decision to be made. K. Henault seconded. The motion was approved, 5-0-2 (M. Considine and T. Bloom abstained).**

**Town Council Liaison B. Farmer arrived during the above non-public session.**

Colby Litchfield- The Town Council has formally accepted the donation of map and lot 8-22 (a/k/a Colby Litchfield) by Elliot Health Systems to mitigate wetland impacts related construction on map and lot 6-31.

M. Oswald left the meeting and did not return.

Intent to cut permits- In December of 2008, the LCC received a copy of an Intent to Cut permit approved by the Town Council for map and lot 8-12. Because there was some confusion between the acreage noted on the permit and what was actually cut, B. Farmer posed that perhaps such permits should obtain input from the LCC before going forward for Council approval. Past problems such as cutting beyond stated boundaries could be prevented or at least addressed before any work is done. P. Nickerson added that the LCC could also advise on issues such as impact on wildlife habitat. B. Farmer said he would ask the Town Manager to investigate any legal matters with the LCC reviewing these permits.

**G. Harrington made a motion to adjourn the meeting at 8:50 PM. K. Henault seconded. The motion was approved, 5-0-1 (M. Considine abstained).**

Respectfully submitted,

Jaye Trottier  
Secretary