



**Londonderry Conservation Commission  
Tuesday, February 14, 2006  
Minutes  
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**Present: Deb Lievens; Gene Harrington; Mike Speltz (late); Mike Considine; Ken Henault; George Herrmann and Mark Oswald, Town Council Liaison**

**Also present: Andre Garron, Director of Planning and Economic Development and Tim Thompson, Town Planner**

Call to order

Open Space bond- The LCC brainstormed on ways to bring the open space issue to the public prior to the vote on the \$1 million bond at Town Meeting in March. K. Henault suggested using the Town's GIS technology to provide a map of open space on the Town's website. M. Oswald offered to contact Mike Cross to erect a sign on the Mack property across from Matthew Thornton. D. Lievens said she would contact the press. M. Oswald also suggested running and rerunning the tape "Dollars and Sense of Open Space" on local cable along with reruns of a program he did previously with D. Lievens and M. Speltz.

Conservation Subdivision Ordinance- Andre Garron asked for comments and/or questions from the LCC concerning the draft he previously submitted for the new ordinance that is to replace the Planned Residential Development section.

D. Lievens forwarded a comment from Paul Nickerson who could not attend the meeting. She herself asked if bonuses can be offered to developers to encourage them to foster connectivity. Under the topic of permitted uses, she suggested including Community Supported Agriculture (CSA's). Whenever open space is given, she asked if a baseline document can be required. M. Speltz cautioned that the LCC would need to review at least a draft copy and D. Lievens replied that that could be written into the document as well. With regards to Ownership and Management of Open Space, D. Lievens inquired as to the possibility where an owner is using the land agriculturally but then sells the property; can something be included that will ensure that agricultural use continues? A. Garron stated that all the questions were helpful and seemed amenable to trying to meet all of the requests.

M. Speltz asked if the ordinance was going to be considered mandatory or optional. A. Garron and T. Thompson explained that the Planning Board is leaning in the direction of making it optional, except perhaps in the instances where land in question abuts land that is already protected. M. Speltz suggested confirming with legal counsel whether there would be any liability involved with in that mandatory scenario.

A. Garron followed up on M. Speltz's suggestion of a subcommittee designed to refine comments from the LCC and the Planning Board by also asking for two volunteers to meet with Planning Board members John Farrell and Dana Coons. D. Lievens and M. Speltz agreed to join the subcommittee. A. Garron expects that two meetings should be sufficient for the subcommittee before going back to their respective groups and then eventually onto a public hearing. The first meeting will be held sometime in March.

M. Speltz noted that with the growing interest within the State for a Conservation Subdivision Ordinance, Londonderry once again has the opportunity to pioneer another facet of conservation. With that ability to break new ground, he cautioned, comes the responsibility to make sure it is done well.

Flexible Industrial zone- A draft of the proposed Flexible Industrial zone was presented by A. Garron and T. Thompson. An outgrowth of the Design Charrette held back in 2003, this zone was envisioned as a 735 acre piece adjacent to the airport area. After identifying sensitive environmental areas and viewsheds to be protected, the rest of the land would be broken into a mixed use of retail, industrial/manufacturing, a convention center, possible education center, etc. The new draft simply puts words to the visual concept. Jeff Taylor of Taylor Associates, who assisted the Town with the Design Charette, will be working on this as well.



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A. Garron asked the LCC to review the document, provide any feedback and, if possible, attend the March 8<sup>th</sup> Planning Board meeting. D. Lievens pointed out that while the layout plan A. Garron provided shows several separated green areas, the LCC strives for continuity. A. Garron stated that while it cannot always be achieved, their focus is for continuity as well.

D. Lievens appointed G. Herrmann to vote for the empty seat.

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

**Roll call vote: Aye, Mike Considine; Aye, George Herrmann; Aye, Mike Speltz; Aye, K. Henault; Aye, Deb Lievens; Aye, Gene Harrington and Mark Oswald present.**

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

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

**K. Henault made a motion to authorize the Chair to expend up to \$360,000 or 30% of the sales price, whichever is less, of the parcel discussed in non public session. M. Considine seconded. The motion was approved, 6-0-0.**

Walgreen's- Sherrie Davis of NH Soils Consultants, Inc. was present as a representative of Walgreen's to discuss the piece of land on which an easement was originally intended for the LCC. Because the proposed lot line adjustment will render 6-52 an unbuildable lot, the goal now is to combine lots 51 and 52 and provide for an easement on the back side of the newly created parcel. Walgreen's would own the property and the LCC would hold the easement.

M. Speltz also suggested that since the easement is no longer restricted by the regulations of the subdivision, it can be carefully drawn to include everything that is not required in the operation of the drug store. Doing so would not only protect part of the buffer but also the viewshed.

**M. Speltz made a motion to recommend to the Planning Board that the lots 6-51 and 6-52 be merged and the easement boundaries be expanded to reflect all land not required for the operation of Walgreen's and its drainage system, to be described roughly as the land not disturbed and regraded. G. Harrington seconded. The motion was approved, 6-0-0.**

Bill re Homes by Paradise lot- A bill has been submitted by Mark Dunn for the title search and other work done on lot 5-10-23 in the amount of \$762.00. **K. Henault made a motion to authorize the Chair to expend an amount not to exceed \$762.00 from the Open Space Fund for the work done on the examination of lot 5-10-23. M. Considine seconded. The motion was approved, 6-0-0.**

February 28, 2006 meeting- As there were no appointments requested for February 28<sup>th</sup> and three members would be absent, **G. Harrington made a motion to cancel the February 28, 2006 meeting of the LCC. K. Henault seconded. The motion was approved, 6-0-0.**



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Stonyfield mitigation- D. Lievens received a wetlands permit for Stonyfield's expansion, conditional upon their deposit of \$75,000.00 into the Town of Londonderry's Open Space Fund as compensatory mitigation for impacts incurred. The money will go towards the recent purchase of the George property.

M. Speltz noted that no matter how many times the LCC is told something cannot be done (e.g. mitigation), it is still important to persist if they believe they are right, as is evidenced by this outcome.

Musquash Field Day wrap up- D. Lievens reported that the day went well and the weather was beautiful. Although attendance was down with about fifty people present, it was still an enjoyable day for all concerned. M. Considine noted the existence of two large beaver dams and M. Considine reported the sighting of 20 blue heron nests.

National Grid- D. Lievens contacted National Grid, expressing interest in making a connection with an easement between their property and the newly acquired George piece. This would produce a link between the George property and the Musquash. The woman D. Lievens spoke with is willing to take a site walk.

Litchfield connection- M. Speltz expressed interest in hiring Mark Dunn to do title and plan research regarding the connection between the Litchfield Forest and Saw Mill Brook. This may also involve some of the confusion surrounding land owned by either the Rod & Gun Club or the Town. D. Lievens has asked John Vogl to piece the Litchfield and Londonderry town tax maps together to try and resolve some of the issues. M. Speltz stated he would like to see that 'gray area' sorted out in spite of the cost so that a better and larger connection can be established with the Litchfield Forest.

D. Lievens will speak with Dave Caron about the issue. M. Speltz asked that she also ask D. Caron what kind of legal action can be brought against Eric Mitchell in order to obtain the Saw Mill Brook plan that has been forthcoming for quite some time.

- DRC's (2)-
1. Insight Technology Parking Exp., 28-31-5  
Comments: No snow storage.
  2. Brooks subdivision, 5-50-5  
Comments: No comments.

January 24, 2006 minutes-

Public session: G. Harrington noted that on page 4, under the last topic "NHACC," he is not chairing the committee to find Marge Swope's replacement but is simply a member of the committee. **G. Harrington made a motion to accept the minutes of the January 24, 2006 public hearing as amended. K. Henault seconded. The motion was approved, 6-0-0.**

Non public session: **G. Harrington made a motion to accept the minutes of the January 24, 2006 non public session as presented. G. Herrmann seconded. The motion was approved, 6-0-0.**

Respectfully submitted,

Jaye A. Trottier  
Secretary