



**Londonderry Conservation Commission  
 Tuesday, March 14, 2006  
 Minutes  
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**Present: Deb Lievens, Gene Harrington, Mike Speltz, Mike Considine (late), Ken Henault and George Herrmann**

Vice Chair G. Harrington called the meeting to order at 7:35 as Chair D. Lievens had not yet arrived. He appointed G. Herrmann to vote for the empty seat.

D. Lievens arrived and took over as Chair.

February 14, 2006 minutes-

Public session: G. Harrington noted on page three, under the heading “Musquash Field Day wrap up,” that he was incorrectly credited with the sighting of 20 blue heron nests. He attributed it to M. Considine. **G. Herrmann made a motion to approve the minutes of the February 14, 2006 public session as amended. M. Speltz seconded. The motion was approved, 5-0-0.**

Non public session: **G. Harrington made a motion to approve the minutes of the February 14, 2006 non public session. G. Herrmann seconded. The motion was approved, 5-0-0.**

Monitoring- Karen Rubin of the Rockingham Land Trust reviewed the monitoring work she has completed on Phase I of Sunnycrest, Ingersoll, Moose Hill and Higgins easements.

M. Speltz inquired as to the adequacy of the LCC’s baseline documentation with which she had to work. She stated they were sufficient as basic natural resource assessments but not as useful for monitoring. Both the baselines and some files in general were found to be missing information such as deeds. This may pose a larger problem when monitoring is done by a volunteer or someone outside the LCC’s realm of knowledge. D. Lievens noted that some of the Town’s past management of conservation files has been less than satisfactory.

Being beyond the scope of her monitoring assignment, K. Rubin did not specifically identify items missing from the baseline. She did, however, clarify and summarize all the basic information, purposes, terms, and any amendments related to each easement. All of her observations were then related to a specific term, creating an ‘interim baseline.’

M. Speltz asked for a review of the noted deficiencies. Overall, K. Rubin suggested that structures be outlined and photographed for future comparison. Missing documents and maps should be accounted for wherever possible. She herself was able to locate several with which to update the files. She also cautioned about using generic language for all easements, noting that there are times when a management plan is required yet the item to be managed does not exist (e.g. for a pond). When asked about her form of photography, K. Rubin stated she does not take digital pictures and will be forwarding her negatives to the LCC.

M. Considine arrived.

More specifically, K. Rubin observed the following:

Sunnycrest, Phase I	Undocumented structure on site Minor erosion from ATV use Boundaries need to be clarified (one corner & wall have been disturbed, another area is unclear where ATV use occurs)
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Ingersoll	<p>Violation on the larger piece (trash issue) Abutter's shed and associated items and fence infringe on easement; M. Speltz suggested contacting the Society for the Protection of New Hampshire's Forests to clarify whether they are aware of this as it is their responsibility to correct it Yard waste dumped on or near boundary line could eventually obscure it altogether Forest Management plan not included, although forestry activities are not anticipated right now.</p>
Moose Hill (3 deeds)	<ol style="list-style-type: none"><li>1. (6-21-4); Forest land can be converted to agricultural land except in the 'natural area,' but there is no definition of natural area. Water level management plan is mentioned, but no such plan was found Encroaching satellite dish in field; Rear boundary line is unclear there; noted area with some yard waste and debris; recommend blazing or flagging lines Granite bound unearthed and left lying nearby Probable absence of required agricultural management plan Natural areas of easement should be legally clarified by definition or depiction on a plan to relate to the actual deed.</li><li>2. (In the name of 'Mack'); Missing 'Appendix B' and definition of the 'natural area' (see first item above) Recommends flagging lot lines Large brush/stone/metal pole pile may encroach on easement</li><li>3. (Part of 6-97 and all of 6-83-2); Missing definition of the 'natural area' Baseline incorrectly identified location of entrance to the property Small potential encroachment Minor trail issues Main trail, two wooden bridges, flood control dam with small bridge, two gates along gas transmission right of way, gate along the trail, old siltation fence and possible pump at pond were all previously undocumented Abutter's chain link fence may encroach on easement by 10-15 feet 'Necessary parties' that need to be consulted before any construction (e.g. bridges) is not defined Large brush and soil piles along boundary edges Recommend further investigation of 'old farm dump' on property to ensure it is not being added to Recommend flagging boundaries Investigate absence of required management plan Area designated for possible subdivision of two lots is on a non-recorded plan but the P&amp;S agreement referred to is not on file; M. Speltz suggested recording an affidavit regarding the P&amp;S since the P&amp;S itself would not typically survive the transfer Structures and paved area previously undocumented</li></ol>



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Higgins	Interpretation of the easement; agricultural v. 'residential'; M. Speltz explained that there is no 'residential' easement, an easement exists with areas excluded from it. Yard debris Renter's junk pile over the line into the agricultural easement Summarize the intent of the easement
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M. Speltz asked if K. Rubin could be hired as a consultant through the Planning Department's intern budget in order to document these issues. He again noted that there is an obvious need for an additional staff member to enforce easements as it is well beyond the scope of the current Code Enforcement Officer.

D. Lievens and G. Harrington will contact Mike Cross to review the Moose Hill issues with him. K. Rubin will send a letter and reports regarding concerns on Ingersoll and Sunnycrest to the appropriate owners.

Alcuket addition CUP- Jeff Lewis returned to discuss various issues involving a 5,000 sf addition to Alcuket's manufacturing facility on Planeview Drive (14-13). The cul de sac approved in 1988 would have created an impact on the wetlands lying between this and Alcuket's easterly abutting lot on 14-13-4. At his last meeting with the LCC in September of 2005, it had been suggested that pulling the bulb of the cul de sac towards the west would remove that impact. J. Lewis' latest plan reflected this change. He noted that the remaining threat of impact would occur when lot 13-4 is developed and a driveway is placed across the wetland.

After being fully delineated, the wetland was found to be larger than was previously thought, meaning it was not disconnected from the wetland to the south and therefore has a buffer. Buffer impacts may not require a Conditional Use Permit, according to the Planning Board, since the buffer ordinance did not exist at the time the road was platted. There is still some question, however, as to whether moving that right of way will trigger the ordinance into effect.

A detention basin and treatment swale on lot 13 will also encroach into this buffer but will provide the needed water treatment and prevent further erosion on the site. One area would impact 6,200 sf to the buffer while another to the south would impact 6,100 sf. After reviewing the plan, J. Lewis felt he might be able to reduce those impacts.

J. Lewis will return in two weeks with the actual CUP request.

Cohas Bog/Bear Meadow- The LCC received a copy of a letter dated February 2<sup>nd</sup> from PSNH to the Wetlands Bureau requesting using matting in the Cohas Bog for the installation of their poles. D. Lievens is unaware how the WB responded to the request.

National Grid- D. Lievens has been in touch again with National Grid to discuss creating an easement on their property in order to connect the newly acquired George piece to the Musquash. A site walk is still planned for early April between D. Lievens and a National Grid representative.

Saw Mill Brook plan- D. Lievens finally received this plan from Eric Mitchell. A right of way is documented through deeds and the ownership of the missing northwest block has finally been identified. Because it is a family trust that may not have any heirs, the LCC suggests that the Town acquire a quitclaim deed from the owners. D. Lievens will continue to investigate.

Miscellaneous- D. Lievens handed out information on the April 1, 2006 "Saving Special Places" conference. She also provided a copy of the Planning Board's Build Out Plan



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DRC- 1. Flooring Assoc., 28-21-24

Comments: No mention of construction zone and no buffer marked- 100' needed from Little Cohas.  
No wetlands scientist stamp  
There is construction, parking, retaining wall, etc., in the buffer  
ZBA, 1/18/06, notes "plan improves protection to the wetland." LCC disagrees.

**G. Harrington 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, K. Henault; Aye, Mike Considine; Aye, George Herrmann; Aye, Gene Harrington; Aye, Mike Speltz and Aye, Deb Lievens**

**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.**

ATV traffic in Musquash- M. Considine reported increased ATV use in the Musquash. G. Herrmann related an incident where he informed an ATV user his vehicle was not allowed there but the ATV user chose to ignore him. He also stated there are several places where fires have been burned. D. Lievens asked G. Herrmann to document his findings for the police. He said he would also talk with Chief Ryan about putting an officer on patrol again and suggested posting the ATV rules in local papers. D. Lievens also has plastic signs which M. Considine and G. Herrmann said they would post. M. Speltz suggested that as a wetlands violation of moving dirt without a permit, violators can be fined up to \$5,000.00.

Respectfully submitted,

Jaye A. Trottier  
Secretary