

Town of Londonderry, Musquash Target Shooting Task Force Meeting Minutes

1 January 14, 2015

2 The Shooting Task Force Meeting was held in the Moose Hill Council Chambers, Town hall, 268B
3 Mammoth Rd, Londonderry NH

4 Present: Chairman Bill Hart, Al Sypek, Dana Coons, Bonnie McSpittitt, Bob Saur, Dan Watson, Lt Gordon
5 Joudrey, Sgt Jason Breen, Randy McIntyre, Mike Considine.

6

7 Call to Order

8 Chairman Captain William Hart called the meeting to order.

9 Introductions, Chairman Hart reviewed the committee's charter from the Town Council: To study the
10 issue of target shooting in the Musquash and other town owned conservation land and make
11 recommendation to the Council on what changes, if any, should be made current ordinances governing
12 such.

13 Chairman Hart stated that some of the committee members had been appointed and others are there
14 as representatives of organizations with an interest in the Musquash or other conservations areas in the
15 Town. He then asked each member to introduce themselves. Each member introduced themselves as
16 follows:

17 Al Sypek Chief Range Safety Officer, Firearms Instructor, Competitive Target Shooter, and Hunter
18 Education Instructor

19 Dana Coons, Representing Londonderry Fish and Game Club, NRA Pistol Instructor, Range Officer, Avid
20 Target and PA Shooter, hunter

21 Lt Gordon Joudrey, representing Londonderry Fire Department, hunter and shooter

22 Bonnie McSpittitt, abutter to Musquash

23 Bill Hart

24 Bob Saur, representing Londonderry Trailways

25 Dan Watson, appointee representing Target and Hunting community

26 Sgt. Jason Breen, representing Londonderry Police Department

27 Randy McIntyre, abutter

28 Mike Considine, representing Conservation Commission and Conservation Steward of the Musquash

29 Chairman Hart reviewed organization of meetings, aiming for one hour meetings ending around 7pm.

Town of Londonderry, Musquash Target Shooting Task Force Meeting Minutes

30 Discussion of Secretary Appointment.

31 Chairman Hart stated that, as a public meeting, minutes would be kept and, after being approved, would
32 be available to the public. He further stated that the committee is subject to the of NH RSA 91.A
33 Freedom of Information Act (Right to Know Law). Conversations outside of the committee would
34 probably be acceptable but should be made known and must be open. Every meeting will be subject to
35 the Right to Know Law. Emails must be common and must be emailed to all members of the committee.

36 Chairman Hart started that Bob Saur has volunteered to be Secretary for the duration of the term of the
37 committee. Dana Coons made a motion to appoint Bob Saur as Secretary, seconded by Al Sypek.
38 Unanimous, no abstentions. (9 Yes-0 No -0 Abstained)

39 In answer to a question by Mike Considine, Chairman Hart asked that Jason Breen send a group email to
40 committee members and that, once receipt is confirmed, that that group list be used for all email
41 communications.

42 Al Sypek stated that committee minutes must be available within 5 days of the meeting. Chairman Hart
43 indicated that the five day requirement would be respected if requests were received in writing, but due
44 to the volunteer nature of committee, minutes would be available by the next meeting.

45 Chairman Hart asked if all members had received and reviewed the rules for committee member
46 conduct. All members indicated that they had. He asked for motion for acceptance. Dan Coons,
47 seconded by Al Sypek. Passed unanimously, no abstentions (9 Yes-0 No -0 Abstained)

48 Chairman Hart reviewed the Committee Objections and Council Resolution and referred to his prepared
49 handouts on such. He stated that the committee is focused on target shooting on the conservations
50 lands owned by the town and making recommendations to the Council on what changes if any should be
51 made to the current ordinates.

52 He mentioned that committee member Bonnie McSpittitt asked about current ordinances which govern
53 target shooting. In general, the answer is no, but there are some which govern firearms in general.
54 There was some discussion regarding firing fire arms within 300 feet of an occupied structures. Al Sypek
55 stated that a similar rule applies to Compact parts of towns. Additionally Chairman Hart said that the
56 Town's Fireworks ordinance would also apply. Dana Coons mentioned that the 300 foot rule did not
57 apply to structures owned by the fire arm

58 Dan Watson reviewed other state ordinances which could apply:

59 RSA 207.3.A – 300 foot rule

60 RSA 644.13 - Compact area of Town rule

61 RSA 207.36.B – Littering Refuse, things left in woods, ponds, and waters

62 RSA 207.37.A part of the Fish and Game ordinances covers negligent discharge cause harm or danger

Town of Londonderry, Musquash Target Shooting Task Force Meeting Minutes

63 RSA 207.37C covers negligent shooting of a human

64 Chairman Hart asked Dan Watson to make a compendium of his research for the next meeting. He also
65 asked Jason Breen to add the criminal ordinances so the committee could understand states laws and
66 whether additional Town laws are needed.

67 Mike Considine mentioned that there were a few others which he will provide to Dan Watson, but they
68 may not cover the issue of target shooting.

69 Chairman Hart asked if everyone was in agreement with the scope of the charter. Mike Considine asked
70 that, since our charter is focused on target shooting and not hunting, do we need to make any
71 statement that this does not apply to hunting. Mike stated that the Conservation Commission is in favor
72 of hunting and does not want the committee to cover hunting.

73 Bob Saur asked if the committee felt that a motion was needed explicitly excluding hunting. There was
74 some discussion of whether open season on varmint hunting might be used to cover target shooting
75 activities. Jason Breen said he would get the information on varmint hunting. Mike Considine
76 mentioned that he hasn't seen any varmint shooting taking place.

77 Bonnie Spititt asked for clarification if we could recommend that a new ordinance be made. Chairman
78 Hart indicated that we could within the scope of charter. Chairman Hart asked Jason Breen to gather
79 information on all Town ordinances which are available to the Committee

80 A question was asked about the other local towns which have made restricting target shooting and
81 whether they referenced other State regulations in their ordinances. Chairman Hart mentioned that
82 Mike Considine would include any references in his presentation. Mike stated that his research was
83 specific to target shooting, not any other firearms activities.

84 Dana Coons stated that we've been asked to look at what Town ordinances might be in place or if there
85 are State RSAs which govern this and if it is enforcement issue. He stated that this is boiling down to an
86 enforcement issue. Chairman Hart suggested that we gather the information

87 Al Sypek stated that there are only a few limits on coyote hunting,

88 Bob Saur stated that there are several categories of conservation land in town and that we are limited to
89 only the Town Owned Conservation areas, not other categories such as development right easements,
90 conservations lands owned by other entities, etc. Dana Coons asked if the power lines are town owned.
91 Mike Considine stated that it is a mix of power company owned, power line easements, and
92 conservation easements. Dan Watson said he would work with John Vogl on a map showing the
93 categories of conservation lands and power lines.

94 Discussion returned to the need for a motion regarding Bob Saur stated that he would like to wait until
95 the next meeting before considering the wording for a motion.

Town of Londonderry, Musquash Target Shooting Task Force Meeting Minutes

96 Dan Watson stated that there are State laws which preempt local ordinances and whether we could
97 make any ordinance. Chairman Hart suggested that we get a legal option from Town Council on what if
98 anything we can do. Bob Saur asked if we could also get information on whether Town ordinances have
99 been litigated so we can understand what limitation we should be aware of. Dan Watson said that pre-
100 empted State legislature was adopted in 2003 and that some of the other Towns which have ordinances
101 adopted them more recently, so perhaps there hasn't been time for any challenges.

102 Chairman Hart reviewed three action items that have been discussed:

103 Dan Watson will work with John Vogl to create a Map showing the lands might be covered by what we
104 are discussing. Dan Watson will collect a compendium of statues that might affect some aspect of the
105 subject. Mike Considine will provide his research on. Hart will ask the Town Council on what ordinances
106 we might consider and what litigation risk we might face.

107 Bonnie McSpittitt asked if we should set a meeting schedule for upcoming meetings and discuss the
108 concept of a majority/minor report. Chairman Hart suggested that we meeting every other week. After
109 some discussion on the urgency of the topic and the conflicting meetings it was agreed to meet every
110 other Wednesday at 6pm, starting on 1/28/2015.

111 Mike Considine proposed that we have a field trip in the Musquash to see the issues. It was agreed that
112 Mike would suggest some possible field trip dates.

113 Chairman Hart discussed the topic of the majority and minority report, if that is an outcome of the
114 committee and how we would present such recommendations. Bob Saur stated that he felt he could
115 present committee recommendations even if he didn't personally in agreement with the
116 recommendation. Chairman Hart stated that we need to be cognizant that there are differing options
117 on the topic and divergent recommendations might be an outcome.

118 Dana Coons stated that we need to have one or more meetings in which we open discussion to public
119 input. Chairman Hart agreed and suggested that those be held near the end of the process.

120 Bonnie McSpittitt asked about responding to press inquiries and what limitations we might have.

121 Chairman Hart stated that all committee members were free to speak with the press as individuals.

122 Mike Considine indicated he hoped that rather than a presentation, this would be a discussion of the
123 materials he had previously presented at the public workshop held last fall. (Copies included in
124 committee documents.) He indicated that in all but two incidents, he has personally observed all of the
125 events reviewed. Incidents included shooting at silhouettes, shooting into shallow berms, and in
126 manners where bullets are leaving the Musquash. The issue is uncontrolled and unsafe target shooting.

127 Al Sypek asked if the people target shooting were residents of Londonderry. Mike Considine indicated
128 that it was 50/50 residents/non-residents. Dana Coons asked if the trails were well marked. Mike
129 indicated that they are all well marked. Dana indicated that he could understand why someone not
130 familiar with the trails could find the trails attractive for shooting due to field of vision, even if such
131 action isn't appropriate.

Town of Londonderry, Musquash Target Shooting Task Force Meeting Minutes

132 Al Sypek indicated that he has walked into the main trailhead and found casings right on the trail, so it
133 isn't unusual to see it. Randy McIntyre stated that he was behind his house last weekend and that the
134 trees are bullet riddled. Dan Watson stated that as a responsible target shooter, he finds these activities
135 frustrating because it isn't being done safely. Dan stated that regardless of the type of firearm, it can be
136 used safely or unsafely and the actions are being done are unsafe. He pointed out that trails run within
137 700 feet of the Fish and Game club and that trail is safe because the shooting at the Fish and Game is
138 being done safely.

139 Dan Coons asked how often Mike has seen the same people. Mike indicated about half are repeat.

140 Dana stated that he is totally against unsafe shooting and what has been presented is unsafe. The
141 bottom line is that the people doing this need to be trained and the people need to understand the
142 ramifications of what happens if you don't know where that bullet is going.

143 Chairman Hart indicated that we've articulated the vision that unsafe shooting is not a good idea in the
144 Musquash or anywhere.

145 Adjournment

146 Motion to adjourn by Dana Coons, seconded by Bonnie_McSpittitt._Passed unanimously, no abstentions
147 (9 Yes-0 No -0 Abstained)