

**TOWN COUNCIL  
AGENDA  
September 26, 2011**

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. *All regular meetings will be adjourned by 10:00pm unless otherwise notified.*

7:30 PM

- I. CALL TO ORDER
- II. PUBLIC COMMENT
- III. PUBLIC HEARING
- IV. OLD BUSINESS
  - A. Appointments to the Public Safety Dispatch Services Study Committee
  - B. Hemlock Street Structure Fire Workshop
- V. NEW BUSINESS
- VI. APPROVAL OF MINUTES
  - A. Minutes of Council's Public Meeting of 9/19/11
- VII. OTHER BUSINESS:
  - A. Liaison Reports
  - B. Town Manager Report
  - C. Board/Committee Appointments/Reappointments
- VIII. ADJOURNMENT
- IX. MEETING SCHEDULE:
  - A. Town Council Meeting – October 3, 2011, Moose Hill Council Chambers, 7:00 PM
  - B. Town Council Meeting – October 17, 2011, Moose Hill Council Chambers, 7:00 PM
  - C. Town Council Meeting – November 7, 2011, Moose Hill Council Chambers, 7:00 PM

**SUPPORTING DOCUMENTATION  
COUNCIL MEETING OF SEPTEMBER 26, 2011**

- I. CALL TO ORDER – *Please note that the meeting is scheduled to begin at 7:30 PM*
- II. PUBLIC COMMENT
- III. PUBLIC HEARING
- IV. OLD BUSINESS
  - A. Appointments to the Public Safety Dispatch Services Study Committee – The Council interviewed several citizens interested in serving on the Study Committee and were to submit their choices to the Chair, after which the Council can finalize the appointments.
  - B. Hemlock Street Incident Review – Chief MacCaffrie and members of the Department will be in attendance to present an overview of the report and field any questions from the Council. (The report has been loaded onto the Council Share file in Moose Hill and can also be viewed on the overhead.)
- V. NEW BUSINESS
- VI. APPROVAL OF MINUTES – Minutes of the Council’s Public Meeting of 9/19/11.
- VII. OTHER BUSINESS -
  - A. Liaison Reports –
  - B. Town Manager Report –
- VIII. ADJOURNMENT –
- IX. MEETING SCHEDULE:
  - A. Town Council Meeting – October 3, 2011, Moose Hill Council Chambers, 7:00 PM
  - B. Town Council Meeting – October 17, 2011, Moose Hill Council Chambers, 7:00 PM

C. Town Council Meeting – November 7, 2011, Moose Hill Council Chambers, 7:00 PM

**FOLLOW-UP FROM COUNCIL'S  
September 19, 2011 MEETING**

| ISSUE                | ACTION  | RESPONSIBILITY |
|----------------------|---|----------------|
| Target Shooting      | Determine liability and enforcement for hearing<br><i>(Tabled pending additional information on:<br/>a. Attempt to locate suitable location using GIS<br/>b. Consider noise pollution<br/>c. Establish any connection to increased insurance rates)</i> | Dave/Bill/GIS  |
| Dispatch Center Comm | Appointment of Public Members<br><i>(Compile each TC's choice for 9/26/11 agenda)</i>   | Sean           |
| Street Naming        | Study transferring process back to PB   | Dave           |

**FOLLOW-UP FROM COUNCIL'S  
September 12, 2011 MEETING**

| ISSUE            | ACTION   | RESPONSIBILITY |
|------------------|--|----------------|
| Merrill Easement | Per landowner request, continued to 11/07<br><i>(On 11/07/11 agenda)</i> | Dave           |

## *Dispatch Committee Members*

Londonderry Fire  
 Londonderry Police  
 Town Councilor  
 Budget Committee  
 School Board

Four (4) members of the public:

Captain Doug Cardwell

Lt. Tim Jones

John Farrell

Lisa Whittemore

Steve Young

1.

2.

3.

4.

The Town Manager shall serve as a non-voting ex-officio member.

| <b>Interested Residents</b> | <b>Experience/Background</b>   |
|-----------------------------|--|
| Brendan Burns               | 16 years experience on Man. Fire Dept., Lt on force, worked on dispatch overhaul; teaches communications at the Fire Academy |
| Cindi Rice-Conley           | Long-time community volunteer; Town Moderator  |
| Vincent Curro               | Long-time community volunteer; part-time fire dispatcher and volunteer firefighter   |
| Linda M. German             | 17 year resident; business executive; former licensed EMT-D  |
| John M. Grennon             | 19 years of public safety employment   |
| Rob McIntire                | 24 year resident; Crime Analyst with Pelham PD; loss prevention specialist   |
| Don Moskowitz               | 33 year resident; Management Background; SNHPC representative  |
| Edward Nolan                | 6 year resident, No. Reading, MA Police Chief; served on E-911 and Public Safety Communications Center Study Committees      |
| Bradley Osgood              | 19 year resident; Deputy Chief at Concord PD; responsible for budget mgt. and regionalization issues                         |
| Arlene Sochalski            | 36 year resident; retired nurse; user of emergency medical dispatch and services   |
| John Velliquette            | 28 year resident; extensive business background with Raytheon; Library Trustee   |

**TOWN COUNCIL MEETING**  
**September 19, 2011**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry.

**PRESENT:** Town Council: Chairman Sean O’Keefe; Vice Chairman Joe Green; Councilors: Tom Dolan, John Farrell (9:06), Tom Freda, Assist. Town Manager/Finance Director, Susan Hickey; Executive Assistant, Margo Lapietro. **Absent:** Town Manager Dave Caron.

**CALL TO ORDER**

Chairman O’Keefe opened the meeting at 7:02 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.

**PUBLIC COMMENT**

**Dispatch Committee Candidate Interviews** – Chairman O’Keefe reviewed the “Charge” and interviewed the following candidates who all proceeded to share their background information. Councilor Dolan asked everyone the same question which was if anything would change their mind about objectively looking at facts and making appropriate decisions. The universal response from all the candidates was that nothing would make them change.

| <b>Interested Residents</b> | <b>Experience/Background</b>   |
|-----------------------------|--|
| Brendan Burns               | 16 years experience on Man. Fire Dept., Lt on force, worked on dispatch overhaul, teaches communications at the Fire Academy |
| Cindi Rice-Conley           | Long-time community volunteer; Town Moderator  |
| Vincent Curro               | Long-time community volunteer; part-time fire dispatcher and volunteer firefighter   |
| Linda M. German             | 17 year resident; business executive; former licensed EMT-D  |
| John M. Grennon             | 19 years of public safety employment   |
| Rob McIntire                | 24 year resident; Crime Analyst with Pelham PD; loss prevention specialist   |
| Don Moskowitz               | 37 year resident; Management Background; SNHPC representative  |
| Edward Nolan                | 6 year resident, No. Reading, MA Police Chief; served on E-911 and Public Safety Communications Center Study Committees      |
| Bradley Osgood              | 19 year resident; Deputy Chief at Concord PD; responsible for budget mgt. and regionalization issues                         |
| Arlene Sochalski            | 36 year resident; retired nurse; user of emergency medical dispatch and services   |
| John Velliquette            | 28 year resident; extensive business background with Raytheon; Library Trustee   |

23 Other questions were what they could add to the committee and did they look at their charge as  
24 being both a safety and a budget issue. All the Councilors thanked the volunteers for coming in  
25 tonight to be interviewed. The consensus was that the candidates all brought a wealth of  
26 experience and background to the committee. Councilor Dolan suggested that all the candidates  
27 attend the Town Council/Workshop being conducted next Monday night about the fire on  
28 Hemlock Street. Cindi Rice-Conley asked when the decision will be made for the 4 candidates,  
29 Chairman O'Keefe responded at the 9/26 meeting. Councilor Dolan made a suggestion to the  
30 Chairman to expedite the selection process by directing the four other Councilors to come back  
31 to the Chair with a selection of candidates and perhaps pick some Alternates. Al Baldasaro, 41  
32 Hall Road said he was going to sign up for this committee but he signed the petition and thought  
33 it was a conflict of interest to volunteer for the committee after signing the petition. Councilor  
34 Farrell pointed out that it was a non-binding petition it was not a legal document and the petition  
35 was only about going to Derry. Chairman O'Keefe stated that the members of the committee  
36 were hopefully going to make an unbiased opinion; making an educated decision on the facts  
37 that are before them. Councilor Freda said everyone was asked if they could make an  
38 independent decision and they all responded yes.

39  
40 Councilor Farrell introduced Officer Geoff Pushee from the NH Fish & Game (NH F&G) who  
41 was asked to answer questions on what goes on around the state regarding target/skeet shooting  
42 and provide input.

#### PUBLIC HEARING

43  
44  
45  
46 **Councilor Farrell made a motion to open the Public Hearing, second Councilor Freda.**  
47 **Council's vote was 5-0-0.**

48  
49 **Ordinance #2011-07 – Relative to an Amendment to Title I, Chapter XXVI, Prohibited**  
50 **Activities on Town Property.** Officer Geoff Pushee, a Conservation Officer with the NH  
51 F&G, Law Enforcement Division was in attendance. He currently covers 12 towns from  
52 Nashua to Bow so he has the occasion to see how other towns handle their conservation  
53 properties. Councilor Farrell said hunting is OK, legal gun ownership use is OK, some people  
54 had an issue with it being a 2<sup>nd</sup> Amendment issue. Officer Pushee said the Councilors have  
55 every right to do what they want with their property. The Councilors do have the option to shut  
56 it down to hunting; there is no second amendment issue there. Other towns have shut down  
57 properties for the use of firearms. An Ordinance can be made to shut this down to target  
58 shooting. Councilor Farrell said it is also a pollution issue. Off. Pushee said towns are having  
59 big problems with people not picking up spent shells or shooting at objects and leaving them  
60 there, which is the issue that is coming up in a lot of towns lately. Councilor Farrell said the NH  
61 F&G is supportive of hunting, skeet shooting, practice shooting and using firearms properly. He  
62 asked his recommendation for that. Off. Pushee said the best way he thinks it should be handled  
63 is by sectioning off a piece of the property; post it as a shooting/target range, make it a take in/  
64 take out facility, pick-up litter. If they are leaving litter the NH F&G and the Londonderry  
65 Police Depart (LPD) can patrol it. They will be issued fines or whatever the Council chooses to  
66 do. As he understands it the problem came about from target shooting, not hunters. He said he  
67 has not had one complaint about hunting or target practicing in this area for three years. His best

68 suggestion is to section off a piece of the property as a target area and post it. F & G Clubs do  
69 that; it boils down to a safety matter. He emphasized that all the hunters have gone through a  
70 hunter safety education course. Councilor Farrell said his current understanding is that once this  
71 has been brought to our attention our insurance carrier has told us that we could have a liability  
72 issue that if we don't have a defined decision on this that they would drop us or we would have  
73 to change our insurance on anything along those lines depending on what we do here. He said he  
74 has not heard a clear answer on that yet. Off. Pushee said he has seen ordinances in other towns  
75 allowing shooting/hunting only from Sept-Dec. One of his co-workers has seen ordinances  
76 allowing only hunters with licenses being allowed to shoot on the property because they have  
77 been through the hunter education training. He said it would be a shame to shut down the whole  
78 property to hunting and shooting. Councilor Dolan said he agrees with the Officer, it is not a 2nd  
79 amendment issue; anybody's right to bear arms is not being impinged upon. We had competent  
80 legal advice about that question. He said just because we can do it does not mean we should do  
81 it. He said he needed to get answers to five questions:

- 82
- 83 1) Can we preserve the public's right to bear arms – yes.
- 84 2) Can we preserve a rich hunting environment – yes.
- 85 3) Can we provide a safe place for the non-shooting public to recreate – yes.
- 86 4) Do we have any issues with potential safety conditions with low flying aircraft – As  
87 aircraft arrive they are over the Musquash what are the issues that could happen with  
88 skeet shooting with low flying aircraft. Does the FAA have issues with that?
- 89 5) Can we provide a low or no cost target shooting venue to the public – he said he is in  
90 favor of having a target area. It is up to the taxpayers how they want to pay for the cost  
91 to erect a target area. He suggested taking advantage of the National Rifle Association's  
92 50/50 match.
- 93

94 He stated that we can find a path for both hunters and recreation issues and encourage target  
95 shooting. He recommends sectioning off an area in town and he said we should call on our  
96 residents to come forth and come up with an acceptable area for a range. Preserve the hunting  
97 but ask the target shooter to do it at an approved range or on private property. LPD Chief Bill  
98 Hart said he talked to the Airport and they did not have an opinion; they understood the issue and  
99 saw no need to weigh in since they did not wish to impinge on any town action whichever way  
100 we go. Councilor Freda asked Off. Pushee if he patrols the Musquash – he responded yes.  
101 Councilor Freda asked what is the safety issue if we are not stopping shooting. If we do stop  
102 target shooting there are still shots going off with shotguns because rifle shooting is not allowed.  
103 We are still going to have firing at moving targets by individual hunters who are moving. The  
104 entire Musquash is essentially a range and he asked the Officer if he agreed with that. Off.  
105 Pushee responded he would not say it is a range. He said hunters take good well aimed minimal  
106 shots at 30-40 yards. Councilor Freda challenged Off. Pushee by asking him if he could  
107 guarantee him that no one has ever been hurt by a hunter firing a shot in NH. Officer Pushee  
108 said it has happened, but it is one of the safest sports there is. Councilor Freda said his concern  
109 is that we are banning one type of firearm and not banning another. Off. Pushee said that is why  
110 he is recommending a designated range where people can shoot, it is confined. Councilor Freda  
111 said his concern is it is an overreaction to one incident. In 3 years there was no reports of  
112 complaints to the NH F & G and the Chief of Police reported there were 9 incidents over 3 years



113 where they had complaints of firearm noise. Chairman O'Keefe clarified that was for the whole  
114 town. Councilor Farrell said that what the Officer is saying is that there are rules, when those  
115 rules are applied you have good safety. What he is saying about target shooting is put up some  
116 rules and you will have good safety. Councilor Freda said the issue is safety; the far greater  
117 issue is firing a shotgun at an unknown time at an unknown angle. You are firing through the  
118 whole Musquash. Councilor Farrell said that signs are posted during hunting season to dress  
119 appropriately and list the months of the hunting seasons. Councilor Freda said the presumption  
120 is that the target shooter is violating every conceivable rule, he said he does not see the logic in  
121 that. Off. Pushee said he is not saying they are; he is saying it is a good idea to have an area  
122 where people can target shoot. Councilor Freda said we are making a rule about something that  
123 has not been a problem in 40 years. If we are going to limit target shooting because somebody  
124 was violating the rules to begin with how are you going to stop them from violating the rules  
125 because they don't want to go to the designated area. If the premise of your response is that this  
126 guy was doing something he shouldn't be doing what you think building a target shooting range  
127 is going to do. Off. Pushee said you have the option to make the ordinance that target shooting is  
128 allowed between Sept 1<sup>st</sup> and December 31<sup>st</sup> so people can target practice and hunt there. He  
129 said he is only offering suggestions he does not want to see hunting and shooting taken away  
130 from the Musquash it is a great place for people to go. It is one of the biggest areas in southern  
131 NH. Councilor Freda responded his problem is if the person that was target shooting was a  
132 criminal, who shouldn't have been out there with a gun; shouldn't have been out there with that  
133 type of gun; shouldn't have been doing what he was going to do; he does not see how making a  
134 designated range is going to make him comply with those rules. Off. Pushee replied he is not  
135 saying that either. Councilor Freda said there have not been a lot of law abiding people going  
136 out there target shooting properly and going to different areas. Laws are not going to make  
137 people be irresponsible. Off. Pushee said he is just making different suggestions. Councilor  
138 Farrell said he thinks the insurance company will require the area be posted and say that target  
139 and skeet shooting can go on anywhere in the Musquash and then we are covered. Councilor  
140 Freda stated that we don't have a problem. He asked for the names of towns that have actually  
141 designated target shooting in certain areas. Off. Pushee responded he doesn't know of any but he  
142 knows that Salem regulates it from a certain date to a certain date and also regulate what animal  
143 can be taken. There are no other towns that have set up shooting ranges, it is just a suggestion.  
144 Councilor Freda asked if skeet shooting has been banned in other towns, Off. Pushee responded  
145 no. Councilor Freda asked if he has received any complaints about target shooting in any areas  
146 he patrols. Off. Pushee responded he gets complaints about target shooting all the time, some on  
147 town property and some on private property but mostly it is the litter issue. Councilor Green said  
148 it is a 2<sup>nd</sup> amendment right. He said he did research and quoted a paragraph from a DC Supreme  
149 court case where it clearly states it is a second amendment right. Al Baldasaro, 41 Hall Rd said  
150 RSA 212:34 said it is a liability for land owners. The State of NH protected land owners because  
151 we take our 2<sup>nd</sup> amendment right to hunt, fish, etc. There are liability laws in the state of NH to  
152 protect that. Putting in an ordinance will cause a police officer to make tough decision and it  
153 will have to be proven in court. If the Conservation Commission saw a young kid shooting they  
154 should have called the LPD. If they are shooting at TV's or radios they are breaking the law.  
155 This is "feel good" legislation that opens up law suits and causes more problems. Councilor  
156 Dolan asked what law is being broken if someone is using a stereo as a target. A. Baldasaro said  
157 it is littering. A. Baldasaro said if we ban hunting and you have 6 shooters there, they all might

158 shoot at the same deer, 1 got it but the other 5 are target hunting. Councilor Farrell said no one is  
159 banning hunting. A. Baldasaro clarified what he said. Councilor Green said NH Code Chapter  
160 163-b is the litter control law. Dan Tamborello, 3 Royal Lane said he agreed with everything  
161 that Rep. Baldasaro said. He said he did trap and sheet shooting, had military training in guns  
162 and as a pilot. He proceeded to explain the height of skeet and trap shooting saying the glide  
163 slope of a plane will not interfere with the shooting angle of a shotgun. Warren, St. Casey, of  
164 Sparhawk Dr asked what the issue at hand is. Why is target shooting an issue? Chairman  
165 O'Keefe read the proposed change to the Ordinance. W. St. Casey said firearms are being  
166 utilized so why is target shooting an issue when somebody is trying to become a proficient  
167 hunter. He suggested staying in the middle of the Musquash or in a designated area for target  
168 shooting. Councilor Dolan said part of the issue is safety and liability. Target shooting is not  
169 limited to a particular type of a weapon or a particular time of the year. During hunting season  
170 people either don't use Musquash or wear hunter orange. Rick Olsen, identified himself as the  
171 past President of the Londonderry F&G. He stated he is currently on the Board of Directors of  
172 the Club and has been a member since 1977. He explained they own 83 acres and have the  
173 Musquash Conservation land on 2 sides. He stated they have rules about target shooting on their  
174 property and they don't want pollution. Making a ruling for no shooting in Musquash will make  
175 the complaints rise for the Lon. F&G Club. The data does not support the action. He said the  
176 Lon. F & G Club opposes the ordinance; they perceive it as another issue where they are  
177 bumping up against them. Councilor Dolan said we are not banning shooting or hunting in the  
178 Musquash. R. Olsen said three years ago there was an attempt to ban hunting now it is attempt  
179 to ban shooting. Councilor Dolan asked him if he were to dismantle the back stop and the side  
180 berms and just have the down range open at his club, would you still allow target shooting there.  
181 That is what is being done in the Musquash. R. Olsen said they are a F&G Club, they have  
182 ranges. Councilor Dolan clarified that we have target shooting in an area where there is no  
183 range. R. Olsen said there is a variety of terrain in the Musquash, he could find a place that is a  
184 reasonable area to shoot in. Councilor Dolan said not everyone would have his expertise to  
185 select an area where the down range impact is zero. Councilor Dolan said we should direct  
186 people where to shoot. R. Olsen said the Lon. F&G supported the LPD building their own  
187 facility. They are not against Londonderry establishing a designated shooting area. What he is  
188 against is the whole uncomfortable notion of eliminating shooting in the Musquash. Hunter  
189 ethics is a big issue. R. Olsen informed the Council that if residents who are hunting in the  
190 Musquash enter onto their land it is OK with them, their land is open; if people want to recreate  
191 on their land that is OK as well. Councilor Dolan asked R. Olsen how they prevent people from  
192 wandering onto their property. He responded within their property where the ranges are, every  
193 50 ft down range they have bright yellow signs saying "Keep Out Active Firing Range". He  
194 told about the incident he had with an ATV rider that came to him complaining that a bullet  
195 whizzed by his head. R. Olsen pointed out that he ignored the posted signs. He asked how do  
196 you regulate the actions of stupid people, you can make all the laws you want and there is still  
197 going to be stupid people. Bob Chiras, 83 High Range Rd. said you are saying that you are going  
198 to make this illegal if it occurs in another area other than where it is designated. He said the  
199 Council has limited the activity that the LPD can apply and proceeded to explain. Councilor  
200 Farrell said the LPD has some discretion on how they handle things and use the land in a safe  
201 manner. B. Chiras said don't tie the hands of the LPD; do no harm with what you do. Tom  
202 Kimball, 51 Kimball Rd, owns the Londonderry Country Club, which includes 100 acres of land

203 next to the Musquash. He said in prior years he had the same Ordinance but it was more  
204 stringent than the one here today and it was shot down. The noise has been a nuisance for his  
205 Country Club. He has made many complaints about target practicing in the Musquash and at the  
206 LPD shooting range. He referenced the indoor shooting range on Brown Ave. in Manchester and  
207 suggested the police and public us that. He asked if the LPD shooting range is being regulated  
208 and are they cleaning up their range. Chief Hart responded they do clean it up. He asked why  
209 the use of suppressors wasn't being done. Councilor Farrell stated that if the LPD is told that  
210 there is an event at the Country Club they will not use the range. T. Kimball responded that was  
211 new to him. Chief Hart stated that is correct and they don't shoot on weekends if they can help  
212 it. He said Capt. Dussault has had multiple conversations with Mr. Kimball regarding safety  
213 issues; they do assure that the lead is taken care of; they make every effort to minimize the use of  
214 that range as much as they can. He informed Council that by having their own range it has  
215 reduced their overtime considerably over the past 3 years. They limited the use of other agencies  
216 use of the range which was donated by Mr. Charbonneau from Continental Paying. They have  
217 now eliminated training from other towns in response to Mr. Kimball's concerns. Councilor  
218 Dolan asked how they prevented projectiles from exceeding their range. Chief Hart said they  
219 have a series of berms that are over 20ft. high and they are on both the sides and the back. They  
220 shoot directly into the berms. Councilor Dolan asked if you didn't have a backstop would you  
221 continue to have target practice. Chief Hart replied they would not use it. He explained they  
222 utilize short spaces with lots of rounds; they use under a 100 rounds per officer during practice  
223 sessions. Mr. Kimball recommended using the indoor shooting range in Manchester. Dan  
224 Bouchard, 8 O'Connell Dr. said as a police officer he does not remember receiving many calls  
225 from the Musquash but many from West Rd. Most of the people there are from out of state and  
226 they littered. Shotguns can be used in Londonderry, not rifles. If we do a designated shooting  
227 area are you going to limit it to just shotguns or are they going to be able to use rifles which have  
228 a greater traveling distance. Betsy Mechachonis, 44 Kimball Rd. said the target shooting is  
229 loud. She said she lived there 22 years and target practice that close to residential units are a  
230 nuisance. She suggested that people target practice at the F&G. She gave the Council two letters  
231 from other residents (attached). Don Jorgenson, 6 Rolling Ridge Rd said he does not frequent  
232 the Musquash during hunting season. His concern is the noise pollution. If we put another range  
233 in the Musquash the noise pollution will increase. He suggested going to an indoor range;  
234 control the noise. He said he does not want another range specifically an unsupervised range.  
235 Councilor Farrell stated that he is close to tabling this item because he is not getting enough  
236 answers. D. Jorgenson said noise pollution is an unnecessary burden on the citizens of this town.  
237 Steve Homsley, 16 Oriole Ln said he has lived there for 19 years and said the noise is a problem  
238 and every time he asked the questions of how many people can be target shooting, what hours  
239 are to be used for target shooting, he's got the reply "we don't know". Councilor Freda poised  
240 the questions if we banned target shooting or put it in a designated area what are the guarantees it  
241 would be stopped or they would use only the designated area. S. Homsley responded you can't  
242 guarantee it. Councilor Farrell stated that we did not know we had a problem until about a  
243 month ago. We don't have clear answers, he wants some more information on this subject.  
244 People are looking for a place to shoot, we have a lot more work to do before we vote on this  
245 Ordinance. Councilor Dolan said the Officer from F&G brought up the option to restrict target  
246 shooting to licensed hunters only because they have been through the safety courses and we  
247 should consider that. Councilor Green said the way it is written right now is not useful, he

248 would like to see it tabled indefinitely. Councilor Freda said he is not in favor of banning it on  
249 all the town properties which is the way it is written. Councilor Farrell said he doesn't think we  
250 should table it indefinitely; it needs to be addressed at some point. We need more direction.  
251 Chairman O'Keefe said we could table it as written and have the Town Manager draft something  
252 new. Chairman O'Keefe said he is not in favor of this Ordinance due to the concerns he has  
253 heard. Glen Douglas, 6 Overlook said he used to be a member of the Lon. F&G and has used the  
254 indoor range in Manchester and both of them are expensive. Up until a month ago there was no  
255 problem other than noise pollution. There have been a handful of people who want it stopped.  
256 He said he does not want to be in a range and relayed an experience he had while he was in one.  
257 A town sponsored, town owned range will get you in trouble. He said this is not an issue; there  
258 is not a roomful of people asking for this to be stopped. A. Balasaro said when tabling the  
259 motion it means it can come up another time, just vote it down. Councilor Farrell said tabling it  
260 is telling the community we are still looking into it. Councilor Freda stated that the Council  
261 passed rules and according to one of their rules the tabling is equivalent to defeating the question  
262 tabled. **Councilor Green made a motion to table the Ordinance indefinitely, second**  
263 **Councilor Farrell.** Councilor Dolan requested that we add to the motion that we ask the Town  
264 Manager to use our GIS resources to select some options. Chairman O'Keefe responded we can  
265 do that after the motion and leave it separate from this. We can direct the Town Manager to do  
266 that as a separate part of business. **Council's vote to table indefinitely is 5-0-0.** Chairman  
267 O'Keefe asked the Council how they feel about giving the Town Manager direction to look at the  
268 noise pollution, come back with answers to liability questions, and enforceability. Councilor  
269 Farrell said we have to follow through with this issue. Councilor Dolan said we have the  
270 responsibility to follow up the issue even though it will be difficult to enforce. Councilor Farrell  
271 stated that we want to know a definitive answer from our insurance carrier. Councilor Dolan  
272 said the issue is what is going to be the impact to our rates. Now that we know the issue and we  
273 choose to do nothing about it what is the level of liability that the taxpayers are responsible for.  
274 He also suggested having the GIS Manager find some places in the Musquash that are safe, and  
275 can minimize noise. Ultimately target shooting will result in safer gun use and safety around a  
276 target area is important. Councilor Freda said his concern is that you are putting a known noise  
277 problem in another area.

278  
279 **Councilor Farrell made a motion to close the Public Hearing, second Councilor Green.**  
280 **Council's vote was 5-0-0.**

281  
282 **OLD BUSINESS**

283  
284 **Appointments to the Public Safety Dispatch Services Study Committee –** Chairman  
285 O'Keefe requested the information on who to appoint to the committee be sent to him by  
286 Thursday so a decision can be made at the 9/26/11 meeting.

287  
288 **NEW BUSINESS**

289  
290 **Street Renaming Issue** – Councilor Farrell stated that this is something that used to be handled  
291 by the Planning Board and said we should think about sending this back to them after this  
292 meeting. It was always a Planning Board issue for 20 years. Council consensus is to have the

293 Street Naming go back to the Planning Board. Chairman O'Keefe directed Sue Hickey to ask  
294 the Town Manager if this could be done. GIS Director John Vogl said the issue is that the RSA's  
295 require the governing body to make the decision. The issue will be brought up with the Town  
296 Manager. J. Vogl explained that Hovey, Hardy and Harvey sound alike and that according to the  
297 E-911 standards the streets should be renamed. They are difficult to dispatch to. The approach  
298 is to recommend changing Harvey. Hovey and Hardy by themselves are distinguishable enough  
299 to leave them unchanged if Harvey was removed from the mix. The recommendation presented  
300 to the residents of Harvey Rd. was to split the road in segments and rename those segments  
301 based on the existing alignment. He displayed a map showing the roads in question. The part of  
302 Harvey that extends north to Pettengill Rd. will be renamed High Range Rd; from Pettengill Rd.  
303 to Grenier Field Rd. will be renamed Pettengill Rd; from Grenier Field north to the Manchester  
304 line will be changed to Grenier Field Rd. Most properties are commercial; whose owners made  
305 known that that there would be significant costs to those business to change their street names.  
306 The total cost to the business would exceed \$130K. The alternate approach would be to rename  
307 both Hardy and Hovey Roads which are residential. They are asking the Council's opinion  
308 because this is a policy issue that they should decide. Councilor Farrell said he does not want to  
309 change anything. There is historic value to Hardy and Hovey Roads. He understands why the  
310 businesses don't want to change because of the financial impact. He stated that these roads are  
311 located in 3 different parts of town, he has to be further convinced. Councilor Dolan questioned  
312 if this request is coming from the state or our local dispatch. J. Vogl said it is coming from the  
313 state E-911. Chairman O'Keefe asked Cindy McMahon who is a long time dispatcher for the  
314 LPD if it was an issue with the LPD. C. McMahon said the issue is not so much with the initial  
315 dispatch with both the LFD and the LPD. Both the LPD and the LFD know this is an issue over  
316 the airways. They will dispatch it by spelling the name or distinguishing them. She relayed a  
317 recent incident where the initial dispatch is not heard by everyone responding and an officer was  
318 responding to the wrong street. She said it becomes more confusing when mutual aid is involved  
319 or it is filtered through a 911 dispatcher. Councilor Dolan asked if we could just change them  
320 to street, avenue, etc. C. McMahon said sometimes you can't get the difference in an emergency  
321 issue with cellphones cutting out. Councilor Dolan said he recommends that we should pay  
322 close attention to the businesses because of the financial costs. He suggested leaving Harvey  
323 unchanged because we don't want to inconvenience the businesses that have come to town.  
324 Councilor Freda asked if you change a name to a road how long does the Post Office keep  
325 forwarding mail; J. Vogl said one year. Councilor Freda said the IRS is 2 years behind in their  
326 audits, legal notices, etc won't get delivered, that is a practical problem for most people. J. Vogl  
327 said you would have to ask the post office about that. J. Vogl said it is in their charge to move  
328 ahead and rename Hardy and Hovey which is the recommendation. Councilor Green said he  
329 would definitely change 2 of the streets but not change Harvey Rd. due to the financial aspect  
330 Reed Page Clark, III said Hardy and Hovey are family named roads, Harvey is not, it was called  
331 "Skim Milk Road". He asked the Councilors not to rename Hardy and Hovey. Councilor Dolan  
332 asked if they were changed to Lane, Street or Drive would that be acceptable and he responded it  
333 would. Councilor Farrell said that the committee still has to go to the homeowners for the name  
334 changes. J. Vogl said changing the names to Street, Lane or Drive will not meet the naming  
335 standards they are looking for. Larry Thibodaux owns Hampshire Fire Protection and J & L  
336 Realty located on Harvey Rd. He said people spoke at the last public meeting and said not to  
337 change the business addresses and said to change the residences. There are 64 homes on Hardy

338 and 58 on Hovey and 36 businesses on Harvey Rd. He went to each business and asked for the  
339 costs they would incur to change their addresses; he is up to \$168K which is for just half of the  
340 business on Harvey. He received an estimate just today from Concentra and they said it would  
341 cost \$48K. He proceeded to list the business he heard from and the costs to change their  
342 addresses. Chairman O'Keefe said the issue is not with the Council because we are aware of  
343 the situation in the economy and what it means to businesses. The problem will be with the state  
344 who will be inflexible. Councilor Green suggested adding Saint or Mount in front of the name.  
345 J. Vogl said the liability concerns are a problem because the town has been made aware of the  
346 conflicts with the potential dispatch of emergency apparatus going to the wrong location; we  
347 need to do something about it. Fire Marshall, Brian Johnson said Hovey is also broken up into  
348 sections. We try very hard to get it across to the mutual aid equipment where they are going;  
349 Hovey is a hard road to give directions to because of its location. Nancy Maguire represented  
350 Wirebelt and stated that their costs would be about \$59K. She said they are about 300' from  
351 Harvey Rd. in Manchester which would cause a problem for them. Councilor Dolan asked J.  
352 Vogl if Manchester is considering changing names as well. J. Vogl said he didn't know but the  
353 issue is having duplicate names within the municipality. Wirebelt would be given a Grenier  
354 Field address and the next property over on the Manchester side would have the Harvey Rd.  
355 address. The Chairman thanked the business people who came to this meeting. The consensus  
356 of Council was not to change Harvey Rd. but to change Hovey and Hardy.

357  
358 **Tax Abatement Request – Bockmon Manufactured Home Community** – Sue Hickey said  
359 she needs concurrence on the two mobile homes because they are dilapidated and abandoned and  
360 there are liens on the properties. Councilor Barrell clarified that they are asking to remove the  
361 homes, replace them with new ones and forgive the past taxes, S Hickey responded that is what  
362 they were asking. Dan Bouchard is the manager and was in attendance. He said currently they  
363 can't do anything with them due to the town liens for taxes. The liens are on the trailer not the  
364 land. The consensus of Council was to grant the tax abatement request.

365  
366 **Resolution #2011-17 – Relative to an Impact Fee Assessment upon Riley Investment**  
367 **properties** – Councilor Green made a motion to accept, second Councilor Dolan.  
368 Community Development Director Andre Garron said a proposed gas station/convenience store  
369 is being built at Exit 5 on the corner of Liberty Drive and Rt. 28. A traffic study was approved.  
370 Impact fees have changed in that area because some of the improvements that were proposed in  
371 the Rte 28 east corridor are being completed by NHDOT; it is going from a 2 lane highway to 4  
372 lanes. The impact fees are no longer required in that area until they get a comprehensive study  
373 done in that area. Another intersection will come before Council in the future requesting  
374 eliminating impact fees at the 128/Stonehenge/Litchfield Rd intersection. Councilor Dolan  
375 asked about the intersection at Gilcreast/Pillsbury Roads at the Woodmont area near Sugar Plum;  
376 is that intersection going to be reconfigured. A. Garron responded there have been a few  
377 alternatives, including a rotary, or lights. Councilor Dolan stated that he hopes that intersection  
378 will be reconfigured. A. Garron said that is a requirement in the PUD to see what the traffic  
379 impact will be for that area. **Council's vote was 4-0-1, with Councilor Green abstaining due**  
380 **to a conflict.**

381  
382

383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411

**APPROVAL OF MINUTES**

**Minutes of Council's Public Meeting of 9/12/11** – Councilor Dolan made a motion to accept, second Councilor Freda. Council's vote was 5-0-0.

**OTHER BUSINESS**

**Liaison Reports** – None

**Town Manager Report** – None

**Board/Committee Appointments/Reappointments** – None

**ADJOURNMENT**

Councilor Green made a motion to adjourn at 10:55 PM, second Councilor Dolan. Council's vote was 5-0-0.

Notes and Tapes by: Margo Lapietro Date: 09/19/11

Minutes Typed by: Margo Lapietro Date: 09/21/11

Approved by: CIP Committee Date: 09/ /11

**DRAFT**

To: Londonderry NH Town Council  
Re: Proposed Shooting Range in the Musquash Reserve  
Date: Sept 19, 2011

Gunfire in the neighborhood was conspicuously absent this past weekend as a prelude to the Monday town meeting regarding a shooting range in the Musquash Reserve. Surprise, surprise. Other weekends residents are subjected to gunfire noise, sometimes around the daylight clock, as much as 7 days a week.

My residence is at the corner of Kimball and Faucher Roads. I am currently subjected to gunfire from the Fish & Game Range, as well as from the town police range, which I understand is shared by 3 towns and the State Police for practice. The range never had a hearing or met with a show of public approval.

The noise from these activities has yet to face a serious challenge as to noise abuse of the surrounding community, but please be advised this movement is building.

Big-bore discharge and semi-automatic burst firing of assault weaponry have no place in this town's open air. Such activities do belong at an enclosed, sound-proof range, such as exists on Brown Avenue.

Lest you think I am anti-gun, I am not. I was a former hunter and NRA member, a target and skeet shooter, with five guns in storage. There is a place to shoot practice rounds. It is at existing, monitored ranges, with adult supervision, and people responsible for who attends, and how activities are conducted. Grounds are maintained, and public safety is primary.

This is absent from the proposal by the "oh, let's have a shooting range" supporters. Let me remind them they do have one ... join the Fish & Game. Let me also remind everyone the barrage of empty beer cans and bottles along the roadside in front of my house, is put their by unsupervised under-age drinkers discarding the "evidence" of consumption. It would be a crime to give these same individuals access to an unsupervised shooting range, only hundred of feet from a residential community, many children, and a public golf course.

There are reasons why motorbikes, dirt bikes and ATVs are prohibited from using the Musquash. It is in the name of safety. Is this proposal saying these are unsafe, but guns are?

A majority of Americans voters are simply fed up with governments at all levels across this country, ignoring the needs of the many and addressing the needs of only a vocal few. The world, including Londonderry, is an environment that has to be shared, with common sense dictating what is safe, as well as what constitutes homeowners' peace and tranquility guaranteed by our founders. I hope that your thoughts match mine.

The last last thing this neighborhood needs is less safety and more noise pollution.

Enough is enough. No new shooting range in the Musquash Reserve.



James Mechachonis  
Londonderry Resident/Property Owner for over two decades 44A Kimball Road

P.S. By the way, check out the Union Leader headline story today. Insanity.  
**City man, 20, gunned down in his driveway**



-2-  
Why would you put the needs of those who want to use the conservation area as target practice first, when in fact the Musquash Conservation area is for all

*Always the first Sunday in May,  
The Walk for Hunger is dedicated to  
feeding people and nourishing hope.*

people. I believe you cannot have it both ways.

Diane McConnon  
27 Kimball Rd.  
Londonderry

9/19/2011

So the members of the Londonderry, NH Town Council:

As a resident of this beautiful town, I am very much opposed to the Musquash Conservation area being used for target practice. Of the high-level concern should be the safety of all public areas. I understand there is a bldg. on Brown Ave. for target shooting; let those who wish to practice go there, to an enclosed area used only for that purpose without interfering with people who enjoy the conservation area.