



Londonderry Conservation Commission
Tuesday, September 11, 2018
Minutes

1 **Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Bob Maxwell, member; Deb Lievens,
2 member; Mike Byerly, member; Mike Noone, member; and Julie Christenson-Collins, alternate member

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4 **Absent:** Roger Fillio, member; Mike Speltz, alternate member; Richard Floyd, alternate member and Ted
5 Combes, Town Council member

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7 **Also present:** Jack Kalantzakos, Elizabeth Hartigan, Amy Kizak, GIS Manager/Comprehensive Planner
8 and Beth Morrison, Recording Secretary

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10 Marge Badois called the meeting to order at 7:30 pm. She appointed J Chirstenson-Collins to vote for R
11 Fillio

12 **Cross Farm easement document:** Jack Kalantzakos from Cross Farm and Elizabeth Hartigan, Esq., from
13 Gottesman & Hollis, P.A., introduced themselves to the Commission. J Kalantzakos informed the
14 Commission they were here tonight to discuss the Cross Farm easement document with the
15 Commission. He passed out the document as well as a map to the Commission to follow along with the
16 presentation. He explained that on the map, Area A, the northeast finger parcel, will be treated
17 differently than the other easements because Fish & Game has determined the area could be suitable
18 for New England cottontail rabbits and therefore the area will be fully restricted. He noted that Area B
19 on the map, a southwest 26 acre parcel, will be allowed to have passive recreational activities. He
20 pointed out that Area C, which has been called wetland one, has metes and bounds, as well as a road
21 crossing and would have to have a deed as well. He said that he was here tonight because New
22 Hampshire Department of Environmental Services (NHDES) wanted to get the Commission's input on
23 the language for the proposed easements. D Lievens asked what Fish & Game have suggested for a
24 management plan for Area A with the rabbit habitat. J Kalantzakos stated that Fish & Game just stated
25 there should be no activity in that area whatsoever. M Byerly said that he noted that both the state and
26 the town have the right to go into Area A and manage it for conservation purposes. B Maxwell disagreed
27 stating the way he read the document, neither the state, the town nor the public, can do anything to
28 this parcel. J Kalantzakos asked the Commission what he should ask Fish & Game about specifically for
29 this parcel. D Lievens said he should ask them if they have any management plans for this parcel.
30 Elizabeth Hartigan stated that there is access for all three parcels for the state and the town to come in,
31 but there is no affirmative right to do it. G Harrington specifically stated that the forest management
32 plan, noted in 5c of the document, might need verbiage added to say the state has the right to manage
33 the parcel. E Hartigan said that the way this was explained to her was that the state wants this land set
34 aside, but does not necessarily want to deal with it, so it will be "easement-like"; therefore; there is no
35 reason to have a management plan in place now, but allows for changes if needed in the future. M
36 Badois asked if Fish & Game wants a plan later, can they get one. G Harrington stated that the document
37 does not say Fish & Game could. J Kalantzakos suggested that it could be written in specifically for Fish &



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38 Game to have a management plan. G Harrington suggested that on page one it should read "the town of
39 Londonderry and/or the state of New Hampshire." E Hartigan reviewed the two typographical errors
40 that are on this copy but have been corrected with the Commission. M Noone asked about boundary
41 signage. E Hartigan stated that boundary signage would not be a detriment to the declaration and could
42 only help foster it. M Badois suggested that the Commission should think about drafting letters to send
43 to abutters regarding these conservation easements. J Kalantzakos said that he did not know how the
44 abutters on the back side of the property would be notified, but he would talk to Benchmark
45 Engineering to see if they can put notes on the plans. J Kalantzakos concluded that E Hartigan would
46 revise the document and send it back to the Commission for their review.

47 **Old Business**

48 **Kendall Pond:** M Badois informed the Commission that she received a bill for the pavement totaling
49 \$894.74 and asked if this money was coming out of the Conservation Fund. She stated that the
50 Conservation Funds has three categories to it: escrow and expenses services, other miscellaneous
51 supplies and land property. She asked which category the pavement would apply to. D Lievens
52 suggested M Badois find out exactly what each category is meant for instead of guessing. M Byerly made
53 a motion to approve the expenditure from the Conservation Fund subject to M Badois figuring out
54 which category would apply. G Harrington seconded the motion. The motion passed, 7-0-0.

55 **Land acquisition process:** M Badois updated the Commission stating that she and M Speltz met with
56 Kevin Smith, Town Manager, to review it. She said that she hopes Kevin Smith will bring it up at the next
57 Town Council meeting.

58 **Water resource management:** M Badois stated that she presented to the Town Council last evening
59 and will present to the Planning Board tomorrow. She noted that in her research of the 1991 Water
60 Study, she read that the number of septic systems in Londonderry was pretty significant, and feels that a
61 lot of people do not know how to properly maintain them. She said that she would like to help educate
62 the public on this issue.

63 **Griffin Road:** M Badois informed the Commission that a bill was sent for recording fees for drainage
64 easements, but typically the seller would pay for the recording fees. She pointed out that when she saw
65 the deed for Griffin Road, there was no mention of Conservation. She noted that on August 3, 2018,
66 \$720,720.89 was taken out of the Conservation Fund. She said she did not think the Commission
67 authorized this. D Lievens asked who authorized it. M Badois stated Kevin Smith, Town Manager, and
68 the town attorney. M Badois said this is one example of why there needs to be a land acquisition policy
69 and procedure to follow. She stated that the assistant town attorney is looking into this.

70 **New Business:**



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71 **Public Walk:** M Byerly suggested a trail walk with trail work done as well at Kendall Pond. M Noone
72 suggested M Byerly should do a pre-walk to make sure there would be enough for people to do. B
73 Maxwell suggested other trails such as Sara Beth, Faucher and Adams Pond. M Byerly suggested a late
74 September or early October walk.

75 **Bicycle counters:** D Lievens informed the Commission that at the Southern New Hampshire Planning
76 Commission (SNHPC) meeting she learned about counters that track the number of people using a trail
77 that are available. A Kizak stated that the counter uses infrared technology and has been on the Rail
78 Trail at North School before. M Byerly said that it would be great to use this at the Musquash trailheads.
79 A Kizak asked the Commission for a list of trailheads that they would like to use the counter on. The
80 Commissioners list to A Kizak included: Hickory Hill, Faucher, Adams Pond, Sara Beth, Rolling Ridge and
81 Tanager. A Kizak said there is one counter machine that is used all throughout the region, so it may be a
82 year before we can use it, but will find out for the Commission. M Byerly asked if A Kizak knew how
83 much money this machine cost. A Kizak stated she believed it cost around \$2000, but would get an exact
84 figure for the Commission. M Byerly said this machine could be a good investment for the Commission
85 to present data on how much the trails are used. B Maxwell stated that using a camera, such as the one
86 at Kendall Pond, is more time consuming, but would also get this data.

87 **Minutes:** The Commissioners went over the public minutes from August 28, 2018. M Noone made a
88 motion to accept the minutes as amended. B Maxwell seconded the motion. The motion passed, 6-0-1
89 with G Harrington abstaining.

90 The Commissioners went over the non-public minutes from August 28, 2018. D Lievens made a motion
91 to accept the minutes as amended. M Noone seconded the motion. The motion passed, 6-0-1 with G
92 Harrington abstaining.

93 **Adjournment:** G Harrington made a motion to adjourn the meeting at 8:35 p.m. M Byerly seconded the
94 motion. The motion passed, 7-0-0.

95 Respectfully Submitted,
96 Beth Morrison
97 Recording Secretary