



Londonderry Conservation Commission
Tuesday, October 8, 2013
Minutes

1 Present: Deb Lievens; Gene Harrington; Mike Considine; Paul Nickerson; Truda Bloom; Marge
2 Badois; Mike Speltz, alternate; and Kellie Walsh, alternate.

3
4 Also present: Andrew Campbell, volunteer

5
6 D. Lievens called the meeting to order at 7:35 PM. She appointed K. Walsh to vote for Ben
7 LaBrecque.

8
9 Town Forest- G. Harrington reported that at the October 7 Town Council Meeting, Town Sexton
10 Kent Allen asked for direction from the Council based on the input received from both the
11 Heritage Commission and the Conservation Commission (see August 13 and September 10,
12 2013 minutes). While the Heritage Commission has given permission for tree cutting within the
13 Historic District (the zone within which the Town Forest is located), the Conservation
14 Commission gave permission only to clear along the new walking trail that extends from the
15 Town Common to Mack's Orchards. G. Harrington presented a copy of the Commission's
16 Town Forest management plan that was created when a selective cut was performed in 2010.
17 He also told the Council that at Town Meeting in 1984, a warrant article was approved that
18 assigned the management of the Town Forest to the Conservation Commission. He reiterated
19 points previously made to K. Allen by the Commission, i.e. that the forest "debris" serves as
20 wildlife habitat and that growth less than three inches in diameter should not be cut because it
21 is successive forest growth. The Council Chairman instructed K. Allen to contact Town
22 Forester Charlie Moreno and gauge how his proposed plan meshes with the forest
23 management plan. D. Lievens noted that while the Conservation Commission is an advisory
24 committee to Town boards and the Town Council, forest management is something NH
25 conservation commissions are charged with under NH RSA 36-A. This and the aforementioned
26 1984 approved warrant article obligate the Commission with overseeing management of all
27 forested Town owned land in Londonderry.

28
29 Conservation Commission accounts- At the October 7 Town Council meeting, a question arose
30 about the Commission having both an operating budget as well as a Conservation Fund.
31 Conservation funds, G. Harrington said, were developed by the State legislature precisely to
32 give towns the ability to differentiate between funding needed for annual operating costs (that
33 lapses at the end of a town's fiscal year) and funding that can be carried into succeeding fiscal
34 years for specific land conservation efforts such as forestry management. The Town Finance
35 Director has been asked to review the accounts and inform the Council as to how the different
36 accounts are used. D. Lievens said she also asked the Finance Director to make note of the
37 different escrow accounts in the Conservation Fund to demonstrate how a majority of those
38 monies have already been designated by vote of the Commission for various projects (e.g. NE
39 Cottontail habitat management, the Musquash Conservation Area Management Plan). This



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40 will explain that the balance in the Conservation Fund can be misleading when taken out of
41 context.

42

43 Monitoring- T. Bloom presented reduced copies of color coded Town tax maps designed to
44 identify the various protected parcels in Londonderry and their protection type. She said she
45 will distribute a page (or pages) to each Commissioner who will then be responsible for
46 monitoring the easements on that map. Commissioners will also be given field files for their
47 designated easements to record their findings during their site walks. She expects to
48 distribute specific assignments at the next meeting.

49 M. Speltz updated the Commission on the 26 easements that were part of the Carousel
50 Estates development (map 5, lot 31; see September 24, 2013 minutes). Those easements
51 were mandated by the State Wetlands Bureau as mitigation for wetland impacts associated
52 with the development. M. Speltz stated that he found the deeds granted to the individual
53 house lots along with the subdivision approval from the NH Department of Environmental
54 Services (DES). That approval was made contingent on the conservation easements being
55 granted, recorded, and recorded with each grant of a parcel to a homeowner, however M.
56 Speltz has not yet found documentation that the easements were ever recorded. If further
57 attempts are unsuccessful, he offered to contact DES directly. While authority to manage the
58 easements was given to the Commission, the terms of the DES approval state that any violation
59 of the terms of the easements will be considered a wetland violation at the State level.

60

61 Kendall Pond Conservation Area- Based on a report from residents who about the Kendall Pond
62 Conservation Area (KPCA; map 4 lot 56) at the September 24 meeting, M. Considine visited the
63 area to discern whether the parking area could be redesigned. The residents had suggested
64 creating a strip of parking along South Road that would allow only head-in parking in an
65 attempt to curb the ongoing illegal activities taking place in the parking area. M. Considine
66 will be visiting the site again with the Town's Assistant Director of Public Works on October 18
67 to determine what, if anything, can be done. D. Lievens said she emailed the Town Manager
68 and Chief of Police after that meeting and will meet with both on October 10 to discuss what
69 the situation. She said she will pass along any suggestions from the two to M. Considine.

70

71 Tree stands in the Musquash- When D. Lievens meets with the Town Manager on October 10
72 (see above topic), she will also discuss with him the subject of tree stands that are used in the
73 Musquash during hunting season (see September 24, 2013 minutes). State hunting laws
74 require a hunter to request permission from a land owner before placing a tree stand on their
75 property, which gives the Town (via the Conservation Commission who are stewards of the
76 Musquash) the ability to manage the use of the stands. D. Lievens said she still wanted to
77 clarify with the Town Manager if there are any potential legal issues in doing so.

78



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79 Target shooting in the Musquash- M. Considine said he has had several meetings now with the
80 Town Manager and Chief of Police on this topic, including a recent site walk with the Town
81 Manager to review the impacts and potential danger of the ongoing situation. The Town
82 Manager said he would be speaking with the Town Attorney on the matter. M. Considine said
83 he has and will continue to follow up with the Town Manager. A resident recently suggested
84 that Homeland Security be informed of the target shooting since the Musquash is in the flight
85 path of the Manchester-Boston Regional Airport. D. Lievens said she would discuss the idea
86 with the Town Manager when she meets with him on October 10.

87

88 Musquash Trail Day- M. Considine reviewed the work that began on the October 5 trail day to
89 create a new trail that will connect the blue and white trails, following along the border of the
90 Londonderry Fish & Game club lot to the west. He stated that Eastern Mountain Sports in
91 Manchester has asked permission for their employees to attend a trail day sometime this fall
92 and assist in trail maintenance in the Musquash.

93

94 Joint Negotiating Committee (JNC)- P. Nickerson stated that the JNC will next meet on October
95 10. He and/or M. Speltz will report back to the Commission at the October 22 meeting.

96

97 Hicks acquisition- At their September 23 meeting, the Town Council voted to approve the
98 purchase of 119 High Range Road, map 6 lot 2-1, for conservation purposes. Commissioners
99 agreed at this meeting that purchasing title insurance would be a prudent measure. Staff
100 reported that it would cost \$200 at the most. **T. Bloom made a motion to authorize the
101 Chair to expend an amount not to exceed \$200.00 from the Open Space Protection Fund to
102 purchase title insurance associated with the acquisition of 199 High Range Road. P.
103 Nickerson seconded. The motion was approved, 7-0-0.**

104

105 Outdoor Recreation Guide- Staff received an invoice for \$350 from the Arnett Development
106 Group (ADG) for professional services associated with Phase I of the Town Outdoor
107 Recreation Guide. The Commission voted to expend a total of \$9,000 from the Open Space
108 Protection Fund for the Recreation Guide on August 13, 2013. D. Lievens signed the invoice.

109

110 Open Space Task Force recommendations- M. Speltz asked Commissioners to review the
111 seven conclusions of the 2011 Open Space Task Force Report and their associated
112 recommendations so that at the October 22 meeting, a workshop can be held concerning the
113 implementation of any or all of the recommendations. Copies of the recommendations
114 were distributed and M. Speltz requested that Commissioners prepare by noting any
115 comments, ideas, questions, etc. related to the recommendations to prepare for the
116 workshop. D. Lievens added that public outreach should be discussed at that time as well.
117 She said she would invite the Commission's Town Council liaison.



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119 September 24, 2013 minutes- After making two clarifications and correcting a typographical
120 error, **G. Harrington made a motion to approve the minutes of the September 24, 2013**
121 **public session as amended. P. Nickerson seconded. The motion was approved, 7-0-0.**
122
123 **G. Harrington made a motion to go into Non-Public Session per RSA 91-A:3 for the purpose of**
124 **discussing the potential release of portions of non-public minutes regarding possible land**
125 **acquisitions. K. Walsh seconded.**
126
127 **Roll call vote: Aye, Gene Harrington; Aye, Paul Nickerson; Aye, Deb Lievens; Aye, Truda**
128 **Bloom; Aye, Kellie Walsh; Aye, Marge Badois; Aye, Mike Considine and Mike Speltz present.**
129
130 **G. Harrington made a motion to go out of Non-Public Session. T. Bloom seconded. The**
131 **motion was approved, 7-0-0.**
132
133 **G. Harrington made a motion to seal the minutes of the Non-Public Session indefinitely. T.**
134 **Bloom seconded. The motion was approved, 7-0-0.**
135
136 **G. Harrington made motion to adjourn the meeting. P. Nickerson seconded. The motion**
137 **was approved, 7-0-0.**
138
139 The meeting adjourned at approximately 8:55 PM.
140
141 Respectfully submitted,
142
143
144
145 Jaye Trottier
146 Associate Planner