



Londonderry Conservation Commission
Tuesday, August 23, 2011
Minutes
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1 Present: Deb Lievens, Mike Considine, Truda Bloom, Ben LaBrecque, Mike Speltz, and Ken Henault
2 (late)

3
4 D. Lievens called the meeting to order at 7:35 PM and appointed M. Speltz to vote for Paul Nickerson.
5

6 Londonderry Fish & Game- Jason Lopez of Eric Mitchell and Associates was joined by the Ray Ferland,
7 President of the Londonderry Fish & Game Club, to present a conceptual design for construct five
8 shooting ranges (in addition to the existing ranges) on map and lot 8-12 and 8-13 (see attached). The
9 Town Planner, Town Engineer, and Building Inspector/Zoning Officer have all been consulted and none
10 had any major concerns with the exception of the wetlands on the property. J. Lopez was hence
11 advised to meet informally with the LCC to gather their input.

12 Wetland mapping has been completed and three vernal pools were found between the two
13 properties. Two of the pools are larger in size and are situated to the immediate northwest and
14 northeast of the ranges while the third smaller, lower quality pool bisects the two longer ranges.
15 Research through the Natural Heritage Bureau revealed that Blandings and Spotted Turtles have been
16 found in the area. New Hampshire Fish & Game requested that construction not commence until after
17 October 15 when the turtles have finished nesting. J. Lopez also met with the Environmental
18 Protection Agency and the Army Corps of Engineers regarding the vernal pools, which resulted in the
19 recommendation of a 100-foot buffer around the two larger pools and a 25-foot buffer around the
20 smaller one. The Army Corps of Engineers also suggested constructing a small footbridge over the
21 smaller pool to enable shooters to cross from one section of the range to another. Because the
22 wetland impact total will be less than 3,000 square feet (2,600), Federal permits will not be required,
23 although an expedited Dredge and Fill permit will need to be sought through the State.

24 Portions of the berms will impact the 50-foot wetland buffer on three of the ranges. J. Lopez
25 was asked that those flared out on the two larger ranges be flared further to minimize that impact.
26 They cannot be removed entirely, he explained, for safety reasons. M. Speltz asked if any woody
27 vegetation would be allowed to grow on the berms. J. Lopez said that the management plan would
28 recommend that larger woody vegetation would not be allowed. A new roadway will be constructed
29 off the existing entrance and will head southeasterly, avoiding the wetland buffer, to a small parking
30 area behind the new ranges. D. Lievens asked if lead would be removed from the berms. R. Ferland
31 said it was not legally required but that it was good practice to do so.

32 The direction of shooting would be to the northeast, towards the Musquash Conservation Area,
33 in order to keep the sun to the shooter's back. Twelve-foot berms and baffle boards would be used to
34 prevent any ammunition from entering the Musquash, although Commissioners expressed concerns
35 about stray gunfire, especially with the significant number of people who visit the conservation area. J.
36 Lopez was asked to provide specifics about the appropriate National Rifle Association guidelines being
37 applied as well as a cross section design of the ranges. M. Speltz suggested that when the project
38 goes before the Planning Board, they seek an outside consultant to advise them on the adequacy of



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39 the safety design being presented. He also recommended resolving the ownership of the 2.77 acre
40 "overlap area," since it lies between the ranges and the Musquash. T. Bloom asked if the ranges could
41 be oriented in a more northerly direction to decrease the possibility of any gunfire reaching the
42 Musquash. J. Lopez said he could investigate the idea, although it could result in further buffer
43 disturbance. R. Ferland suggested that the berms could be made fifteen feet high.

44 J. Lopez will return at a future date with an updated plan and the additional information
45 requested of him.

46
47 K. Henault arrived during the above discussion at approximately 8:10 PM. D. Lievens appointed
48 him to vote for Gene Harrington.

49
50 Shoppes at Londonderry, 15-51 & 59- Brad Mezquita returned to discuss a Conditional Use Permit for
51 this project (see July 12 and 26 minutes). M. Speltz asked if the buildings and pavement could be
52 brought forward into the slope of Vista Ridge Drive to reduce the buffer impact. Community
53 Development Director André Garron was present as well and noted a slope easement on Vista Ridge
54 Drive prevents them from doing so. D. Lievens asked if the developer knew about the constraints of
55 the site when he decided to use the property. B. Mezquita said he did. M. Speltz stated that although
56 wetland scientist Luke Hurley has assured the LCC that the created wetlands will equal the functional
57 value being lost by the impacts, the spirit of the Conservation Overlay District buffer ordinance is being
58 violated because the entire length of the buffer is being disturbed. He added that even the temporary
59 impacts are not truly temporary since the slopes will stay clear of woody vegetation. A. Garron asked if
60 anything could be done to mitigate that impact that would satisfy the LCC. M. Speltz replied that
61 allowing woody vegetation to grow on the slopes would help, although he doubted such a thing would
62 be recommended. The project, he summarized, is simply too large for the lot and recommending
63 approval of the CUP could be setting a precedent.

64 Following further discussion, **M. Speltz made a motion that the Conservation Commission not**
65 **recommend approval of the Conditional Use Permit to the Planning Board because it does not**
66 **comply with the intent of the Conservation Overlay District. However, the Commission notes that**
67 **the plan as proposed minimizes the impact and the created wetlands create a roughly equivalent**
68 **functional value to the wetlands and buffer being disturbed according to the wetlands scientist. B.**
69 **LaBrecque seconded. The motion was approved, 6-0-0.**

70
71 ARM grant- The final step in this project is to record the easement with the Registry of Deeds. That
72 process is ongoing. The invasive plant species Phragmites will be dealt with next year since it is too
73 late in the year to get the necessary permit.

74



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75 Merrill easement- This issue will be before the Town Council for their approval in September. A letter
76 from the Open Space Task Force recommending the purchase of the easement will be sent to the Town
77 Council in the immediate future.

78
79 Policy guidance for acquisitions- The Town Council has requested a meeting with the LCC in a non-
80 public session on August 29 to discuss implementation of policy guidance regarding the acquisition of
81 conservation land. M. Speltz drafted a memorandum of agreement to implement the suggested
82 procedures. Since the Council would be discussing the draft in a non-public session, D. Lievens
83 entertained a motion to review it with the Commissioners in a non-public session.

84
85 **M. Speltz made a motion to go into Non-Public Session per RSA 91-A:3 for the purpose of discussing**
86 **policies regarding possible land acquisitions per RSA 91-A:3. K. Henault seconded.**

87
88 **Roll call vote: Aye, Ben LaBrecque; Aye, Ken Henault; Aye, Mike Considine; Aye, Truda Bloom; Aye,**
89 **Mike Speltz; Aye, Deb Lievens**

90
91 **M. Speltz made a motion to go out of Non-Public Session. T. Bloom seconded. The motion was**
92 **approved, 6-0-0.**

93
94 **M. Speltz made a motion to seal the minutes of the Non-Public Session indefinitely. T. Bloom**
95 **seconded. The motion was approved, 6-0-0.**

96
97 DES grant- With the deadline of September 1 for eligibility applications, it was decided there was
98 insufficient time to dedicate to a proposal for this round of grants (see July 26 minutes). M. Speltz
99 noted that a second round might occur next year.

100
101 July 26, 2011 minutes- **M. Speltz made a motion to approve the minutes of the July 26, 2011 public**
102 **session as written. B. LaBrecque seconded. The motion was approved, 3-0-3 with M. Considine, T.**
103 **Bloom, and K. Henault abstaining as they had not attended the meeting.**

104 **B. LaBrecque made a motion to approve the minutes of the July 26, 2011 non-public session**
105 **as written. M. Speltz seconded. The motion was approved, 3-0-3 with M. Considine, T. Bloom, and**
106 **K. Henault abstaining as they had not attended the meeting.**

107
108 August 9, 2011 minutes- **D. Lievens made a motion to approve the minutes of the August 9, 2011**
109 **public session as written. K. Henault seconded. The motion was approved, 1-0-5 with M. Considine,**
110 **T. Bloom, B. LaBrecque, M. Speltz, and K. Henault abstaining as they had not attended the meeting.**

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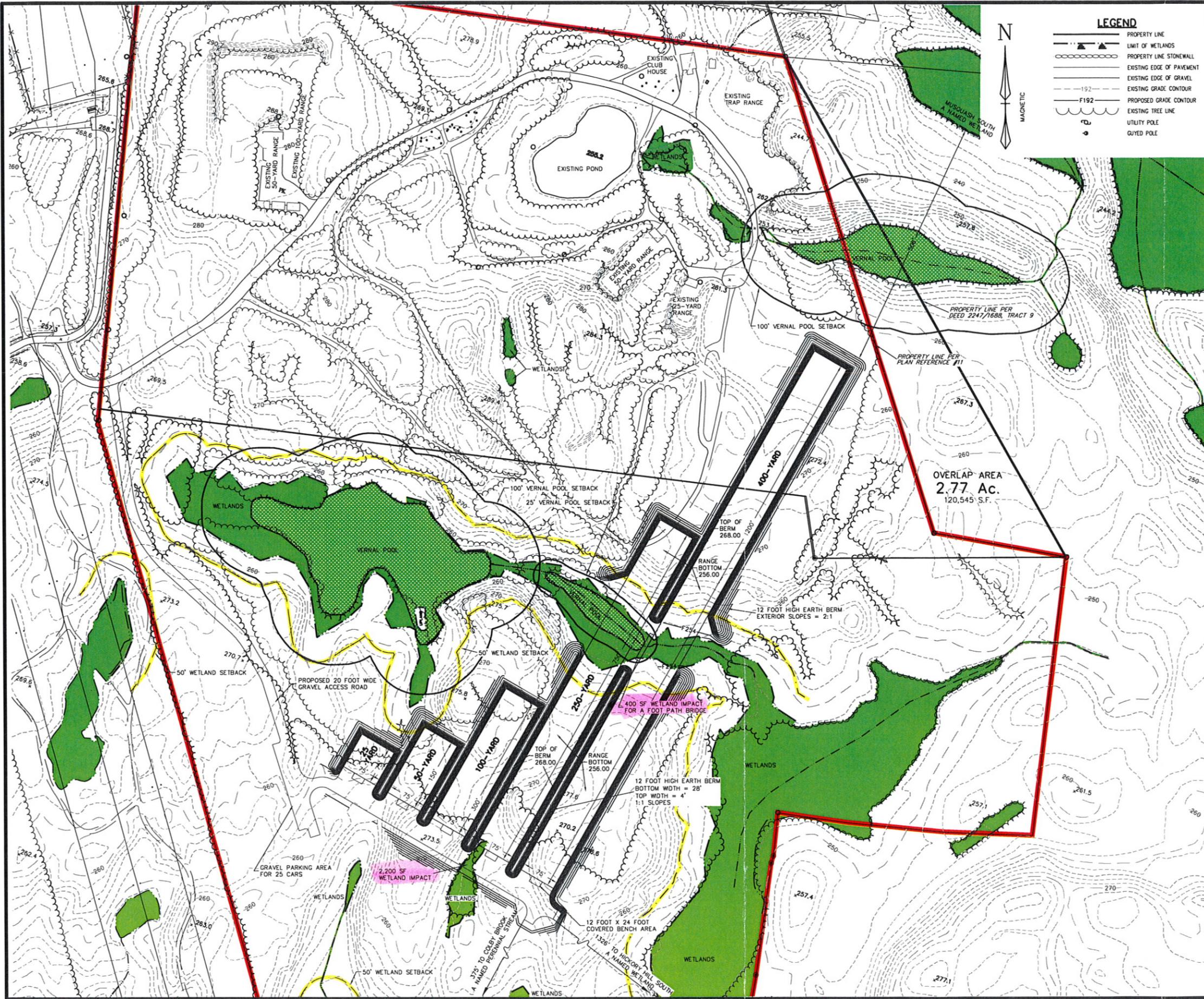
112 Acquisition definition- The LCC recently approved a motion to expend an amount not to exceed
113 \$50,000 from the Open Space Protection Fund to pay debt service on Open Space bonds for FY13 (see
114 July 12 minutes). This was done with advice from the Town Attorney who interpreted the term
115 “acquire” in RSA 36-A:4 to include payment on the debt service associated with conservation land
116 acquisitions. The Conservation Commission in Kensington, NH, however, was advised by legal counsel
117 at the Local Government Center that acquiring under the RSA applies strictly to obtaining land, not to
118 servicing debt. The Town Manager will ask the Town Attorney for his opinion on the discrepancy.

119
120 **M. Speltz made a motion to adjourn the meeting. K. Henault seconded. The motion was approved,**
121 **6-0-0.**

122
123 The meeting adjourned at 9:45 PM.

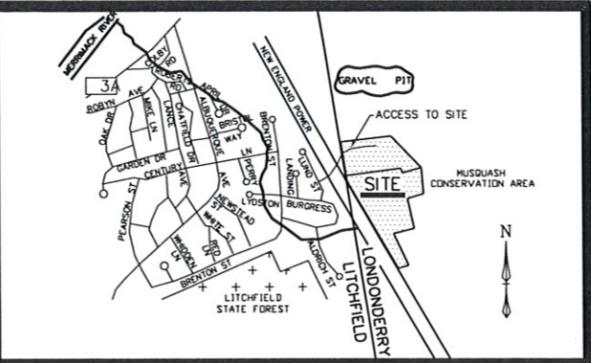
124
125 Respectfully submitted,

126
127
128
129 Jaye Trottier
130 Secretary



LEGEND

- PROPERTY LINE
- LIMIT OF WETLANDS
- PROPERTY LINE STONEMASS
- EXISTING EDGE OF PAVEMENT
- EXISTING EDGE OF GRAVEL
- EXISTING GRADE CONTOUR
- PROPOSED GRADE CONTOUR
- F192
- EXISTING TREE LINE
- UTILITY POLE
- GUYED POLE



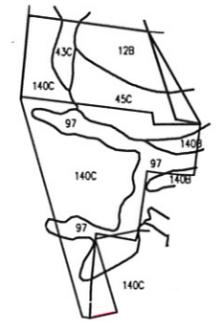
VICINITY MAP

NOTES

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE CONCEPTUAL LAYOUT FOR A PROPOSED 25-YARD, 50-YARD, 100-YARD, 250-YARD AND 400-YARD SHOOTING RANGE.
2. THE TOTAL AREA OF LOT 12 (INCLUDING OVERLAP) = 33.76 ACRES
TOTAL AREA OF LOT 12 (EXCLUDING OVERLAP) = 30.99 ACRES
TOTAL AREA OF LOT 13 = 51± ACRES
3. PRESENT ZONING: AR-1 AGRICULTURAL-RESIDENTIAL
MINIMUM LOT AREA = 1 ACRE
MINIMUM ROAD FRONTAGE = 150'
MINIMUM FRONT BUILDING SETBACK = 40'
MINIMUM SIDE AND REAR BUILDING SETBACKS = 15'
4. THE EXISTING USE IS AN OUTDOOR RECREATIONAL FACILITY, WHICH INCLUDES FISHING, HIKING, HUNTING AND TARGET PRACTICE.
5. THE SITE IS NOT SERVED BY PUBLIC OR PRIVATE UTILITIES.
6. ALL POTABLE WATER IS CARRIED IN. SANITARY SERVICE IS AN OUTHOUSE/PORTABLE TOILET.
7. THIS SITE IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PLAIN - PER F.I.R.M. TOWN OF LONDONDERRY, NEW HAMPSHIRE ROCKINGHAM COUNTY COMMUNITY-PANEL #330134 0010 B
8. THE BASE MAP WAS COMPILED FROM THE TOWN OF LONDONDERRY GIS DATA.

ESTIMATED CONCEPTUAL CUT AND FILL VOLUMES

CUT: 89900 YARDS
 FILL: 9000 YARDS
 NET: 80900 YARDS (CUT)



USDA - NRCS SOILS
 12B - HINCKLEY
 43C - CANTON
 97 - MONTAUK
 140B - GREENWOOD AND OSSISPEE
 140C - CHATFIELD-HOLLIS-CANTON



REV.	DATE	DESCRIPTION	BY

SHOOTING RANGE - CONCEPTUAL LAYOUT
 TAX MAP 8 • LOT 12
 LAND BETWEEN THE MUSQUASH
 CONSERVATION AREA AND
 THE LITCHFIELD TOWN LINE
LONDONDERRY, N.H.

PREPARED FOR
LONDONDERRY FISH AND GAME
 PO BOX 229
 LONDONDERRY, NH 03053
APRIL 4, 2011

SCALE: HORIZ. 1" = 100'

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