



**Londonderry Conservation Commission**  
**Tuesday, August 23, 2011**  
**Minutes**  
**Page 1 of 4**

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



Londonderry Conservation Commission  
Tuesday, August 23, 2011  
Minutes  
Page 2 of 4

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



Londonderry Conservation Commission  
Tuesday, August 23, 2011  
Minutes  
Page 3 of 4

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.**

111



Londonderry Conservation Commission  
Tuesday, August 23, 2011  
Minutes  
Page 4 of 4

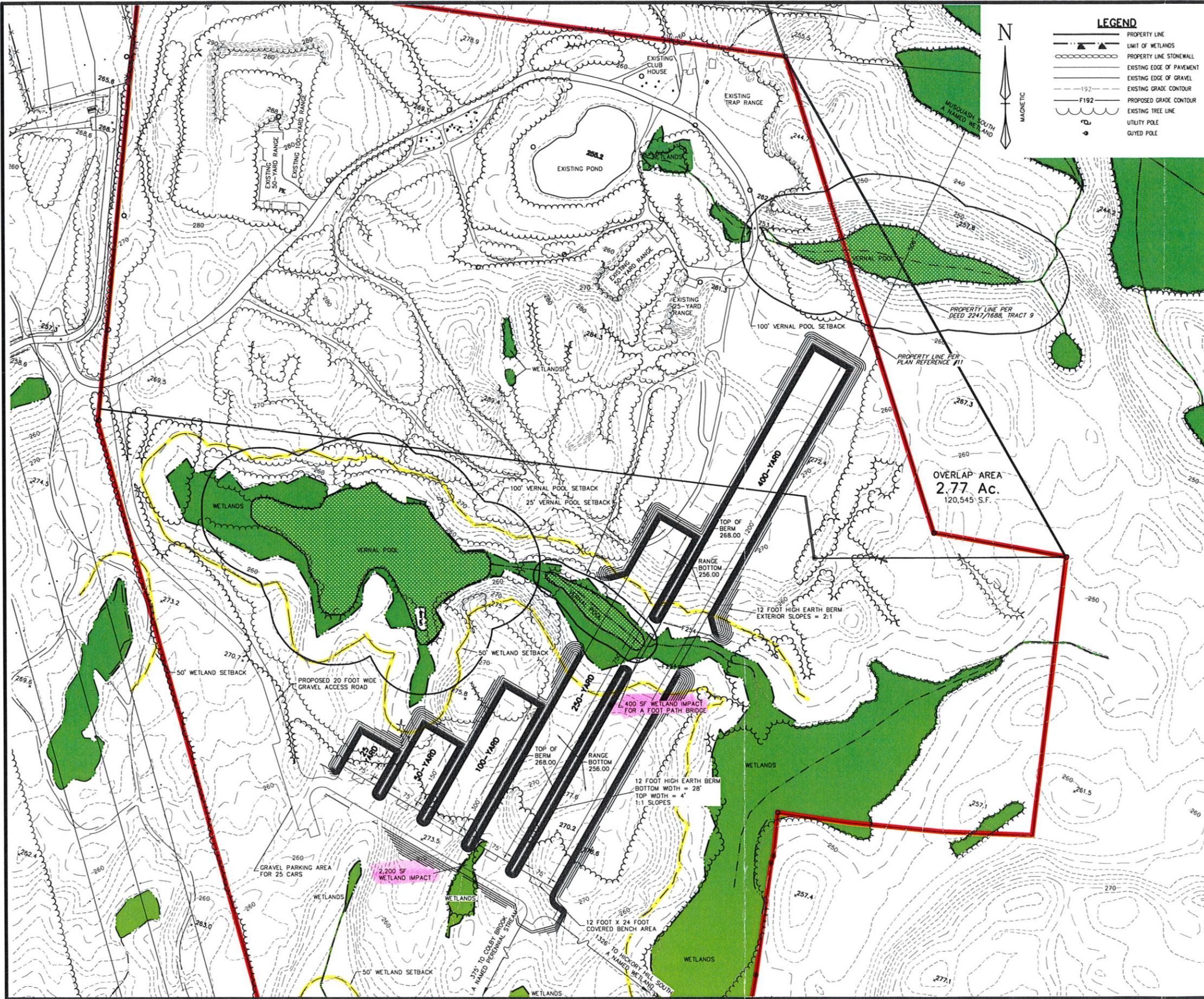
112 Acquisition definition- The LCC recently approved a motion to expend an amount not to exceed  
113 \$50,000 from the Open Space Protection Fund to pay debt service on Open Space bonds for FY13 (see  
114 July 12 minutes). This was done with advice from the Town Attorney who interpreted the term  
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.

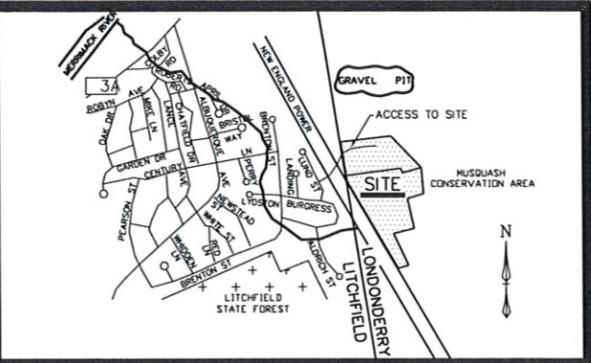
124  
125 Respectfully submitted,

126  
127  
128  
129 Jaye Trottier  
130 Secretary



**LEGEND**

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



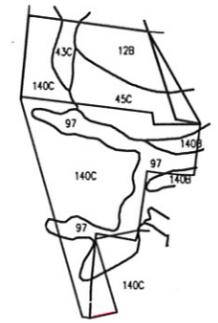
**VICINITY MAP**

**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  
97 - GREENWOOD AND OSSISPEE  
140B - CHATFIELD-HOLLIS-CANTON  
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

0 50 100 200 300 400 FEET  
SCALE: HORIZ. 1" = 100'

PREPARED BY  
**ERIC C. MITCHELL & ASSOC. INC.**  
PLANNING - ENGINEERING - SURVEYING - ENVIRONMENTAL  
P.O. BOX 10298, 55 SO. RIVER RD., BEDFORD N.H. 03110-0298  
PH. (603) 627-1181