



Londonderry Conservation Commission
Tuesday, October 26, 2010
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1 **Present: Deb Lievens, Gene Harrington, Mike Considine, Paul Nickerson, Truda Bloom, and Mike Speltz**

2
3 Vice Chair G. Harrington called the meeting to order at 7:32 PM. He appointed M. Speltz to vote for Ben
4 LaBrecque

5
6 October 12, 2010 minutes- G. Harrington entertained a motion to approve the minutes of the October 12,
7 2010 public session.

8
9 Chair D. Lievens arrived.

10
11 **T. Bloom made a motion to approve the minutes of the October 12, 2010 public session as written. P.**
12 **Nickerson seconded. The motion was approved, 5-0-1 with M. Speltz abstaining as he had not attended**
13 **the meeting.**

14
15 Mathes (Musquash trail)- At the September 28 meeting, M. Speltz suggested contacting Roger Mathes,
16 owner of map and lot 8-21 about a trail easement on his property for the portion of the Musquash Green
17 Trail that meanders along part his northern boundary. The land is not posted against trespassing, nor has
18 R. Mathes ever objected to hikers on his property, but G. Harrington advised an easement could be prudent
19 with respect to future owners. D. Lievens reported that while R. Mathes still did not object to the trail
20 itself, he was not interested in an easement. He was pleased to hear from her that ATV use has decreased
21 on his land, as that has been his only real concern with the trail. M. Considine added that ATV use has
22 decreased overall in the Musquash Conservation Area and did not believe any had specifically taken place
23 on the Mathes property for some time.

24
25 Aquatic Resource Mitigation Fund- D. Lievens and M. Speltz have continued to work with the Town
26 Attorney to obtain a quitclaim deed from Jean Gagnon who, through a technicality, still owns the
27 northeastern portion of map and lot 6-113 (see August 24 and October 12 minutes). Since the surveyors
28 hired to develop a wetland restoration plan are ready to start their work, the LCC is trying to have at least
29 written permission for them to access that portion. When the Planning Board approved the Abbey Road
30 subdivision abutting to the north, they conditioned it on the owner deeding the land in question over to the
31 Town. Although Jon Weigler was the owner at the time, M. Speltz said that if a resolution is not
32 forthcoming from the current owner, that condition could still be enforced. D. Lievens said she would
33 contact the Town Manager again for his assistance.

34
35 Monitoring- D. Lievens, P. Nickerson, and T. Bloom completed the annual monitoring of the Moose Hill
36 Orchard easements. Their attempt to inspect the Plummer easement on map and lot 8-1 was postponed
37 by inclement weather, so the three will coordinate another date. LCC members also divided the duties to
38 monitor the following easements: Jake Road (6-15-4), Hannaford (7-73), and Town Square Professional
39 Park Condominium Association (3-150-1).

40 D. Lievens reported that the Rockingham County Conservation District has consented to take
41 ownership of the first phase of the three Sunnycrest orchard easements and the associated monitoring
42 duties since they already own the other two phases. The baseline study they requested is already on file,
43 having been done in 2004. They had also requested a one-time contribution to their management fund



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44 from the LCC to finance stewardship. D. Lievens received an estimate based on the acreage of the
45 easement of \$7,319. In view of the fact that: 1) this would provide annual monitoring in perpetuity and 2)
46 no such contribution was required at the time that RCCD took ownership of the other two phases, the
47 consensus was that it was a worthwhile investment. The estimate also included fees totaling
48 approximately \$1,150 for development of an easement deed and associated legal costs but D. Lievens
49 believes those will be reduced since an easement deed already exists that can be used as a model.

50 She will next contact LCC Town Council Liaison Tom Dolan about scheduling a public hearing for this
51 matter. M. Speltz explained that the expenditure of funds for monitoring does not require Town Council
52 approval but reassignment of the easement and associated costs does because it would be considered a
53 transaction involving an interest in land.

54 Monitoring of the Ingersoll easement was completed by RCCD on October 8 and they will forward
55 their reports to the owners, The Society for the Protection of New Hampshire Forests. D. Lievens stated
56 that the only issues cited in the report were of a fallen tree fort behind map and lot 1-10-10 and some
57 dumped natural debris behind map and lot 1-4-8. M. Speltz added that SPNHF is also aware of a violation
58 where another abutter has reconfigured a stonewall to gain ATV access to the property.

59
60 Higgins easement- Modifications to the conditions of the conservation easement on map and lot 9-85 have
61 met with various approvals from the Planning Board, Zoning Board, LCC, and the State Attorney General's
62 office. The changes would allow property owner Dick Higgins to create a new lot through a subdivision on
63 the eastern portion of 9-85 and then provide access from a Town right of way off Winding Pond Road.
64 When the LCC voted their approval on August 24, the motion included a recommendation to the Town
65 Council of support for the amendments. D. Lievens said the issue is on the November 1 Town Council
66 meeting agenda. She noted that the LCC would eventually need to obtain an approved copy of the
67 adjusted easement from the Town Attorney.

68
69 Mack easement- D. Lievens stated that the grant funds awarded to the Town by the Natural Resources
70 Conservation Service through their Farm and Ranch Land Protection Program need to be expended by
71 March 31, 2011. Originally intended for a potential easement on map and lot 10-15 that did not
72 materialize, NRCS had consented to the possibility of transferring the monies towards another possible
73 easement on the Mack property 9-49. RCCD had written the original proposal on behalf of the town and
74 would be performing the update as well. No word has been received from Andy Mack Sr. as to whether he
75 would like to pursue the transaction, so M. Speltz offered to contact him again. Once he receives an
76 answer, D. Lievens can inform RCCD whether an update is needed.

77
78 New England Cottontail habitat- Emma Carcagno from the UNH Cooperative Extension met with the LCC at
79 their September 14 meeting along with Town Forester Charlie Moreno to discuss possible use of Town
80 owned land to connect to the New England Cottontail Rabbit habitat on map and lot 14-44-13. A section of
81 the northeastern part of the Musquash was being considered as a potential site because the variety of
82 shrubby vegetation there. C. Moreno forwarded a rough plan to E. Carcagno shortly after the September
83 14 meeting but told D. Lievens he has not received a response. D. Lievens is also waiting to be contacted
84 about scheduling an update at a future LCC meeting.



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86 Membership- Full LCC member Ken Henault has requested a change to alternate status because his current
87 schedule does not afford him the kind of time it has in the past. Mark Oswald has told D. Lievens that after
88 13+/- years of overall volunteer service to the Town, he is stepping down as an LCC alternate at the end of
89 the year. Alternate George Herrmann, however, will be able to devote more time than he has been able to
90 starting in March since he is not running again for School Board. D. Lievens proposed making G. Herrmann
91 a full member, which Commissioners agreed was a good idea. M. Speltz suggested that the two At-Large
92 members of the newly created Open Space Task Force might be possible alternates if their interest is
93 sparked during the OSTF process.

94
95 Musquash Trail Day- M. Considine reminded Commissioners that Londonderry Trailways is sponsoring a
96 Trail Day in the Musquash on November 6.

97
98 DRCs- 1) Rockingham Road site plan; 16-85:

99 No comments

100
101 2) Brewster Place conservation subdivision; 16-38

102 Comments: We understood there would be town water (CC meeting 5/25/2010)- what
103 happened to it? Cons Comm reiterates its concern that the connection between the eastern and western
104 sections of Phase 3 be maintained as naturally as possible. We believe we discussed the possibility of a box
105 culvert.

106
107 The meeting adjourned at approximately 8:50 PM.

108
109 Respectfully submitted,

110
111
112 Jaye Trottier

113 Secretary