



**Londonderry Conservation Commission**

**Tuesday, January 23, 2007**

**Minutes**

**Page 1 of 6**

**Present: Deb Lievens; Gene Harrington; Mike Speltz; Mike Considine; Ken Henault; Paul Nickerson and Mark Oswald**

Also present: Steven and Stacey Fassi, residents and Truda Bloom, resident

Call to order

D. Lievens appointed M. Oswald to vote for the empty seat

Town Forester- Charlie Moreno met with the LCC to discuss the management plan for the Town forest, i.e. the Musquash Conservation Area. In order for him to finalize his write up on the Musquash, the LCC needs to agree to a management plan that will be implemented.

His presentation began with a slide show overview of forest management. He demonstrated the difference between what is commonly conjured in the public's mind when hearing the term "forest management" (e.g. forest exploitation due to heavy logging and/or agro-forestry including site preparation, genetically bred trees, etc.), versus a lower impact, natural forestry of the land. The latter strives to improve the health and growth of a forest, thereby also improving associated wildlife habitat. This technique uses natural regeneration and low impact logging to encourage indigenous species while promoting a diversity of tree types as well as remove diseased trees while leaving a rich forest structure, including features such as "dead wood" to enhance biodiversity. It therefore provides an example of good resource management which will promote further environmental and educational opportunities while supporting the local rural economy.

Local forests, he explained, are of a relatively even age since they grew from abandoned pastures and clear cut areas. The resulting restoration work that is needed is key to boosting biodiversity in this region. While the oldest trees may only be a hundred and fifty years old, proper forest management can produce a multi age mix to help maximize the potential of this renewable resource. Also crucial is the development of a "kinship" between residents and their forests to ensure conservation of forests. Selective logging will not only thin areas to increase variety but will create a moderate cash flow that can help fund further education and recreation for the public, as well as studies, land improvements and management (see "internal access" below).

Logging, however, should not be confused with commercial cutting that will often threaten a forest's health for mere financial gain. Rather than reducing a forest to the point where it can take decades to regain its former density, proper thinning should increase the capacity of the forest to what the land can support. Doing so will increase timber values over time as well. Coordination of the forester, the logger and the property owner (in this case, the Town), is necessary to ensure a positively reinforcing cycle of resource management and public involvement.

C. Moreno then submitted his management objective outline which identified specific goals regarding forestry and wildlife, recreation, education and scientific study. M. Speltz noted that while the majority of the objectives were associated with one another, it would be helpful for C. Moreno to indicate those that have potential to be in competition with one another. C. Moreno agreed that that was an important distinction to make.

In terms of the Musquash specifically, C. Moreno identified access and protection of rare plant species as two key management issues. Access, he explained, can be achieved either



**Londonderry Conservation Commission**  
**Tuesday, January 23, 2007**  
**Minutes**  
**Page 2 of 6**

externally, through a temporary agreement with an abutting landowner, or internally by extending and upgrading existing paths and/or woods roads. While the external option is less invasive and time consuming, it will often be more costly not only because a fee will usually be involved but because the road may need to be upgraded before access can take place. Being temporary in nature, the LCC would also have to make the same or similar arrangements and upgrades every time they need access for logging. The advantage, however, is that the use of another landowner's access will typically not create an increase in ATV use as a new internal access would. Although an internal system would also require funds for an upgrade so the road could support logging trucks, it would only need to be done once and then simply maintained. Following some discussion, the LCC decided to opt for an expansion of their internal access beginning at Hickory Hill Drive by roughly 2,000 to 2,500 feet, to be phased in over time as different sections of the Musquash are selectively logged.

The possible increase of ATV use would be dealt with as it has been previously; by use of Jersey barriers or large stones to block entranceways, along with police patrols. M. Considine added that as he has witnessed an increase in (allowed) recreational use of the Musquash, he has also seen a corresponding decrease in ATV use.

C. Moreno asked how often the LCC would like to log in the Musquash. He explained that the area could be divided into anywhere from a half dozen to a dozen or more sections, which would consequently increase how often logging should take place. The LCC felt that perhaps a minimum of every three years would be an adequate amount of time between cuts. M. Speltz cautioned that he would rather not see the LCC lock themselves into a schedule from which they cannot deviate if it is not worthwhile to log in the Musquash one particular year. Instead, if it is not prudent during a particular phase, perhaps another area such as the Kendall Pond Conservation Area could be logged instead. It was also verified that beyond the existing kiosks, the LCC does not want any structures to be built in the Musquash.

C. Moreno reviewed the detailed maps he has generated which include most of the recent additions to the Musquash. D. Lievens requested that a reduced copy of the final map be provided for the LCC's files, as well as a larger 24" x 36" version that can be available for meetings and for the general public. C. Moreno replied that he would do so. Several pieces that may or may not officially be part of the Musquash were discussed and still need to be sorted out with the assistance of the Town GIS Coordinator and/or through deed research. M. Considine asked that existing cellar holes be identified on the maps so that they will not be disturbed.

Invasive species have yet to become as large a problem as they have in other areas of town. C. Moreno explained that it would be ideal to identify and remove them now before they do become an issue. These, along with rare species that need to be protected, will have to be identified first before any upgrades are done to the road. M. Considine also asked if the significant beaver damming could be dealt with and C. Moreno said it could be.

C. Moreno will meet again with D. Lievens to review more of the specifics of the overall management plan.

January 9, 2007 minutes- D. Lievens noted a typographical error on page 5 under the heading "Plummer easement" where part of a sentence had been repeated.

D. Lievens also noted that under the same heading, she had been the one to offer to speak with Eric Mitchell regarding the original plan of the Chandler Drive subdivision, not M. Speltz.

**G. Harrington made a motion to approve the minutes of the January 9, 2007 public session as amended. P. Nickerson seconded. The motion was approved 7-0-0.**



**Londonderry Conservation Commission**

**Tuesday, January 23, 2007**

**Minutes**

**Page 3 of 6**

Moose Hill easement- M. Speltz reported that he has done some additional research on the history of this easement (see November 28 and December 12, 2006 minutes). He suggested it would be best to simply acknowledge that some good faith error occurred when the easement was created. Then the Town and Andy Mack could meet to decide whether he keeps his easement and the Town relinquishes theirs or if he should be the one to relinquish and the Town assign theirs. M. Speltz will still need to speak with the Town Attorney to get his input.

Community Open House- The local Re/Max real estate office is sponsoring an open house for non-profit groups on January 28, 2007, from 1pm to 3pm at the Londonderry High School. The LCC has reserved a space, feeling it will be a good opportunity to inform the public about the benefits of the Open Space Plan since an Open Space bond will be on the ballot at Town meeting in March.

To follow up on arrangements discussed at the last meeting, D. Lievens provided M. Speltz and M. Oswald with conservation refrigerator magnets to hand out, along with a scrapbook of the Musquash Conservation Area to put on display. Although she will not be attending the event, she will also try to make sure apples will be available for the public. She will also have brochures available regarding the history and importance of the Musquash.

As stated previously, M. Speltz will create a flyer presenting the argument for the preservation of open space, along with examples of conservation achievements in town. He said he would get the final draft to M. Oswald before Friday, January 26<sup>th</sup> in time to have copies printed. M. Oswald offered to pay for the cost of printing the flyers since the LCC would not be using taxpayer's funds for an endeavor of this type.

Open Space bond- The LCC has recently discussed ways to make their arguments for open space known to the voters for the upcoming Town Meeting in March (see also January 9, 2007 minutes). The Town Council had previously voted 3-2-0 to place the bond question on the ballot.

M. Oswald provided an update to LCC members as their Town Council liaison. At the January 22<sup>nd</sup> Town Council hearing, the Council voted 3-2-0 to not offer their official support for the bond on the actual ballot. He summarized their opinion by paraphrasing one of the Councilors who stated that after several years of obtaining \$1 million dollar bonds, perhaps it would be better to wait until 2008 to consider another one, in view of the recent negative sentiment amongst residents regarding overall tax increases.

M. Speltz acknowledged that viewpoint and said he got the impression from the meeting that the Councilors' focus was mainly on the current tax situation alone. The Open Space issue, he countered, is a broader issue as it relates to taxes. While there is a short term cost related (and not an overburdening one, he added, at three cents per thousand), the long term gain is better for the taxpayers since town and school services will not have to be paid for conserved land. To have taxpayers understand the Open Space argument correctly, he stated, there has to be a more expansive view of the impact on taxes.

The Budget Committee has yet to make their decision on whether to recommend support.

Cross property, Adams Road CUP- Michael Gospodarek of Edward N. Herbert Associates was joined by Luke Hurley of Gove Environmental Services and Arthur Cross to request a



**Londonderry Conservation Commission**  
**Tuesday, January 23, 2007**  
**Minutes**  
**Page 4 of 6**

Conditional Use Permit for this proposed subdivision on map 6, lot 79. The LCC had originally seen a similar plan in 2004, during which time they had supported the applicant's request for a cul de sac, despite Town staff's recommendations that this new road be connected with the cul de sac to the south (Crosby Lane). The applicant asked that the LCC consider reaffirm their position. Since the original plan, the Conservation Overlay buffer has been increased since it was noticed that 100 feet would be required from the centerline of the stream on the southern end of the lot.

Storm water management was reviewed as involving a catch basin system that would culminate in a detention basin placed below the bulb of the cul de sac and reaching into the outer half of the buffer on proposed lots 79-4 and 5. While it would impact 11,639 square feet, M. Gospodarek pointed out that the intrusion would occur on the outer 50 feet of the buffer. Luke Hurley added that there would be no wetland impacts.

D. Lievens asked whether or not the owners of those lots would be responsible for maintenance of the basin. M. Gospodarek said it would be maintained by the Town and that access would be facilitated by an easement. He also confirmed that access will not infringe on the buffer. She then questioned whether lot 79-5 would be easily sold since the majority of it is occupied by the basin. It was believed it still would because the designated "4K area" would be sufficient space for a yard.

The LCC made several suggestions on possible ways to move or reshape the detention basin in order to eliminate some of the impact, even if not all of it could be removed. One was to elongate the basin. Another was to remove lot 79-5 altogether so that the basin could be pulled further northwest. They also reviewed their "Goals for Minimizing Buffer Impacts" with the applicant to demonstrate that drainage ways should be perpendicular to the buffer if there is no way to avoid the impact. M. Gospodarek acknowledged that he was aware of the preference and noted that this plan fell under the "acceptable" version where drainage ways run parallel to the wetland on the outer 25 feet of the buffer. (As noted before, this is a 100 foot buffer and the impact would be to the outer 50 feet. M. Considine stated that he felt the spirit of the LCC's request was still being met in this instance, although G. Harrington disagreed, stating that it would only be 'acceptable' if the 25 foot measure was adhered to).

Following further discussion, G. Harrington asked if the part of the detention basin on lot 79-4 could be reconfigured so as to move it closer to the driveway on that lot, thereby pulling more of the southern end out of the buffer. The consensus of the LCC was that no motion could be made to recommend approval of the CUP until it is determined whether or not the basin can be moved. M. Gospodarek said he could look into recalculating the plan and trying to remove more of the impact.

The revised plan will be presented at the February 13<sup>th</sup> meeting.

Elections- D. Lievens entertained motions for the positions of Chair and Vice Chair for the LCC.

**G. Harrington nominated D. Lievens for the position of Chair. P. Nickerson seconded. The nomination was approved, 6-0-1 (D. Lievens abstained).**

**K. Henault nominated G. Harrington for the position of Vice Chair. M. Oswald seconded. The nomination was approved, 6-0-1 (G. Harrington abstained).**

Monitoring subcommittee- **G. Harrington made a motion to invite P. Nickerson to Chair a subcommittee on easement monitoring in order to relieve the Chair of some of those**



Londonderry Conservation Commission

Tuesday, January 23, 2007

Minutes

Page 5 of 6

responsibilities. P. Nickerson agreed. **K. Henault seconded the motion. The motion was approved, 6-0-1 (P. Nickerson abstained).**

Accounts (reimbursement)- **D. Lievens entertained a motion to reimburse the Chair for phone (\$30.19) and postage (\$54.84) expenses incurred between July 1, 2006 and December 31, 2006 from the line item budget. K. Henault so moved. M. Oswald seconded. The motion was approved, 6-0-1 (D. Lievens abstained).**

SNHPC surface & groundwater studies- LCC members received individual correspondence from the Southern New Hampshire Planning Commission asking for a letter in support from the Town Council to the Governor for two surface water and groundwater studies which will investigate current and future water supply and wastewater needs for the Merrimack River Basin. A further request was made for the Town to contribute Conservation funds in the amount of \$3,500 a year over a three year period to help fund the project along with State and Federal funds. These requests were made of each municipality in the SNHPC's region, asking that the letters of support to be submitted by January 31, 2007.

M. Oswald said he had not seen any such correspondence coming through to the Town Council. He added that they do not meet again until February 5<sup>th</sup>, so official support would not come until after the deadline. The LCC did not feel they received the letter with enough advance to duly consider the request, especially since they questioned whether Open Space funds or any Conservation funds could be used legitimately.

Following some discussion, **G. Harrington made a motion to authorize the Chair to write a letter to the SNHPC stating that while the LCC agrees the topic is of concern to them, the funds should probably come from the Town, not the LCC specifically, and that the Town should have been given more time to accommodate such a request into their annual budget. K. Henault seconded. The motion was approved, 7-0-0.**

Mitigation (contributions in lieu of land)- D. Lievens reported that mitigation funds agreed upon for the Ravenna Investments Associates project on lots 7-40-5, 6, 7 & 10 will definitely be placed in the Open Space fund as opposed to going to the State. Where individual towns used to be able to accept these payments directly, a new RSA has them pooled into a general State watershed fund to which Towns can then apply for funding of other open space/water protection projects. D. Lievens verified that the State wetlands permit notes that approval is contingent upon making a one time donation of \$56,760 to the Town's Open Space fund prior to commencement of any site development.

However, the arrangements for the donation due from Coca-Cola for their proposed addition on Symmes Drive were done after the law was changed. Their \$52,394.00 donation will go into the watershed fund so that the LCC can apply for those funds for another project at a later date.

Environmentally friendly parking- TFMoran sent the LCC a letter announcing that Stonyfield Farms will be the site of a test case for a new form of environmentally friendly parking. A one acre portion of a new three acre parking lot will be constructed with a porous pavement. If the test is successful, TFMoran plans on using the technology in future projects. D. Lievens stated her enthusiasm over the opportunity to try to implement an idea that the LCC has requested many times over the years.



**Londonderry Conservation Commission**

**Tuesday, January 23, 2007**

**Minutes**

**Page 6 of 6**

Musquash Field Day- The LCC continued to discuss the coordination of events for this year's Musquash Field Day, to be held February 10th. D. Lievens distributed flyers to LCC members for them to post at different places around town. Since a reporter from the Union Leader was present at the meeting, D. Lievens said she would email him a copy, even though the UNH Cooperative Extension will be notifying newspapers as well. Eastern Mountain Sports, who normally donates snowshoes for the event, will be publicizing it as well because they are attending in order to host their own snowshoe event.

M. Oswald stated that he had lined up two Boy Scout troops who may make presentations on topics such as winter survival methods. D. Lievens mentioned that greeters will be needed so perhaps the scouts could do that as well. George Herrmann had relayed to M. Oswald that the Alert Team will be represented in some form to discuss search and rescue tactics.

M. Considine will be obtaining the permit from the Fire Department to have the bonfire. D. Lievens will be reproducing maps of and general information about the Musquash.

DRC's- (3)

1. Hovey View Estates subdivision, 10-42-1

No comments

2. LHRA (Harvey Road bus terminal project), 14-44-11

Comments:

Lacks wetland scientist stamp

Drainage detention area violates wetlands buffer

No snow storage shown

3. 172 Rockingham Road, minor site plan for change of use, 15-61-1

No comments

Photography contest- D. Lievens expressed interest in developing a conservation land photography contest as the Town of Bow had recently done. She posed that it could be made a part of the "Art on the Common" day in September. Prizes could either be funded by the LCC or through local business contributions.

**G. Harrington made a motion to adjourn. P. Nickerson seconded. The motion was approved, 7-0-0.**

Respectfully submitted,

Jaye Trottier  
Secretary