



Londonderry Conservation Commission
Tuesday, June 25, 2019
Minutes

1 **Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Mike Noone, member; Bob Maxwell,
2 member; Jocelyn Demas, alternate member and Mike Speltz, alternate member

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4 **Absent:** Deb Lievens, member; Mike Byerly, member; Richard Floyd, member; and Town Council liaison
5 member

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7 **Also present:** Amy Kizak, GIS Manager/Comprehensive Planner and Beth Morrison, Recording Secretary

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9 Marge Badois called the meeting to order at 7:30 pm. She appointed J Demas to vote for M Byerly and
10 M Speltz to vote for D Lievens

11 **DRC & CUP – 14 North Wentworth Ave, Map 14 Lot 44-25 – Chris Tymula:** Chris Tymula, engineer from
12 MFH Design Consultants, 44 Stiles Road, Salem NH, introduced himself to the Commission. C Tymula
13 explained that the parcel is currently developed where there is an existing warehouse already and they
14 would like to redevelop the site putting an addition on the back of the site. He noted that this site had
15 been before the Commission ten years ago for a Conditional Use Permit (CUP) and what has changed are
16 the wetlands have been updated and ownership of the site, but stated that everything else is the same
17 as it was ten years ago. He said that they are proposing to expand the size of the warehouse with a
18 20,680 SF addition, as well as extending pavement and loading zones, which encroaches on the 50 foot
19 Conservation Overlay District (COD). He reviewed the new drainage plan with the Commission. M Badois
20 asked why the pavement needed to increase. C Tymula said that was to accommodate for the truck
21 turning in the loading dock section. M Badois asked if the addition could be moved and therefore avoid
22 the encroachment. C Tymula said that it would not affect the encroachment, as they would still need a
23 truck to get into the site to do work on the storm water pond they will create to regrade it so the new
24 drainage can handle the storm events. G Harrington asked if the pavement was inside the buffer. C
25 Tymula said that the pavement is inside the buffer at a specific location for expanding the truck
26 movement. M Speltz asked why work needed to be done on the detention basin itself. C Tymula stated
27 that they are keeping the basin the same, but just are working with the side slopes, to make sure there
28 is enough capacity of the pond to handle the increase in pavement. M Speltz asked if he had spoken to
29 New Hampshire Department of Environmental Services (NHDES) about changing to infiltration system. C
30 Tymula said that since it is already an existing catch basin there is not much they can do to change the
31 way it is modeled now. M Speltz asked for the total encroachment footage in the buffer. C Tymula said it
32 was approximately 3,000 SF of buffer impact. M Speltz asked if the tenant of the building had changed. C
33 Tymula said that he believes that the tenant is the same right now, but noted that the lease is up. G
34 Harrington said that he did not see any plant listing on the DRC. C Tymula said that the applicant is
35 requesting a waiver for landscaping, but would not push back if it was something the Commission
36 wanted. G Harrington said that he wants to make sure no more invasive species get planted if they do



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37 landscape. G Harrington made a motion to recommend approval of the CUP to the Planning Board. B
38 Maxwell seconded the motion. The motion passed, 6-0-0.

39 **DRC – 39 Mammoth Rd, Map 1 Lot 52-2, Jigsaw Condo Conv.:** The Commissioners reviewed the DRC
40 for Map 1 Lot 52-2, Jigsaw Condo Conversion. The Commissioners commented that they observed a
41 detention basin on the property that is not shown on the plans.

42 **Unfinished Business**

43 **Kendall Pond event:** M Badois told the Commission that she felt the event was a success. G Harrington
44 asked if this would be an event the Commission would do again next year. M Badois said she would like
45 to do it again. G Harrington suggested scheduled hike times for next year. G Harrington made a motion
46 to reimburse M Noone \$150.11 for refreshments for the Kendall Pond Event from the line item budget
47 that starts July 1, 2019. J Demas seconded the motion. The motion passed, 6-0-0.

48 **Encroachment - Ashley Drive:** M Noone told the Commission that he and M Byerly went walking along
49 the encroachment area and found that there was plowed dirt disrupting the easement all the way up to
50 Mack's property. He said that they were able to find a monument marker and measured 20 feet off the
51 marker for that. He noted that in the right-of-way there were a lot of debris, concrete wall and grass
52 clippings. He said that he would most likely send three cease and desist letters, but did note that he did
53 not have a boundary on one side if there was any push back and asked if a survey should be done. M
54 Speltz said that he felt the Commission could hang CO flags going off the monument M Noone found
55 without having to have a survey done. He asked if anyone had followed up with the person who
56 originally put in the complaint. M Noone said that he had not yet, but would be.

57 **Encroachment - Gilcreast Road:** M Noone told the Commission that the owner had removed the shed
58 and pallets, but had started to mow the lawn, so he sent a fourth letter. He said he reviewed this with
59 the attorney who advised to send another letter instead of proceeding with fines.

60 **Brownfield Assessment:** M Speltz told the Commission that Kevin Smith, Town Manager, has been
61 trying to connect with someone from NHDES to find out exactly what the Town needs to do to get the
62 process started. M Badois asked if there had been a scope of work created. M Speltz said that Steve
63 Cotton, Administrative Support, is in charge of this project, but again nothing has been done as he is
64 waiting to hear from Kevin Smith. He asked A Kizak if she could reach out to Kevin Smith to see what is
65 going on. A Kizak said that she would reach out to Kevin Smith.

66 **New Hampshire Fish & Game:** M Badois said that she and J Demas met with Fish & Game when they
67 spoke to the neighbors of the Cooper parcel. She said that Fish & Game had a good presentation on



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Minutes

68 rabbits and turtle habitats, which segued into the ATV problems. M Badois said that two people at the
69 meeting were upset that they could not ride ATVs here. She noted that other people from different
70 towns are trailering in their ATVs to ride here and asked if there were any more ATV signs they could put
71 up. She said that this is going to be a great project for the Conservation Officer who starts on July 1,
72 2019 to work on.

73 **Hickory Hill:** M Badois told the Commission that Eversource finally got back to her and they are talking
74 to their lead engineer about their concern about the level of clearance with the lines on the ground, as
75 well as the parking lot being so close to the lines, it may result in people getting an occasional shock
76 when they get into their cars. She said they noted no one would get injured, but it is an unpleasant
77 surprise. She said that she awaiting an email from the engineer.

78 **Wetland - 46 Pettengil Road:** M Badois said that last month they reviewed this wetland project where
79 there was not a unanimous vote to approve this. She noted that NHDES wanted to know what the
80 objections/comments were for the Commissioners who voted against it. G Harrington said that he voted
81 against it and felt that the minutes from last meeting reflected the objections and M Badois should sent
82 those to NHDES. M Badois said she would email the minutes to NHDES.

83 **Southern New Hampshire Planning Commission (SNHPC):** A Kizak told the Commission that the bike
84 counter had been at Faucher Road for about two weeks and would be going to the next location at
85 Adams Pond Trail. M Speltz said that he thought another good location would be at the Peat Bog. A
86 Kizak said she would ask if the Peat Bog location could get done sooner than later.

87 **New Business**

88 **New Hampshire Department of Transportation (NHDOT) letter:** M Badois informed the Commission
89 that she sent out a letter from NHDOT looking for mitigation properties. M Speltz said that he would
90 draft a list of properties from the Open Space Plan for the Commission to review.

91 **Scobie Pond Paddle:** M Badois asked the Commission if this should be scheduled twice a year as some
92 people will not hear about it the first time. M Speltz suggested that the Commission might want to try
93 advertising better. M Badois said that she was not sure, but suggested either July 27, 2019 or August 3,
94 2019. The Commissioners agreed that August 3, 2019, from 10 a.m. to 12 p.m., would be better for most
95 of them. J Demas asked for anyone to send her photos of past paddles and she would start advertising
96 on the Facebook page.

97 **Review Non-Public Minutes from 2002 & 2003:** A Kizak told the Commission that the way in which this
98 would be done was either a vote of yes to release the minutes or a vote of no to keep the minutes



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99 sealed. M Speltz said that he believed there was a ten year policy that anything over ten years old would
100 automatically be released. A Kizak asked if he knew where such a policy might be written. M Speltz said
101 it would be in the minutes and also thought there would be a written policy somewhere. A Kizak said
102 that she would try and find the policy that M Speltz spoke of and the Commission would wait to do this
103 until she had an answer.

104 **Public hearing:** M Badois informed the Commission that at the next scheduled meeting they would be
105 having a public hearing on about accepting the donated land on the Rail Trail. A Kizak told the
106 Commission that she would be putting out the legal notice regarding this in the paper tomorrow.

107 **Minutes:** The Commissioners went over the public minutes from June 11, 2019. G Harrington made a
108 motion to accept the minutes as amended. B Maxwell seconded the motion. The motion passed, 5-0-1,
109 with M Speltz abstaining.

110 **Adjournment:** G Harrington made a motion to adjourn the meeting at 8:53 p.m. J Demas seconded the
111 motion. The motion passed, 6-0-0.

112 Respectfully Submitted,
113 Beth Morrison
114 Recording secretary