



Londonderry Conservation Commission
Tuesday, September 25, 2018
Minutes

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

3
4 **Absent:** Roger Fillio, member; Deb Lievens, member; Julie Christenson-Collins, alternate member and
5 Ted Combes, Town Council member

6
7 **Also present:** Amy Kizak, GIS Manager/Comprehensive Planner and Beth Morrison, Recording Secretary

8
9 Marge Badois called the meeting to order at 7:30 pm. She appointed M Speltz to vote for R Fillio and R
10 Floyd to vote for D Lievens

11 **Old Business**

12 **Kendall Pond clean-up day:** B Maxwell informed the Commission that he walked the trail and did not
13 think the clean-up would be too bad. M Badois said that the Commission could get tools, such as a
14 chainsaw and trail trimmer, if needed. M Speltz asked B Maxwell how many pictures he had recently
15 gone through from the Kendall Pond camera. B Maxwell stated about 1400 pictures and there were
16 some night triggers. He noted that any not normal activity he had forwarded to the police. M Byerly
17 asked B Maxwell if he could extrapolate the pictures into how many people used Kendall Pond over a
18 period of time. B Maxwell pointed out that the camera will take two pictures every time it is triggered,
19 but he thought the number of people using Kendall Pond over a period of thirty days would be in the
20 low hundreds. M Badois said the Kendall Pond clean-up would be at 9 a.m. this Sunday.

21 **Griffin Road:** M Badois said that she is still confused how the money was taken out of the account
22 without her signing off on it. She asked if there is a policy or procedure in place for this. M Speltz said M
23 Badois should talk to Doug Smith, Finance Director, and thought they might have considered the
24 Commission's vote on Griffin Road the authority to make the expenditure. M Badois noted that when
25 the Commission votes to approve expenses, she is still signing authorization for the funds to come out of
26 the account. She also pointed out that the reported deed for Griffin Road has no mention of
27 conservation in it. She said that Kevin Smith, Town Manager, stated since it was purchased with
28 conservation money, so therefore, it is conservation. She asked how the conservation restrictions for
29 this property would be recorded. M Speltz informed her that there are no conservation restrictions on
30 this property because there is an advantage to having no restrictions as this property might be used in
31 the future as a match for a grant. M Badois voiced her concern with no mention of conservation
32 anywhere in the deed that fifty years from now, the town might not remember why the land was
33 purchased and sell it. M Speltz said that he would email the town assistant attorney about correcting
34 the deed.

35



Londonderry Conservation Commission
Tuesday, September 25, 2018
Minutes

36 **Water resource management:** M Badois informed the Commission that it should be posted now and
37 asked if the Commission should send it to prime candidates for bidding. M Speltz said he thought the
38 newspaper announcement would draw enough attention for candidates for bidding. M Badois asked if
39 there would be any grant resources that could be used for this. M Speltz said he looked and could not
40 find a good match. A Kizak stated there was nothing that she knew of for grants either. M Badois asked
41 M Speltz what she needed to know in order to be the contact person when he is away. M Speltz stated
42 he would check his email once a day when away. A Kizak offered to have the emails forwarded to her
43 also. M Badois noted that P Commerford from the Planning Board is very interested to be on the task
44 force and asked when a task force would be created. M Speltz stated that Kevin Smith, Town Manager,
45 should appoint the committee for this study with representatives from the Planning Board, Department
46 of Public Works and Engineering, Planning Department, an at-large member and if possible a Town
47 Council member. M Badois said she would email Kevin Smith about this.

48 **Gilcreast Road abandoned orchard:** M Speltz informed the Commission that the state has a program
49 called the Brownfield Assessment Program or the Brownfield Remediation Program, which helps
50 potentially contaminated properties be cleaned up for redevelopment. He said he emailed someone
51 asking if the Gilcreast property would be suitable for this program noting the response was a yes to the
52 property, but a caveat is the funding bucket. He said when the funding bucket is empty, they cannot
53 accept any more projects, and said this project might be on the table for early next year. He pointed out
54 that the project is performed in three phases with Phase 1 consisting of a record check of the site and a
55 walk around, Phase 2 are dirt samples and Phase 3 is the clean-up. He said he will brief the Town Council
56 about this project in November, as he needs the Town Council permission to apply for a grant. He said if
57 the Town Council approves, he will then submit an application. M Noone asked what the property would
58 be used for if the application was accepted. M Speltz said it could be used for public access, such as a
59 walking path. M Noone asked why the Town Council would be interested in this. M Speltz stated that for
60 starters the Town Council wants this property to look better.

61 **Land Acquisition Policy:** M Speltz stated he submitted the draft to the assistant town attorney and
62 Kevin Smith and would check back in with them. M Badois said that she is concerned about having a
63 process in place to make sure that the Commission is included before money is taken out their account,
64 after the issues with Griffin Road.

65 **New Business:**

66 **Liberty Utilities repair of drainage on Liberty Dr:** M Badois informed the Commission that Liberty
67 Utilities contacted her stating that they need to fix some drainage on Liberty Drive behind the 603
68 Brewery, which they believe is due to an old retention basin that is not functioning properly. She read
69 the summary from Liberty Utilities to the Commission about the project. She noted that there is no need



Londonderry Conservation Commission
Tuesday, September 25, 2018
Minutes

70 for any state permitting, as this is a manmade pond that is being maintained. G Harrington said that he
71 thought there is a special use permit, which is issued to clean out drainage swales. M Badois asked if
72 anyone needed to do a site walk or if the Commission was okay with this explanation. The
73 Commissioners agreed the explanation was fine and no site walk was needed.

74 **Budget:** M Badois stated it was budget season and she usually requests the exact same budget every
75 year unless there is something specific that is needed. M Speltz said he would like to see a ranger
76 position in the Commission's budget. B Maxwell asked if the Commission should ask for trail
77 maintenance equipment in the budget. M Badois said that the Commission donates to Trailways and
78 Trailways allows the Commission to borrow equipment when needed. M Speltz asked about having a
79 summer trail intern on the budget. M Badois said she liked this idea over the ranger and asked how
80 much the Commission would like to pay an intern. M Byerly calculated about \$7200 for three months. M
81 Speltz said to make it \$10,000 and have the official name be contracted trail and conservation area
82 maintainer.

83 **NHACC:** M Badois asked the Commission who was planning on attending the conference. She said the
84 price will go up after October 19, 2018, so it should be decided who will attend before this date. M
85 Badois stated she would research the previous motion made by the committee regarding the cost to
86 attend and get back to them.

87 **Garrabedian:** G Harrington asked if anyone knew if the Planning Board signed off on the Kings Road
88 subdivision. A Kizak said she did not know and would ask someone tomorrow and email him. G
89 Harrington stated he was curious because of the timber law regarding subdivisions.

90 **Wetlands:** M Badois informed the Commission that someone anonymously reported wetlands being
91 destroyed on Wiley Hill Road. She said she passed it along to Richard Canuel, Chief Building Inspector,
92 Health Officer, Zoning Administrator & Code Enforcement Officer, but he is out right now, so she
93 forwarded it to Brad Anderson, Code Enforcement Officer, who is covering.

94 **Complaint:** M Speltz stated that he filed a complaint with New Hampshire Department of
95 Environmental Services (NHDES) regarding the dirt moved from an adjacent wetland from Groundhog
96 Landscaping premises. He pointed out that from an aerial view the encroachments he found appear to
97 be true and he turned over the evidence to the New Hampshire Department of Transportation (NHDOT).

98 **Minutes:** The Commissioners went over the public minutes from September 11, 2018. M Byerly made a
99 motion to accept the minutes as presented. M Noone seconded the motion. The motion passed, 5-0-2
100 with R Floyd and M Speltz abstaining.

101 **DRC**



Londonderry Conservation Commission
Tuesday, September 25, 2018
Minutes

102 **Wallace Farm Condo Conversion (Map 16 Lot 3):** The Commissioners reviewed the DRC from Wallace
103 Farm condo conversion commenting that if there is some sort of violation that has a natural resources
104 impact it may be extremely difficult to assign responsibility and enforce restoration.

105 **Braeburn Drive Subdivision (Map 9 Lot 5):** The Commissioners reviewed the DRC from Braeburn Drive
106 subdivision commenting that in Lot# 5-9 there is a structure near the vernal pool that will compromise
107 its value. The Commissioners recommend a fifty foot natural buffer around the vernal pool in Lot #5-9 to
108 maintain the rare habitat.

109 **Amendment to Wetland Permit for sewage line extension under Route 102:** The Commissioners
110 reviewed the amendment to the Wetland Permit with no comments.

111 **Adjournment:** M Byerly made a motion to adjourn the meeting at 9:06 p.m. M Noone seconded the
112 motion. The motion passed, 7-0-0.

113 Respectfully Submitted,
114 Beth Morrison
115 Recording Secretary