



Londonderry Conservation Commission  
Tuesday, August 14, 2018  
Minutes

1 **Present:** Gene Harrington, Vice Chair; Bob Maxwell, member; Deb Lievens, member; Mike Byerly,  
2 member; Mike Noone, member; Richard Floyd, alternate member and Mike Speltz, alternate member  
3

4 **Absent:** Marge Badois, Chair; Roger Fillio, member; Julie Christenson-Collins, alternate member and Ted  
5 Combes, Town Council member  
6

7 **Also present:** Bruce Gilday; Amy Kizak, GIS Manager/Comprehensive Planner and Beth Morrison,  
8 Recording Secretary  
9

10 Gene Harrington called the meeting to order at 7:30 pm. He appointed R Floyd to vote for M Badois and  
11 M Speltz to vote for R Fillio

12 **Bruce Gilday – Evans Family Subdivision & LLA, Map 16 Lot 9:** Bruce Gilday introduced himself stating  
13 that he was here tonight to discuss the first comments about the actual development. He apologized to  
14 the Commission for not having any handouts they could review as he presented, as engineering did not  
15 have the final plan ready before the meeting. He reviewed the comments that the Commission had  
16 stated to him at the last meeting regarding there being too much impervious surface and too much  
17 wetland impact on the plans. He has a map of the plans on the conference table for the Commission to  
18 look at as he talked about the new proposals from the engineer. He stated that there was going to be  
19 the elimination of certain parking areas on the map, which would be ultimately filled with loam and  
20 seed. He also stated that the building size would be reduced about 20%. M Noone asked if they regain  
21 some parking spaces with the reduction of the building. B Gilday stated that they did. He also reviewed  
22 the new wetland impact on the map with the Commission. He reiterated that the mitigation ration  
23 would remain 20:1. He stated that he could send the new plans electronically to the Commission once  
24 he receives them from the engineers so they would be kept abreast of any new developments. He  
25 stated that during a walk around the site, it was discovered that there were nine fairy shrimp in a dying  
26 vernal pool and he has been cleared by Fish & Game to hand carry the fairy shrimp to the vernal pool on  
27 the mitigation site. D Lievens asked if there was going to be enough parking on site now. B Gilday  
28 answered that was an interesting question and would be discussed at the Planning Board meeting, but  
29 engineering told him those parking areas could be eliminated and they would still meet the  
30 requirements. He stated that he would be meeting with Lori Sommer, New Hampshire Department of  
31 Environmental Services (NHDES), regarding the mitigation and he would forward copies of the minutes  
32 to M Badois. M Speltz reviewed the idea of having the ownership of the mitigation land transferred to  
33 the town with a right of NHDES to enforce, but noted that Town Planner Mailloux pointed out that the  
34 problem with this idea is that there is a creation of a noncompliant lot where there is a 50 foot right-of-  
35 way and 150 feet of frontage is needed. He noted that another plan would be to grant an easement to a  
36 conservation entity or take the 15 feet and expand it to 150 feet at the very end to make it a compliant  
37 lot.



Londonderry Conservation Commission  
Tuesday, August 14, 2018  
Minutes

38 B Gilday stated that he cannot give an answer tonight about that but would let the appropriate parties  
39 know. M Speltz stated there might be another possibility of getting a variance through the Zoning Board  
40 of Adjustment (ZBA). M Byerly asked if he knew what kind of business was going to be here. B Gilday  
41 stated he did not know that information at this time.

42 **Randall Shuey, Northpoint Engineering, LLC:** Randall Shuey introduced himself to the Commission  
43 stating that he is helping Bedford Design Consultants engineer a wetland application for 37 Mammoth  
44 Road, Map 1 Lot 52. He stated this is a 3 lot subdivision and goes over the proposal on the map with the  
45 Commissioners. He stated that he delineated the wetlands on the property this spring. He reviewed the  
46 wetlands on the property with the Commissioners noting there is a small road side swale on the front of  
47 the property, a large forested wetland and a wetland in the back of the property, which looks like a  
48 vernal pool; however, he did not analyze this. He stated that there is a driveway access that needs to  
49 cross the small road side swale where it is proposed to have 100 SF of impact. He is here tonight to  
50 request a minimum impact expedited wetland application from the Commission. G Harrington stated  
51 that he does not see the rain gardens mentioned on one of the plans. R Shuey stated this plan was just  
52 the wetland impact plan and informed the Board that he has not been involved at all in the design  
53 discussion, he was in fact handed the plans and asked to help prepare a minimum impact expedited  
54 wetland application. G Harrington stated that a rain garden should not be in the buffer. M Speltz stated  
55 that he would like to have engineering explain to the Commission why they have the rain gardens where  
56 they are. R Shuey stated that he would be happy to bring back comments from the Commission tonight  
57 for the engineers. G Harrington asked for two Commissioners to go out and look at the site to verify the  
58 minimum impact expedited wetland application. He stated that he would meet R Floyd on Thursday  
59 morning, August 16, 2018, at 9 a.m.

60 **Old Business**

61 **Kendall Pond:** G Harrington informed the Board that the work was delayed due to issues with a bucket  
62 truck and work with now start on August 17, 2018.

63 **Land acquisition process:** M Speltz reviewed M Noone's comments with him. He proposed that M  
64 Badois and himself meet with Kevin Smith, Town Manager, to see what the next steps are. The  
65 Commissioners agreed.

66 **Water resource management:** M Speltz stated that the binders on the table tonight are the plan itself  
67 from 1991. He stated two new documents have been generated. He explained the first is the scope of  
68 work, which was negotiated with Southern New Hampshire Planning Commission (SNHPC) and the  
69 second was a Request for Proposal (RFP) from Steve Cotton, Administrative Support Coordinator. He  
70 noted that the RFP is asking potential bidders to submit a bid on the project and the scope of work



Londonderry Conservation Commission  
Tuesday, August 14, 2018  
Minutes

71 details exactly what the project is asking for. He stated that based on advice from Steve Cotton, the  
72 Commission does not need to do an authorization to spend any funds yet because the first process is to  
73 gather bids. He proposed not to take any action until the next scheduled meeting when the  
74 Commissioners have had a chance to review the scope of work. In support of that plan, commissioners  
75 were asked to review the handout prior to the next meeting.

76 **Turtle signs:** M Noone explained that Fish & Game gave him locations of where to put the turtle signs,  
77 but wants to cut the signs in half to make them fold over. He stated that Fish & Game think that the  
78 signs should be folded over after turtle season in hopes that they will stand out more. He noted that  
79 someone will have to be responsible for flipping the signs back up when turtle breeding season starts.  
80 He stated he thought that M Badois was going to give the signs to Fish & Game.

81 **Old Home Days:** G Harrington stated that the theme of the Commission's booth is New England  
82 Cottontail. He stated that M Badois has prizes ordered, tent, table, chairs, banner, map poster and trail  
83 maps. He stated that no one from Fish & Game will be able to attend, but there are going to be  
84 brochures about turtles and rabbits. He stated that M Badois is planning on being at Old Home Days at 8  
85 a.m. to set up. M Byerly stated that the booth area opens at 10 a.m. and he would let M Badois know  
86 she can come around 9 a.m. G Harrington asked if the Commissioners should make a schedule for  
87 operating the booth. M Byerly asked who can attend Old Home Days. R Floyd and M Speltz stated they  
88 could attend. M Byerly noted that it would be M Badois and R Floyd from 9 a.m. to 11 a.m., M Speltz  
89 from 11:30 a.m. to 1:30 p.m, and he would cover the rest of the day until 4 p.m.

90 **Musquash signs:** G Harrington informed the Commission that the Eagle Scout had picked up the posts  
91 and signs from M Badois. M Noone noted that the Eagle Scout is identifying the highest elevation in  
92 Musquash with a sign and will put Dunstable Rock on the map.

93 **Times Articles:** D Lievens stated she thinks it is best to have M Badois' article about bittersweet be  
94 published now instead of later and she will hold onto her article about lawns until the spring. She stated  
95 that she thought J Christenson-Collins would be writing the next article.

96 **Transportation alternatives program grant:** G Harrington stated that there was a letter here tonight  
97 regarding the transportation alternative program grant and believed there was no vote to sign it. A Kizak  
98 stated she had brought this up at the last meeting. D Lievens made a motion to allow the vice chair to  
99 sign the letter regarding the transportation alternatives program grant. M Noone seconded the motion.  
100 The motion passed 7-0-0.

101 **Reimbursement:** M Noone informed the Commission that the total cost for the improvements to the  
102 Musquash was going to cost \$72.14. M Byerly made a motion to reimburse M Noone \$72.14 from the



Londonderry Conservation Commission  
Tuesday, August 14, 2018  
Minutes

103 line item budget for the materials to improve the Musquash. R Floyd seconded the motion. The motion  
104 passed, 6-0-1, with M Noone abstaining.

105 **New Business:**

106 **Dumping:** M Speltz explained that this started from a concerned citizen that noticed and reported  
107 potential dumping on the Rail Trail. He stated that the concerned citizen spoke to Kevin Smith, who  
108 stated the citizen should talk with New Hampshire Department of Transportation (NHDOT). M Speltz  
109 stated once NHDOT was made aware of this, they wrote the Commission asking if the Commission was  
110 going to do anything. He stated that the town attorney pointed out the land is owned by the state, not  
111 the town, and the state should deal with this. M Speltz contacted the state and did not get a clear  
112 answer back from them and believes the Commission should assist the state in gathering information.  
113 He stated that if you look at the town website, it appears that there is an encroachment. M Speltz  
114 reviewed the map with the Commission noting the areas of concern. He noted that there is some  
115 confusion regarding the ownership of a particular lot and he is researching this currently with A Kizak.

116 **Minutes:** The Commissioners went over the public minutes from July 24, 2018. M Speltz made a motion  
117 to accept the minutes as amended. M Noone seconded the motion. The motion passed, 5-0-2 with G  
118 Harrington and R Floyd abstaining.

119 **DRCs**

120 **ConvenientMD/Citizens Bank, Map 7 Lot 68-1:** The Commissioners reviewed the DRC for  
121 ConvenientMD/Citizens Bank and recommended that they not use honey locust or callery pear for  
122 planting and instead pin oak. The Commissioners stated that the plan does not appear to allow for  
123 adequate snow storage.

124 **Evans Family Subdivision & LLA, Map 16 Lot 9:** The Commissioners reviewed the DRC for Evans Family  
125 Subdivision commenting that the proposed lot frontage does not seem to be practical access for the  
126 remaining lots and could potentially lead to a large wetland request.

127 **6 Harvey Rd Subdivision, Map 11 Lot 93:** The Commissioners reviewed the DRC for 6 Harvey Road  
128 commenting that they applaud the rain garden.

129 **Exit 4A environmental studies:** M Speltz stated he asked about the results for the environmental  
130 studies and they will not be out until September.

131 **Adjournment:** M Speltz made a motion to adjourn the meeting at 9:30 p.m. M Noone seconded the  
132 motion. The motion passed, 7-0-0.



Londonderry Conservation Commission  
Tuesday, August 14, 2018  
Minutes

133 Respectfully Submitted,  
134 Beth Morrison  
135 Recording Secretary