



Londonderry Conservation Commission  
Tuesday, February 28, 2023  
Minutes

**Present:** Marge Badois, Chair; G Harrington, Vice Chair; David Heafey, member; Deb Lievens, member; Bob Maxwell, member; Susan Malouin, member; Tiffani Macarelli, member; and Mike Speltz, alternate member;

**Absent:** Jim Leary, alternate member

**Also present:** Beth Morrison, Recording Secretary

Marge Badois called the meeting to order at 7:30 pm.

**Charlie Moreno:** M Badois informed the Commission that Charlie will be presenting on March 28, 2023, due to the inclement weather.

**Unfinished Business**

**Field Day recap:** M Badois told the Commission that they had a decent turnout for the event. M Speltz asked about the hot dog count. D Heafey replied that he thought it was 75. M Badois thanked the individual that places \$100 in the donation box every year. She added that the cost of the event will break even. She said that the mountain bikers really want to help the Commission clean up trails, pointing out that one member of the group is assigned to a town to keep track of the trails and work with whomever is managing the land.

**Lithia Springs survey update:** M Speltz told the Commission that when the power lines were initially put in on the west side of the Lithia Springs parcel, there might have been one or two lines originally. He went on stating that when they expanded the power lines, he believes they purchased an easement from Elwood, which means the west side of the Lithia Springs parcel is burdened by an easement, which was in the title report. He mentioned that the surveyors interpreted it as not really an easement, but an ownership by Eversource, which the survey plan reflects. He pointed out that in the surveyor's research they found that the Londonderry Planning Board filed a document at the registry that said it is ok for Eversource to record plans that show the relationship of the parcel of land to the roads and not to worry too much about where abutters were. He added that the surveyors believe the easement was actually a fee purchase, but the title attorney disagreed noting that the Planning Board document has been used up and down the corridor in other towns to find a way to avoid creating a subdivision. He remarked that this has not been sorted out and is still being discussed between the surveyors and title attorney. He stated that this might necessitate doing additional survey work to extend the western boundary to the width of the easement. He noted that he tried to get an estimate of when this could be done and what it might cost, but does not have this information tonight. He commented that he hopes to have this resolved by the next meeting, but suggested the Commission authorize an additional \$5,000 to modify



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36 the existing survey. He added that he is going to try and negotiate with the surveyors to have them pay  
37 for this or share in the added cost. G Harrington made a motion to authorize an additional \$5,000 from  
38 the Open Space Protection Fund to modify the existing survey plan for Lithia Springs. D Lievens  
39 seconded the motion. The motion passed, 7-0-0.

40 **Financial Report:** D Lievens passed out an updated financial report to the Commissioners noting that  
41 bottom part explains the land use change tax. She explained that she has already taken out \$100,000  
42 from the land use change tax and 40% of the remaining balance goes to the Conservation Commission  
43 and 60% to the Town's general fund. M Speltz noted that there will be another bill from the Forest  
44 Society for their stewardship fund and staff work for the conservation easement for Lithia Springs. D  
45 Lievens asked what the amount would be. M Speltz replied that he thought it was approximately  
46 \$15,000. D Lievens added that she has not received the survey bill for the triangle piece of land for Lithia  
47 Springs.

48 **New Business**

49 **Upcoming training from NHACC:** M Badois informed the Commission that there is training this Friday  
50 from 12:00 p.m. to 1:30 p.m. about wetland laws. She said that she can send out the email again for  
51 people to register. M Speltz asked if they made the video available after. M Badois replied that she is not  
52 sure.

53 **Signs:** D Heafey told the Commission that he met a gentleman at Field Day that has volunteered to  
54 make signs for them. M Badois asked if she needed to reach out. D Heafey replied that he is going to  
55 meet the gentleman at the Musquash and see if it is something he can do.

56 **Logging:** M Badois mentioned that Doug Johnson, who owns the Plummer parcel, would like to do some  
57 logging. She noted that in his easement it is noted that he would have to provide a forest management  
58 plan to do this. She commented that the logger is Dick Lewis of Chester Forest Products and he can do  
59 the forest management plan if the Commission is okay with it. She said that D Johnson needs a letter  
60 from the Commission stating that Dick Lewis can do the forest management plan for his logging. M  
61 Speltz asked if D Lewis was a licensed natural forester. M Badois replied that she was not sure. M Speltz  
62 pointed out that the difference between a licensed natural forester and a logger in terms of how the  
63 Commission can proceed. M Badois asked the Commission if they were okay with her writing a letter to  
64 allow D Lewis to perform the forest management plan if he is not a licensed natural forester. M Speltz  
65 asked when this logging is going to take place, such as before the next meeting, because he would like a  
66 vote on this. M Badois replied that it would be after the next meeting, so she will get back to the  
67 Commission.

68 **House Bill:** G Harrington asked if the Commission members read the email from the state regarding a  
69 bill that is being introduced, which would remove the licensing of foresters, as well as soil and wetland  
70 scientists. D Lievens asked for the bill number. G Harrington replied it is HB 2. He added that the  
71 Commission can take a stand against this. M Badois pointed out that they recently consolidated all  
72 licensing in the state into one department and wondered if this bill was introduced because the



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department is too busy. M Speltz remarked that it is more than that, and asked who the Commission should voice their opposition. G Harrington replied that if the Commission as a whole would respond, one member has to be appointed to handle the communication. He pointed out that the Commission depends on plans being stamped by a certified wetland scientist for accuracy. D Lievens volunteered to be the point of contact. G Harrington made a motion to have D Lievens contact state legislators, to express the Commission's opposition to the removal of licensure of soil scientist, wetland scientist and foresters. D Lievens seconded the motion. The motion passed, 7-0-0.

Ann Chiampa, 28 Wedgewood Drive, addressed the Commission. A Chiampa asked for the Commission to refer to the Lithia Springs as the Londonderry Lithia Springs and the Londonderry Lithia Spring Water Company. M Badois replied that the parcel is technically owned by the Elwood property. M Speltz pointed out that the Commission has to distinguish between the parcel of land, which they have nicknamed Lithia Springs and the historic company, which is reflected in all the grant materials as Londonderry Lithia Spring Water Company.

**Other Business**

**Minutes:** The Commissioners went over the public minutes of February 13, 2023. D Lievens made a motion to approve the minutes as amended. G Harrington seconded the motion. The motion passed, 6-0-1, with B Maxwell abstaining.

**Non-Public Session**

G Harrington made a motion to go into non-public session per RSA 91-A:3 to consider the acquisition, sale or lease of real or personal property which for discussion purposes be likely done to the party or parties interested are adverse to the general community and consideration of legal advice. The motion was seconded by D Lievens. The motion was passed by M Badois, D Lievens, G Harrington, M Speltz, B Maxwell, D Heafey, and T Macarelli with a roll call vote. G Harrington made a motion to leave non-public session and to seal the minutes of the non-public session indefinitely per RSA 91-A:3. D Lievens seconded the motion. The motion passed by M Badois, D Lievens, G Harrington, M Speltz, B Maxwell, D Heafey, and T Macarelli with a roll call vote.

D Lievens made a motion to authorize up to \$7,500 from the Open Space Protection Fund for additional transaction fees for the Lithia Springs project. G Harrington seconded the motion. The motion passed, 7-0-0.

**Causeway:** M Speltz told the Commission that there was some contention between the ARMY Corps of Engineers that wanted full removal of the causeway to get the maximum wetland credit and The New Hampshire Division of Historical Resources that did not want the causeway removed at all, as it is a significant contributor to the historic value of Lithia Spring. He mentioned that there was a meeting on site and an agreement was made that there will be partial removal of the causeway. He noted that it was determined at a point approximately 90 feet from the northerly end of the causeway would be kept and the remainder down to Route 102 would be removed. M Badois added that this seems like a logical



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109 place for the cut off as there is a drop off there and the view from the foundation of the Lithia Springs  
110 gives people a good feel for how the causeway functions. M Speltz noted that it will probably take place  
111 in August and will cost roughly \$15,000.

112 **Emails:** D Lievens said that she received an email from a resident that a neighbor's cat is killing birds on  
113 her property and asked if anything can be done. She asked who would handle this. M Speltz replied that  
114 he thought the Animal Control Officer would handle this. D Lievens mentioned that the Animal Control  
115 Officer told the resident that cats should be outside. M Badois remarked that this is a civil matter  
116 between neighbors. She mentioned that a resident on Hickory Hill was concerned that Eversource was  
117 cutting trees in the wet area. She said that she drove down to the entrance of Hickory Hill and it looked  
118 like brush was being cut at the edge of the resident's property. She added that she gave the resident the  
119 Commission's contact at Eversource to follow up.

120 **Adjournment:** D Lievens made a motion to adjourn the meeting at 8:24 p.m. G Harrington seconded  
121 the motion. The motion passed, 7-0-0.

122 Respectfully Submitted,  
123 Beth Morrison  
124 Recording Secretary