



Londonderry Conservation Commission  
Tuesday, April 28, 2020  
Minutes

1 **Present:** Marge Badois, Chair; Gene Harrington, Vice Chair; Deb Lievens, member; Mike Noone,  
2 member; Bob Maxwell, member; Mike Speltz, alternate member and Susan Malouin, alternate member

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4 **Absent:** Richard Floyd, member; and Jocelyn Demas, alternate member

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6 **Also present:** Deb Paul, Town Council liaison member; Beth Morrison, Recording Secretary and Scott  
7 Ratte, Londonderry resident

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9 Marge Badois called the meeting to order at 7:30 pm with a roll call vote.

10 **Unfinished Business**

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12 **Island donation:** M Badois told the Commission that she typed up a draft to present to the Town  
13 Council regarding the donation of the island of land from the Robie family. She explained that the estate  
14 of Mrs. Robie would like to donate the one-acre parcel in the Beaver Brook wetland adjacent to Kendall  
15 Pond conservation area, which is visible from the observation platform. She mentioned that the family  
16 would like the parcel designated as a bird sanctuary and is currently assessed at \$22,000. She asked the  
17 Commission if there is any other information she should include in her memorandum to the Town  
18 Council. M Byerly commented that he is unsure what the term "bird sanctuary" would mean specifically  
19 for the Commission. M Badois said the family would like a plaque on the island designating the area as  
20 donated as well as a bird sanctuary. She said she would look into the meaning of a "bird sanctuary" and  
21 get back to the Commission. M Badois asked A Kizak whom she should send the memorandum to. A  
22 Kizak told her to send it to the Kevin Smith, Town Manager and Kirby Brown, Administrative Assistant. M  
23 Speltz suggested terming it a "natural area" versus "bird sanctuary." M Badois said they might not be as  
24 concerned with the "bird sanctuary" part versus the recognition about the donation of land. M Speltz  
25 mentioned that he did not want the Commission to be challenged later on if there are no birds there in  
26 the future.

27

28 **DOT land:** M Badois informed the Commission that she and S Malouin had a Zoom meeting with New  
29 Hampshire Department of Transportation (NHDT) and New Hampshire Department of Environmental  
30 Services (NHDES). She explained that NHDT mentioned doing an appraisal to find the fair market value  
31 that the Commission would purchase the land for. She commented that the Commission has to submit  
32 what the plans are for the parcel and why it would be good for NHDT to donate the land. She pointed  
33 out that NHDT suggested having a stewardship plan for the parcel. She stated that during the meeting  
34 she mentioned extending the Kendall Pond trail over to the turtle sanctuary and the rest of the NHDT  
35 property, one of the participants was concerned that the trail was close to the waters edge. M Speltz  
36 told M Badois that he sent her an outline for a stewardship plan. M Badois said that she does not know  
37 what NHDT is looking for and would like some help. M Speltz suggested using the short outline from  
38 LCHIP. G Harrington added that this land was acquired by NHDT as wetlands mitigation for I-93, so as



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39 long as the stewardship plan shows the Commission is not going to decrease the wetland at all, he  
40 believes it will be okay. M Badois said that they gave her a copy of the conservation restrictions that  
41 were put on this property and noted that the restrictions would stay in place. M Speltz commented that  
42 he thinks they are concerned about the Commission putting up picnic tables, observation towers, trails  
43 along the water, etc. M Badois added that she feels they want to make sure the Commission is not going  
44 to profit from it, as they are donating the land. M Speltz said he would draft a plan and send it to the  
45 Commission for review. M Badois told him she would send him the restrictions and any other  
46 information.

47 **WRMPP:** M Badois asked if this has moved forward. A Kizak informed the Commission that with most  
48 employees working remotely Town Planner Mailloux is speaking with department heads to try and get  
49 people together as this is more of a face-to-face conversation.

50 **Pollinators:** S Malouin told the Commission that she does not believe she has any updates at this time.  
51 She asked if D Lievens was able to attend the Zoom webinar. D Lievens said that she did not, but does  
52 have another connection. S Malouin mentioned that they are waiting to see if the Commission would  
53 like to become a partner commission and did not believe there was a deadline for this. She reviewed  
54 what the expectation is to be a partner for this type of event, noting they would have one public event  
55 every year, as well as the monarch weigh station. M Badois asked if D Paul could coordinate with her  
56 garden group. D Paul commented that she spoke to Andy Mack, Sr. about acquiring a 50-foot by 50-foot  
57 piece of land at the overlook at the end of the Town Forest with a grant, like Sandown did for a butterfly  
58 garden. She said that the Londonderry Historical Society has reached out to the garden group to put an  
59 heirloom garden into the Morrison House and expand what is already there as a community herb  
60 garden. She stated that she thought this might be something the Commission could get involved with to  
61 do natural gardening around town. D Lievens said that the monarch way station would need milk weed  
62 plants for the Monarch butterflies. She noted that the caterpillars are different from the butterflies in  
63 what they need for sustenance. S Malouin said she believed the monarch way station was more a food  
64 source for the caterpillars, but also supporting the butterflies later in the season. She commented that  
65 she has some milk weed seeds that the Commission can use and for the butterflies that she would be  
66 happy to donate. S Malouin asked D Paul for an overview of the garden club. D Paul said that the garden  
67 club is fairly new, noting some of the members are from the Londonderry/Derry garden club along with  
68 new members looking to learn more. She said that the butterfly garden in Sandown is quite small, but  
69 has a variety of food for the caterpillars to eat as well as a guide to foods that caterpillars eat and what  
70 kind of butterfly they will turn into. She said that this year the garden club wanted to make awareness of  
71 what they want to accomplish, get the earth ready in the fall, have the seeds over the winter and put  
72 the project in next spring, so it would be ready next summer. M Badois suggested the two groups should  
73 stay connected. S Malouin said she would get back to the pollinators and let them know that the  
74 Commission is interested for possibly next spring for a butterfly area. D Paul said that this would be a  
75 great educational opportunity as well.

76 **Trail Maintenance:** M Badois informed the Commission that she is keeping this on the radar when the  
77 social distancing has stopped. She said that M Noone helped her blazed the Mathes Trail on Sunday.



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78 **Gilcreast Road property testing:** M Noone asked if there was an update. M Speltz said that he did not  
79 have anything to add at this time, noting that Steve Cotton, Administrative Support Coordinator, is  
80 working with the contact at the state level.

81 **ATV:** B Maxwell commented that he has been in contact with Officer Aprile and he is spending a lot of  
82 time on the ATV issue and reported he may request additional help. M Badois said that she has been  
83 speaking to Josh from NH Fish & Game and he would be willing to help put down logs and rocks at the  
84 landing where there was sand brought in for the turtle nesting. She said that the Commission needs an  
85 excavator and was hoping that Officer Aprile could get one from the Department of Engineering and  
86 Public Works (DPW).

87 **New Business**

88 **Scobie Pond:** M Badois told the Commission that she received an email from a resident who lives on  
89 Brewster Road. She said the resident would like to build a house on the road, but the Town will not let  
90 him unless he widens the road, as it is a Class VI road. She stated that the resident would like the  
91 Commission to testify that the road should remain a narrow dirt road to protect the environment there.  
92 She asked for the Commission's opinion on this. M Speltz commented that he did not think it would be  
93 prudent for the resident to ask the Commission for this, this would help the case against him. M Badois  
94 added that she thought the Commission's testimony would prevent building. D Lievens asked for the lot  
95 number. M Badois said the property address is 37 Brewster and the resident also owns 34 and 42  
96 Brewster Road. M Byerly pointed out that it is well beyond the Scobie Pond substation on Google maps.  
97 M Speltz expressed his opinion that the Commission should not take a position on granting a resident  
98 whether to build a house, but could advise the Planning Board to leave it as a Class VI road. M Badois  
99 said she believed that is what the resident is looking for. A Kizak informed the Commission that the  
100 resident was on the phone line and would like to speak.

101 Scott Ratte, 34, 37 and 42 Brewster Road, addressed the Commission. S Ratte said that they are trying to  
102 build a small home on 37 Brewster Road, which is 25 acres, and would like to keep the property wooded  
103 along with the dirt road. He explained that the Town is requiring the road to be double in width to get  
104 the building permit for this home and was hoping the Commission would be willing to testify to the  
105 Planning Board against this. M Byerly commented that the Commission could propose to leave the road  
106 the way it is for environmental reasons. S Ratte responded that would be perfect. M Speltz voiced his  
107 concern that he believes that if the Commission did this, it would work against him in some way, as it  
108 would be two departments telling the Planning Board not to widen the road. S Ratte told the  
109 Commission that the road gets plenty of use from the public and feels it is unfair to ask him to widen the  
110 road. He said he did feel it would be in his best interest if the Commission did take the stand. M Speltz  
111 asked if Staff is asking him to pave the road. S Ratte told him that they are asking him to widen the road  
112 per the Fire Department standards, but not to pave the road. M Badois asked if they are asking for the  
113 whole length of the road to be widened. S Ratte said his property is at the end of the road, so it would  
114 be the whole length of the road, even the Derry side. M Speltz asked him to ask the Planning  
115 Department and DPW if they feel it would be helpful to his cause to have the Commission take a stand. S



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116 Ratte told him that his lawyer suggested speaking to the Commission. He told the Commission that he  
117 would send his power point presentation to M Badois for her review.

118 **91:A Request:** M Badois asked if the Commission had any questions about this. A Kizak explained that  
119 they need any communications related to this request and not to worry about sending duplicates at this  
120 time, just to send in all the communication. D Lievens stated that for the record she has recused herself  
121 on all communications regarding this. A Kizak said that if you do not have any information to please send  
122 Town Planner Mailloux an email stating that. B Maxwell told the Commission that Woodmont was  
123 before the Commission in late February of 2018.

124 **Maps:** M Noone informed the Commission he has put out 40 maps and they were gone in a two-week  
125 time, so people are really out there using them. B Maxwell noted that typical usage is 30 per week, but  
126 during this time it is about 100 per week. M Noone said that this is great and usually a map order would  
127 last six months, but this time it could be six weeks.

128 **Minutes:** The Commissioners went over the public minutes of April 14, 2020. M Byerly made a motion  
129 to approve the minutes as presented. D Lievens seconded the motion. The motion passed by a roll call  
130 vote, 5-0-1, with M Noone abstaining.

131 **Adjournment:** M Byerly made a motion to adjourn the meeting at 8:36 p.m. B Maxwell seconded the  
132 motion. The motion passed, 6-0-0, by a unanimous roll call vote, G Harrington, D Lievens, B Maxwell, M  
133 Byerly, M Noone, and M Badois.

134 Respectfully Submitted,  
135 Beth Morrison  
136 Recording secretary  
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