



Londonderry Conservation Commission
Tuesday, April 13, 2021
Minutes

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

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5 **Absent:** Jocelyn Demas, alternate member

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7 **Also present:** Amy Kizak, GIS Manager/Comprehensive Planner; Deb Paul, Town Council Liaison and
8 Beth Morrison, Recording Secretary

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

11 **DRC – Enterprise Bank – Map 010, Lot 052 – Michels Way - TF Moran:** D Lievens recused herself from
12 this DRC. Jeff Kevan, P.E. from TF Moran Inc., 48 Constitution Drive, Bedford, NH introduced himself to
13 the Commission. J. Kevan reviewed the proposal noting that a bank is intended to go out in front of the
14 Market Basket Plaza at the intersection of Michels Way and Garden Lane. He shared his screen with the
15 Commission reviewing the site plan. He explained that they would like to construct a one-story bank
16 with a drive-thru with a small parking lot next to it. He pointed out that there is a slight reduction in
17 impervious coverage from what is out there currently. He noted that the drainage goes down into the
18 basin that been handling this half of the plaza for over thirty plus years. He said that there are three
19 other pads in front of the Market Basket Plaza, but there is nothing proposed at this time. M Speltz
20 stated that he noticed on the parking note that they are providing more parking than what is required.
21 He asked if the parking could be reduced when they develop the other two pads, so that the provided
22 parking is closer to what is required. J Kevan replied that Market Basket, as an entity, has a higher traffic
23 volume than the normal supermarket/retail center. He added that when Market Basket is constructing a
24 new store, they are required to add 20% to 25% trips above the normal Institute Transportation
25 Engineers (ITE) trip generation for a supermarket. He said that the main parking lot is needed from a
26 pure practicality function use, and did not think they would want to reduce the parking. M Speltz
27 clarified that he is not suggesting taking away any existing parking, but consolidating the parking
28 requirements for other structures if the other two pads are developed. J Kevan replied that they would
29 look at that when and if the other pads are developed. M Badois asked what the gray area on the plan
30 is. J Kevan replied that is riprap overflow. M Badois asked where it would go if it overflows. J. Kevan
31 answered that there is a catch basin right there and reviewed the drainage. S Malouin asked about the
32 plantings, specifically on page 6 of the plan set. She commented that both red maples and littleleaf
33 lindens, which are on the planting diagram, are very susceptible to road salt. She asked if the cultivars
34 they would be using are particularly resistant, as they are close to the road. J Kevan replied that he
35 would check with his landscape architect. S Malouin suggested a honey locust or serviceberry as an
36 alternative because they are more salt tolerant. The Commissioners commented that they should have
37 salt tolerant plants for the landscaping.



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38 **DRC – Fudala Subdivision – Map 012, Lot 187 – 23 Noyes Rd - Nick Loring:** D Lievens returned to the
39 Commission. Nick Loring, P.E, from Benchmark Engineering, 1F Commons Drive, Suite 35, Londonderry,
40 NH introduced himself to the Commission. N Loring explained that the property is at 23 Noyes Road and
41 they want to subdivide it into two building lots. He pointed out that when the applicant bought their lot
42 in the 1960s, they were under the impression that they were buying two lots, but in fact they only
43 bought one. He went on to note that unfortunately, the assessing database had them owning two lots,
44 for which they have paid taxes on up until 2020, when it was realized that they did not in fact own the
45 second lot. He said that they are here with the subdivision process to make the second lot a legal lot. He
46 commented that the total area is 2.3 acres. He mentioned that there is one wetland in the northerly
47 corner, which does not have any CO buffer. He added that there are no variances or waivers being
48 requested. He said that the existing lot is serviced by a septic system and well, and the new lot will also
49 be serviced by septic and well. He stated that they are providing the town with a roadway maintenance
50 easement that is 25-feet from the center line along Noyes Road. D Lievens commented that the road
51 perpendicular is Welch Road and not Welsh Road. N Loring replied that they would correct the
52 typographical error. M Speltz mentioned that the note on the plan about the wetland said that it was 10
53 acres inspected, but the properties in question add up to a little over two acres. N Loring read the plan
54 and stated that it must have also been a typographical area and he would correct that as well. The
55 Commissioners commented that there are two typographical errors that need to be corrected on the
56 plan.

57 **Unfinished Business**

58 **Moose Hill Update:** M Speltz told the Commission that after a good deal of back and forth with the New
59 Hampshire Department of Environmental Services (NHDES) the final amount for the grant is \$484,271.
60 He said that Mike Malaguti will present this to the Town Council at their next meeting where they will
61 accept the terms of the grant. He mentioned that he does not have the baseline documentation for the
62 Commission to review, as M Malaguti is still working with Londonderry Athletic Field Association (LAFA)
63 to come to an agreement that the encroachment will be removed once the field is going to be rebuilt. M
64 Badois asked if the closing date was extended. M Speltz replied that it was extended until June 2, 2021,
65 in order to get everything approved. M Noone asked if the Commission still needed to survey the
66 property and asked if that should wait until the purchase is complete. M Speltz responded that the
67 survey was complete. M Noone clarified that he meant monitoring. M Speltz stated that he has been on
68 the property enough times that he is comfortable with knowing what is going on there, and he will
69 incorporate all his observations into the baseline documentation.

70 **Meeting Format:** M Badois informed the Commission that the survey was split regarding coming back
71 to in-person meetings, therefore, the Commission will continue with virtual meetings. A Kizak
72 mentioned that the Moose Hill conference room is reserved for their meetings in the future.

73 **New Business**



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74 **Kendal Pond Platform:** M Badois noted that there was vandalism recently at the Kendall Pond platform.
75 She noted that it has been repaired and she is waiting for an invoice for the repair work. She
76 commented that the amount of the invoice will be passed on to the individuals that were involved in the
77 vandalism. She said that Mike Malaguti and Officer Aprile are going to ask that the individuals involved
78 do restitution instead of juvenile detention and not be allowed on Londonderry Conservation property
79 for two years. M Speltz passed along that the individuals were not Londonderry residents. S Malouin
80 asked if the individuals had been charged and if they would not be charged if they paid restitution. M
81 Badois replied that she is not sure how it was worded, but the court system is so backed up, this was
82 offered as a better result. S Malouin voiced her opinion that they should not be charged and said that
83 she was going to reach out. M Badois stated that a meeting with the juveniles and their parents has
84 been arranged. A Kizak told S Malouin to reach out to Officer Aprile for all the details. M Speltz
85 mentioned that the prosecutor would be making the call. He praised fellow member, Bob Maxwell, for
86 such a timely turn around with the pictures.

87 B Maxwell mentioned that a camera has disappeared from the Musquash. He said that this appears to
88 be theft and he is working with Officer Aprile on further action. He noted that a new camera would be
89 more money. D Lievens asked if there had been success with the Musquash cameras. B Maxwell replied
90 that it had a reasonable effect on helping with some ATV issues, but not as immediate as Kendall Pond.
91 M Badois commented that she is going to be talking to someone from NH Fish & Game on what type of
92 camera they have, such as one that is a Bluetooth that sends the images to a computer immediately, so
93 if the camera is stolen, the pictures are still retrievable.

94 **Green Team:** D Paul informed the Commission that on April 24, 2021, they will be collecting the bags.
95 She pointed out that if you cannot make it, you can go to Market Basket and ask for the manager named
96 Chris and he can give you the bags you need to collect your trash into. She said that you can bring it back
97 to Market Basket as well. B Maxwell asked where the drop off site was. D Paul replied that it is at the
98 pumpkin patch across the street from the Morrison House from 10 a.m. to 2 p.m.

99 **Beaver dam:** M Byerly showed the Commission a picture of a beaver dam in the Cohas section of the
100 Rail Trail. He noted that it is backing up water on one side and on the other side of the trail the water
101 level is low enough that no water is flowing over the dam into Little Cohas Brook. He said that he does
102 not know what that means for the water downstream and asked if there is something that should be
103 done. M Badois asked if it looks like the dam increased in size. M Byerly replied that it is a relatively new
104 occurrence. M Speltz noted that he was watching the dam over the winter, so it has been here for a
105 while. He noted that in the winter time, the water was flowing over and this might be indicative of the
106 upcoming drought. He suggested waiting and watching it for now. B Maxwell said that the former pond
107 at Faucher is as low as he has ever seen it. M Badois said maybe it is more drought than dam.

108 **Drought:** M Badois stated that she spoke to the Town Council at their last meeting and asked them to
109 put the watering restriction in place now. She pointed out that NHDES is saying to prepare for a multi-
110 year drought. She suggested letting people know that it is not a good year to put in a new lawn. D Paul



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111 mentioned that she saw a landscaping company parked on the Rail Trail off Route 28, sucking water out
112 of a marsh. M Speltz commented that there is a sign right there informing them not to do that. D. Paul
113 said that was correct. M Badois pointed out that there is an ordinance that prevents landscaping
114 companies from doing this on town owned property, but noted that the property D Paul spoke about is
115 not town owned. D Paul added that she has seen this happen at Kendall Pond as well and thinks that
116 something should be enforced. M Badois said on the NHDES website it states that a landscaping
117 company needs written permission from the land owner in order to do this. M Speltz stated that the one
118 on Route 28 is owned by Eversource and if you see something, take a picture and then send that picture
119 to Officer Aprile so he can follow up.

120 **Trailways:** M Speltz commented that he is working with Trailways to make the points of interest on the
121 nature path more permanent. He said that there will be stakes with a four or five inch placard that has a
122 QR code that you can take a picture of with your phone to get a narrative of what you are looking at. He
123 added that they want to give credit to the Commission on the placards and asked M Badois to send the
124 logo to Bob Saur or Mike Byerly. D Lievens asked to whom she should send an email with the photos. M
125 Speltz replied that she could send the information to Bob Saur. A Kizak asked for D Lievens to copy her
126 on the email. D Lievens replied that she would.

127 **Other Business**

128 **Minutes:** The Commissioners went over the public minutes of March 23, 2021. B Maxwell made a
129 motion to approve the minutes as amended. G Harrington seconded the motion. The motion passed, 7-
130 0-0, by a roll call vote.

131 **Adjournment:** M Byerly made a motion to adjourn the meeting at 8:17 p.m. G Harrington seconded
132 the motion. The motion passed, 7-0-0, by a roll call vote.

133 Respectfully Submitted,
134 Beth Morrison
135 Recording secretary
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