



Derry Conservation Commission  
14 Manning St  
Derry, NH 03038

**Minutes of Public Meeting January 14, 2019**

On January 14, 2019 at 7:00 pm, the Derry Conservation Commission met in the 3rd floor meeting room of the Derry Municipal Center.

The following members were present: Vice Chair, Ric Buzzanga, Eileen Chabot, Margaret Ives, William Lowenthal, Grace Reisdorf and Robert Spoerl. Alternates, William Ventura and Justin Mitchell were present. Chair, James Degnan, Alternates, Paul Dionne, and David Hernandez were absent. Town Council Liaison, Neil Wetherbee was present. Vice Chair, Ric Buzzanga chaired the meeting this evening. William (Bill) Ventura sat for James Degnan.

**Approval of Minutes:**

Margaret Ives made a motion to approve the minutes of December 3, 2018. Grace Reisdorf seconded the motion. All others were in favor. Motion carried.

**Chair's Report:**

There was no Chair's report this evening.

**Site Plan Review:**

8.5 Richardson Road, Derry, NH Map 10, Lot 62-20 Don Ware from Pennichuck Water Works Corp. presented. This is a parcel owned by Pennichuk Water. They no longer use the property as part of the water works system. The pumping station has been removed and the well has been de-commissioned. Pennichuk would like to sell the parcel as a single family lot and get this property off its tax rolls. This is a re-visit this evening. DCC has done a site walk of the area. The Zoning Board has now re-zoned the parcel and has granted a waiver on the frontage requirement allowing the parcel to become a buildable lot. The Planning Board had concerns whether DCC would have any interest in purchasing the property and to have the plan viewed by DCC for any wetland impacts, DES permits, etc. DCC has no interest in purchasing this property and agrees that the property would make a beautiful house lot.

***Margaret Ives made a motion to accept the site plan review as presented for 8.5 Richardson Rd. and to send it back to the Planning Board to move forward. DCC does not want to purchase the property.***

***They prefer to have a minimum of 10 acres when considering a purchase. DCC gave thanks to Pennichuk Water for the opportunity.***

***Bill Ventura seconded the motion. All were in favor. Motion carried.***

**Site review:**

Lane Rd - Derry, NH Tax Map 06/ Lot 58 Tim Peloquin of Promised Land Survey LLC. This is the Rutter Family property. Linda and Rebecca Rutter were present this evening. The property was sub-divided into four lots last year having frontage on Lane Rd./ Lots 59-006,007, 008 and 009. A large piece of 43 plus acres still remains. The proposal tonight is to subdivide this large parcel for the new house lot. The Rutter's would like to build a new family home for themselves on the land facing the pond. The remaining parcel would have frontage on Fox Hollow Rd. and a small 25 ft. frontage portion on Lane Rd.

The cul-de-sac at the end of Fox Hollow is short and does not boarder right up to the Rutter property. A small Right of Way of about 350 ft. exists and does lead up to the property line and could be used to serve as a future access road. The Rutter's would like to use this right of way as a driveway to access the new home. This is a deeded Right of Way written on the deeds for lots 074/0742 and it is also written on the deed of the larger parcel that had been purchased by the Rutter's in the past, securing the easement. The Town Council approved this use of access via the Right of Way.

A remaining piece of land approximately 18 -19 acres would be donated to the Town of Derry as a Conservation Easement. The Rutters would like to keep this land protected. They would like to have a clear select cut done on the easement, which would be performed by Forester, Charlie Moreno this winter. Access to the cutting area for logging equipment would be done through the Rutter property. An agreement of allowed uses needs to be drawn up for the Conservation Easement.

Along with this sub-division, the Rutters would also like to have a lot line adjustment done. In the past, the abutter to the North, Katherine Brooks Wordsworth had an amicable agreement with the Rutters that she would be allowed to use a portion of the Rutter's land as a horse farm. At this time a clean lot line needs to be established while the property is being merged.

There was some discussion on gaining public access to the Conservation Easement and access to the area for monitoring purposes, possibly through the Rutter's driveway. There are some easements in town that don't have public access. Protecting the land from development and creating a wildlife corridor is the factor being considered, even if no access to the public could be gained.

Town Engineer Mark L'heroux will be reviewing and inspecting the future driveway plans.

***Grace Reisdorf made a motion to approve the two lot line adjustments as shown on the plan, including accepting the Conservation Easement as shown with discussion of access and use to be scheduled at a later date. Margaret Ives seconded the motion. Bill Ventura abstained. All others were in favor. Motion carried.***

Tim Peloquin will return to DCC meeting on January 28, 2019 for discussion on access and uses for the easement.

***Scout Project Proposal-*** Alex Mayo Troop #402. Alex Mayo presented his Eagle Scout Project of building a bridge over a stream at the Doolittle Conservation trail at Faith Dr. In place now are very unsteady, loose planks. His project would be to create a safer, larger access route to the trail. His plan is to replace the

planks with pressure treated lumber and construct a bridge 14 ft. in length and approximately 4 ft. wide. He would dig down 2 to 3 feet to install vertical supports, surrounding them with rocks to hold them in place. He estimates about \$300 for the project cost, which will be raised through fund raisers. This is a very active stream. DCC suggested not installing the bridge where the logging mats will be placed for the cut and using an anchoring system consisting of a single cable that would be hooked to the bridge and a dead man in the bank to be used to keep the bridge from floating away in high water times. The property is scheduled for logging this winter. Forester, Charlie Moreno will be contacted to make sure the logging is completed before Alex starts his project. Alex would like to build the bridge in May/June 2019.

***William Ventura made a motion to approve Alex Mayo to construct a bridge at the Doolittle property at a width of 48 inches, coordinating with Charlie Moreno, attempting to purchase the materials at Benson's and using Bob Spoerl's anchoring system as discussed. William Lowenthal seconded the motion. All were in favor. Motion carried.***

#### **Update on Conservation Activities:**

*Go Green* – An update on the future of Go Green will be given at the next meeting, January 28, 2019

*Doolittle Property* -The logging equipment will arrive at the Doolittle property for the clear cut on January 16, 2018.

*Rockingham Recreation Trail* - The Rockingham Trail had been reported in the past as rutted with puddles. Grace Reisdorf has been keeping it clean. It is nice and clean up to the Hampstead border.

*Cole Marsh* - The area is in nice shape.

*Corneliusen* – There is a tree stand on the town side portion of the stone wall near the field at the Holiday Avenue kiosk. Fish & Game will be contacted. Hunting is allowed but there are no rules in place about tree stands. The language of the easement will be looked into.

#### **Other Business:**

*DES Rule Changes* - A meeting was held to go over the draft DES rule changes, expected to take place this year. NHACC gave invites to NH towns and cities to attend the meeting. Eileen Chabot represented the town of Derry. The rule changes were summarized and DES mostly dominated the meeting. There was not much chance for any input from the audience. DES has 14 categories of changes. Some of the changes will take away notifications to abutters of projects that would be going on in their area. Conservation Commissions state wide would no longer be notified of projects going on in their towns and cities. DES will be doing little and sometimes no scrutiny on their reviews of projects. They would cut the project review period to 5 days. Notifications of bridge and culvert removals/ installations would

not have to be sent commissions. Conservation Commissions would only be notified of minor or major impact projects and they would not have a chance to intervene in any way. The bottom line is that Conservation Commissions are being cut off.

The next step in this would be for towns and cities to submit their concerns in writing to Maryanne Tilton at The Department of Environmental Services DES. The deadline for comments is January 18<sup>th</sup>. Even though the deadline is just a couple of days away at this point in time, the rules would have to be approved by the Joint Legislative Committee of Legislative Rules. This would happen in April of 2019. Eileen Chabot will craft a letter of concerns of the Derry Conservation Commission to Maryanne Tilton. Vice Chair will sign the letter and mail as soon as possible.

Newly appointed Alternate member Justin Mitchell was introduced by the Vice Chair and given a welcome to the Derry Conservation Commission.

***Eileen Chabot made a motion to reimburse Grace Reisdorf \$60 to be taken from the Administrative account, for her fee to attend the New Hampshire Conservation Commissions annual meeting. Bill Ventura seconded the motion. Grace Reisdorf abstained. All others were in favor. Motion carried.***

**Adjournment:**

***Margaret Ives made a motion to adjourn. Grace Reisdorf seconded the motion. All were in favor. Motion carried. The meeting adjourned at 8:25 pm.***

Recording Clerk/ Ruth Robinson