



Derry Conservation Commission
14 Manning St
Derry, NH 03038

Minutes of Public Meeting January 28, 2019

On January 28, 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: James Degnan, Chair, Ric Buzzanga, Eileen Chabot, Margaret Ives, William Lowenthal, Grace Reisdorf, Robert Spoerl and Alternate, Justin Mitchell. Alternates, Paul Dionne, David Hernandez and, William Ventura, were absent. Town Council Liaison, Neil Wetherbee was present.

Approval of Minutes:

Margaret Ives made a motion to approve the minutes of January 14, 2019 with an amendment on page #2. Change clear cut to select cut. Ric Buzzanga seconded the motion to approve with amendment. James Degnan abstained. All others were in favor. Motion carried.

Chair's Report, Correspondence & Bills:

DES:

26.5 Redfield Circle – Tax map 9/Lot 30 - This is a follow-up from a pending action on December, 2017. DES is asking for a follow-up on a couple of issues that were noted at that time. DES is still waiting for a response.

63 Conley's Grove Rd. – Tax Map 16/Lot 55 – Conclusion of inquiry on a dock status, whether or not it was grandfathered in. The decision was that a large dock would remain but a smaller dock with be removed and not be re-installed at the end of the season

39 Taylor Brook Lane – Tax Map 18/Lot 19 – This is for a Shoreland Impact permit. The impact is 4,500 sq. ft. of protected shoreland in order to raze and replace an existing non-conforming structure. To construct a garage, septic system, storm water management system and additional ground cover plantings in a waterfront buffer. The engineering was done by Moulton Engineering.

The New Hampshire Project Learning Tree will be holding a workshop called "Growing up Wild" and "Early Childhood Experiences Workshop" on February 18, 2019 at 9:00 am at the NH Fish & Game headquarters. The website is nhplt.org for more information. Part two of the workshop will be held at the Gilmanton School as well as the Audubon Center in Concord, NH.

The NH Land Trust Coalition is hosting an event on "Untangling Knotty Issues "surrounding IRS tax deduction, Land Trust responsibilities with appraisal, form 8283 on February 21st from 8:45 am to 12:30 pm at the NH Audubon on Silk Farm Rd. A link is available at the UNH Co-operative Ext.

Follow-up Info has been received from The South East Land Trust on the monitoring of Fernando #1 Chester Rd. and Ferdinando #2 off English Range Rd. Gunther/Nelson. The monitoring was performed by Steward, Danielle Almeida.

A report has been received from Apex. Apex manages the storm water and drainage system maintenance for the Walmart facility. This is a check and balance report on the current conditions. Everything was found to be in good order.

30 Pinkerton St- Tax Map 36/ Lot 26. A Wetlands Permit by Notification has been received for maintenance dredging work to be done. This is a dental office that had some flooding on the back side of the property. Some clean- up will be done to alleviate the water pooling in the area. This was not an express 10 day permit.

Go Green:

James Degnan and William Lowenthal recently met with Go Green to discuss a strategy on the future of the committee. Go Green is losing its members. From that meeting, there was discussion on the following.

Putting a temporary title stop on Go Green, continue the town wide clean-up weeks, continue with Derryfest, continue with the Conservation walks and to continue with trail maintenance.

Items that DCC members discussed this evening were keeping the clean-up weeks going. Holding a spring walk and a fall walk. Focusing on maintaining two properties per year and doing those two properties well instead of trying to manage them all at once. Then selecting two more properties the following year. Continuing with the Derryfest shared booth. Looking into Bensons for snowshoe rentals for the winter snowshoe event. Possibly teaming up with the Environmental Club at Pinkerton. Any assistance the scouts could give. All these things will be discussed further at the workshop. DCC will hold a work shop February 11th at 6:30 pm, a half hour before the regular DCC meeting starts. Thanks were given to Paula Frank, Judy Follo and Elizabeth Carver for their services to Go Green.

Site Review:

Lane Rd – Tax map 06/Lot 58 – Tim Peloquin from Promised Land Survey presented. Members of the Rutter family were present. The Rutters are subdividing a house lot and building a new home in the back lot of 15 acres. The remainder 18.75 acres will be donated to the Town of Derry to be used as a Conservation Easement. DCC has reviewed and approved the plan previously and has done a site walk. The focus this evening is to go over the terms of the easement so the plan can go back to the Planning Board on February 20th. The Rutters are building a new home near the pond. The Rutters are concerned about liability and they wish to have no public access, no motorized vehicle use including snow mobiles and no hunting or fishing would be allowed on the easement. This is a donation and they want to protect this land. They would allow Conservation members to excess the property for

monitoring purposes. There is an existing right-of-way. The Town Council has given approval for the Rutters to use this 50 foot right- of-way as a driveway. Access for DCC members monitoring visits would be through the Rutter's driveway. The driveway would be 14 ft. wide. DCC had concerns of the driveway being close to the wetland where the right- of-way meets the stone wall. The distance there is about 35 feet. The field crew has re-surveyed the wetland flags. Wetland Scientist, Tom Sokoloski has dug trans-sect plots 4 to 8 inches deep with an auger to check the soils for mucky peat in the area. The soils don't qualify, but there is a fine line and are allowed by state standards. The neighbors drive way encroaches into the Right-of-way. The town and the Rutters are aware of this. Rebecca Rutter Sanborn, Lane Rd. spoke to the commission. She referred to the conditions of the Gulf Rd. Conservation Easement. Letters A, B, C & E under Conservation purposes of the Gulf Rd. Easement are what the Rutters would like to have duplicated on this new property being donated. Their main goal for the easement is no public access for liability purposes, protecting the forestry, flora, fauna and wildlife habitat. The Rutters will keep ownership of the property and manage the timber, wildlife and mowing. The town will hold the easement. DCC respects the wishes of the Rutters. Next step, Town Council Liaison, Neil Wetherbee will check with Town Administrator, Dave Caron on whether or not Town Council approval is required. Brenda Keith also would have to produce the language of the easement. Who pays for legal fees involved? This will all be looked into and the necessary steps will be taken.

Update on Conservation Activities:

T-shirts -The final invoice for the T-shirts has been submitted by Chair, James Degnan.

The Doolittle property – The public was cautioned to stay clear of the logging operation taking place off Faith Dr.

Resident, Joan Perry of Faith Dr. was present and allowed to speak of her concerns on the logging operation taking place at the Doolittle property. Joan has walked the property nearly every day for 10 years with her dog. Other Faith Dr. Residents also walk their dogs there. She has concerns on the number of trees that are marked to be taken down. Margaret Ives read from Forester, Charlie Moreno's report on the steps being taken. He is staging the area layout, he selects and marks trees to thin for forest health, improve growth, regeneration and wildlife enhancement. DCC informed Joan Perry that Charlie Moreno is well known in the state and he is one of the most highly respected foresters in the state. Joan is concerned with the appearance of the area right now and what would be done to clean it up. DCC spoke of aging trees that need to be cut, how the trees left behind will become healthier and stronger and how important forestry management is. The brush will be removed during the clean-up process, sunlight and new plants will appear and more wildlife be attracted. DCC assured Joan Perry that DCC members care very much about the science and they are environmentally sensitive people. DCC thanked Joan Perry for her concerns and for coming to the meeting this evening.

Non-public:

Non-public meeting per RSA 91-A:3-II(d) "Consideration of the acquisition, sale, or lease of real

or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.”

Margaret Ives made a motion to enter into non-public session per RSA 91-A:3-II(d). Ric Buzzanga seconded the motion. All members were polled and voted yes. Motion carried.

Ric Buzzanga made a motion to invite Council Liaison, Neil Wetherbee to the non-public. William Lowenthal seconded the motion. All members were polled and voted yes. Motion carried.

The public portion of the meeting ended at 8:00 pm and the non-public session began.

Recording Clerk/ Ruth Robinson