



Derry Conservation Commission  
14 Manning St  
Derry, NH 03038

### **Minutes of Public Meeting June 14, 2021**

On June 14, 2021, the Derry Conservation Commission met at the Derry Municipal Center, 3<sup>rd</sup> floor meeting room at 7:00 pm. The following members were present in person: James Degnan (Chair), Eileen Chabot, Grace Reisdorf, William Lowenthal and Alternates, Bob Boonstra and Mariel Capulli. The following members were absent; Ric Buzzanga, Bob Spoerl, and Justin Mitchell. Bob Boonstra sat for Margaret Ives, Mariel Capulli sat for Ric Buzzanga

### **Approval of Minutes:**

Eileen Chabot noted that an amendment was needed to add her request “for the SWIPP and wetland permit application”. Will Lowenthal noted a typo change to “inactive” and “were” not where on page 3. Eileen Chabot also noted a typo change for concrete on page 2.

Grace Residorf made a motion to approve the minutes from 5/24 as amended. Bob Boonstra seconded the motion. Chair Ives abstained. All others were in favor. Motion carried.

### **Chair’s Report, Correspondence & Bills:**

*Supply Lines Newsletter – Spring 2021 Edition*

*Selt-* Spring 2021 Edition newsletter. Chair advised there is a annual meeting coming up on June 23<sup>rd</sup> from 5-6. [Seltnh.org/annual meeting](http://Seltnh.org/annual%20meeting) to sign up. Chair advised of the 2021 Women Woodland Owners and Logging workshop on June 19<sup>th</sup> info at [extension.unh.edu/events](http://extension.unh.edu/events)

*DES Notice-* 24 North Shore Rd Tax Map 142 Lot 5657 Notice of Shoreland permit application.

*DES Notice-* 26 Coles Grove Rd Tax Map 51 Lot 17 Notice of Denied Shoreland Permit Application. Chair noted multiple comments from DES. Main reason noted was application does not comply with applicable criteria for addition to anon conforming primary structure.

*DES Notice:* 16 North Shore Rd Tax Map 56 Lot 49 Notice of Approval for Shoreland Permit application. Approved 6/1/2021 Impact is for 1,944ft. Removal of 34x42 structure and construction of 24x32 primary structure with 9% improvement in impervious area.

*DES Notice:* Tax Map 3 Lot 155 Forestry SPBN. Application found complete and approved. Total area not defined. Chair to review with DES.

*DES Notice:* 63 Conleys Grove Road Map 16 Lot 55 Notice of Complete Application. Approval pending signature of contractor replacing dock.

*NH DOT:* Notice of planned roadway resurfacing totaling 11miles on Route 28 and Route 111. NH DOT asking us to review the mapped construction area and report back on concerns regarding Conservation Land, invasives, endangered species, or historic properties within the area. Projects tentative advertising date is October 5<sup>th</sup>. Info due back prior to posting.

*Response to DES questions:* 680 Route 121 Tax Map 13 Lot 19 Marois project adjacent to Cole Marsh. Engineer continuing to work with DES. Project approved prior to Chairs time on commission. Chair advised commission will not see this plan as it is only an updated.

*Nature Conservancy Magazine:* Will Lowenthal shared that there is an article titled "Hidden world of Vernal Pools" the commission should review.

#### **Site Plan Follow Up:**

*Sunset Ave Culvert Replacements: Kimberly Peace and Joseph Bicja – Hoyle Tanner Associates*

Joseph Bicja is the project manager on this for HTA. Kimberly Peace is the Senior Environmental coordinator for HTA presenting via Zoom.

Joseph Bicja gave a quick review of the project. The project consists of 2 culvert replacements on Sunset Avenue. Site walk with the commission was on June 5<sup>th</sup>. Joseph Bicja wants to ensure all commentary from the commission is noted prior to finalizing plans and wetland application.

Chair advised sitewalk attendance included Chair, Eileen Chabot, Grace Residorf, Mariel Capulli, Bob Boonstra, and Will Lowenthal whom arrived at the second culvert inspection. Chair noted that an abutter was vocal that am about flooding onsite during the mothers day flood. Chair noted that project was not funded at this time but we are in support of this project. Eileen Chabot requested that the Town of Derry have first right of refusal to retain the granite slabs currently within the proposed construction area. Joseph Bicja agreed to note the request with Mike Fowler and DPW as well as discuss with the awarded contractor. Eileen Chabot requested on the north side culvert that the island soil be stocked and reused onsite. Native cat tails noted and the soil could be reused to stabilize the bank. Joseph Bicja agreed to request. Chair noted we are not formally voting on plan. Chair noted we have requested the Wetland Permit, SWIPP, and Invasive plan when completed for review. Chair noted that there was appreciation for how HTA noted invasives on plan. Chair advised moving forward on other plans we should request that invasives be added including insight gained from site walks. Joseph Bicja asked if invasive area was adequate for impact. Board felt marked area was adequate. No other comments or concerns presented. Joseph Bicja advised in a week or so remaining documents would be sent over.

### **Site Plan Follow Up:**

*Subdivision Plan 36 Floyd Rd Tax Map 6 Lot 64: Tim Peloquin Promised Land Survey*

Chair noted we walked this project on June 5<sup>th</sup> at 9:30

Tim Peloquin could not be present due to other appointments. Tim Peloquin sent a letter addressed to the commission for the Chair to share along with a full size plan and 8 copies. Chair read the letter aloud.

"in good faith PLS placed a 25' no cut buffer around all wetlands on this newly proposed lot, per commentary provided on our recent site walk on June 5<sup>th</sup>. I apologize I cannot be present personally this evening due to conflict in schedule but trust this provides what was asked for at the last meeting. It is such respectfully I am asking for the Chairs signature on our plans as appropriate. I appreciate your consideration in this manner; if you have any questions or comments please feel free."

Chair requested before any formal motion we discuss the site walk and then discuss entertaining a motion in the absence of a presenter or applicant.

Chair advised we entered site on curve from Warner Hill Road. There was a discontinued road flanked by 2 stone walls. Chair noted that the crossing we are focused on goes into a 8-9 acre wetland that potentially could be a prime wetland. The proposed crossing was located at the smallest impact point. Chair noted that roadway was designed to curve around a upland area to minimize impact. Chair noted that the beaver dam was quite small in scale. Water onsite was lower due to light winter. Chair noted along with no cut buffer; invasive species notes were included on plan. Will Lowenthal noted on sheet 2 of the new plan that vernal pools have now been identified. Board feedback was that they would like to see the newly identified vernal pools. Chair noted that Eileen Chabot had previously requested the stamp for Mark West the Wetland Scientist be added to the plan. It had not been added on this current plan set. Eileen Chabot asked to see the wetland application.

Chair noted that he would advise Tim Peloquin that the commission will rewalk the site. Will Lowenthal noted there was 3 vernal pools onsite not 2. Chair asked the commission if there is no proposed impact within the vernal pool area and the 25' no cut setback has been drawn on the plan would we still want to walk. Will Lowenthal said yes and he would like a note saying vernal pools would be undisturbed. Eileen Chabot asked for a vernal pool report which should be included in the wetland application.

Commission agreed to walk Saturday the 19<sup>th</sup> at 8am. Bob Boonstra noted that with no vernal pool impact he would not need to walk again.

### **Other Conservation Activities**

*Leash Requirement-* Chair advised he made an error in prior meeting discussion Broadview Farm and dogs being on leashes. Chair advised there is no leash requirement, but dogs need to be in control of the owner. Chair advised that the call to action is from residents who may not feel confident that a dog is

under control or not when sharing the property with other users. Chair asked that dogs stay out of the community garden area. Will Lowenthal recommended that dogs stay out of all non-trail areas due to the grassland bird habitat.

*Request for Metal Detecting on Conservation Land-* Chair advised he received a request to practice metal detecting on Doolittle property. Chair noted we had a request previously around 2015/16 which was denied. That request was for a larger training session. Chair asked for discussion on topic. Will Lowenthal noted state does not allow metal detecting on state park land. Will Lowenthal asked what jurisdiction we have over approving this type of activity. Chair noted he appreciates these types of requests as we try to use our land for education and passive recreation but the board doesn't have a set of best practices for metal detecting to understand potential impact. Eileen Chabot noted that we may not want resources removed from our properties. Will Lowenthal agreed but noted he has seen someone metal detecting in the crop field parcel at Broadview. Will Lowenthal asked about town ordinance around metal detecting. Eileen Chabot commented we advocate for our conservation properties and have a say in use. Chair noted we get all types of requests and some do blur the lines of education. Chair proposes we seek additional resources to understand how other commission have handled this specific type of use. Chair asked Will Lowenthal to describe some best practices for metal detecting. Will Lowenthal advised that artifacts be turned over to the town and that you cover and restore any disturbance created during the discovery.

No vote at this time.

*Line Storm Trail-* Eileen Chabot walked the Line Storm Trail. Eileen noted it has been almost exactly 1 year since her last visit. No lady slipper was found potentially due to climate change. Trails looked great and there was no poison ivy at the entrance. Some small scrub trees growing in trail had been removed. Eileen advised that someone had marked some trees with black arrows. Chair advised we should price formal metal placards. Eileen there is a considerable damage to the hemlocks within the Line Storm Parcel. Chair stated we may need to consult Greg Jordan.

*Broadview Garden-* Will Lowenthal advised garden is in great shape. Fences have been up and mulching is ongoing. All plots being worked not all fully planted at this time. Chair noted an email came in regarding gardening another conservation property which was forwarded to Will. Chair asked if when we revitalize adaptive plots if we have room for additional plots to get more garden space. Will Lowenthal advised we may be able to add some additional plots. Will Lowenthal advised he spoke with Dennis Wiley and Dennis had built the compost center with salvage lumber. Chair stated we may want to discuss the existing Eagle Scout built bulk compost bin and rework them into new bins. Chair noted perhaps we could retain the plaque.

**Motion to Adjourn:** Will Lowenthal motions to Adjourn. Grace Reisdorf Seconds. All in Favor. Motion Carries.

Meeting Adjournment 7:47pm

Recorder: James Degnan