



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

(603) 432-3806 / Fax (603) 432-7362

www.WindhamNewHampshire.com

October 28, 2004

Jim Finn – Chairman
Dennis Senibaldi – Vice-Chairman
Bruce Anderson – Secretary
Lisa Linowes – Member
Pamela Skinner – Member (Late)
Ton Seniow – Member (Absent)
Bernie Rouillard – Alternate
Rick Adams – Alternate (Absent)

Alternate Appointment

The Chairman appointed Mr. Rouillard to replace Mr. Seniow for this meeting.

Windham High School – Bruce Anderson

Mr. Anderson, who is serving on 3 committees to get the Windham High School built, explained that the High School will be the largest municipal building project in Windham's history. The Facilities and Site Committee is gathering input from all the organizations in town as to what each group would like to see incorporated in the High School. This is a chance to get those facilities with 30% of the cost supplemented by the state. The Committee must receive all input by November 12, 2004.

Mark Kovacs – Expedited Dredge & Fill

15 Viau Road, Lot 16-Q-206

Mr. Kovacs provided photos and explained that the existing concrete retaining wall will be replaced using the same dimensions. Replacement will include steps in the same position. The replacement material is concrete block. Work will be done "in the dry". Silt fencing will be located on the dry, sandy bottom of Cobbett's Pond during construction. Demolition of the existing wall will be performed from the shore to maintain debris out of the pond. Shore-side area behind the retaining wall will be excavated to form a pit and the debris from the wall will be pulled into the pit. After listening to Mr. Kovacs' presentation the Board suggested that the concrete be removed from the site, not buried on the site and that the test pit be dug by hand. Mrs. Linowes motioned that a test pit be dug to ascertain the approximate depth and if it appears to be no deeper than 18" then fine but if it appears to keep going down it would be stopped and a base be put on top and the wall be built on top of the base. Mr. Anderson seconded the motion. Passed unanimously 5-0. Mr. Senibaldi motioned to allow the Chairman to sign the application after viewing the site. Mr. Anderson seconded the motion. Passed unanimously 5-0.



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Rudolph Ferrandi – Fieldstone Landscape & Masonry Construction

Permit by Notification to reconstruct the following three retaining walls:

Mr. Ferrandi submitted photos and explained that the walls are in disrepair and structurally unsound.

4 Fish Road, Lot #21-V-257, 258

Current wall to be torn down and replaced with cement and stone construction with rebar reinforcement horizontal and vertical with a cement and stone cap. The wall will be 118.45' long by 18" wide by 3.5' high. Hay bales and silt fences will be used at the water line and all extra material will be hauled away.

2 Fish Road, Lot #21-W-40

Current wall will be torn down and replaced with cement and stone construction with rebar reinforcement horizontal and vertical with a cement and stone cap. The total length is 33' by 18" wide. The height will start at 3.5' on the side of lot #257 and go down to 2.5'. Hay bales and silt fence will be used at the water line and any extra material will be hauled away.

28 Turtle Rock Road, Lot #21-47A

Current wall will be torn down and replaced with cement and stone construction with rebar reinforcement horizontal and vertical with a cement and stone cap. The wall is in two sections with a total length of approximately 76' X 18" wide X 3.5' high. Hay bales and silt fence will be used at the water line and all extra material will be hauled away.

Mr. Senibaldi motioned to sign the applications and that the applicant uses best construction procedures. Mr. Anderson seconded the motion. Passed unanimously 5-0.

Gary & Mary Marlow – Standard Dredge & Fill

41 Sawtelle Road, Lot #17-C-22

Mr. Ferrandi of Fieldstone Landscape & Masonry presented the application. The proposed shoreline impact will be 175 square feet. Prior to excavation hay bails and silt fence will be installed. All wall location measurements will be recorded prior to digging to insure that the wall is put in the same footprint as the original. All extra material will be hauled away. Footings will be poured 4-feet down to comply with codes. The wall will be constructed of cement and stone with rebar reinforcement horizontal and vertical with a cement and stone cap. All hay bails and the silt fence will be removed when work is completed. Mr. Rouillard motioned that the Marlow application be signed. Mrs. Linowes seconded the motion. Passed unanimously 5-0.

Miss Skinner arrived after attending the Village District Workshop as part of her Planning Board duties.



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Wayne Morris – Trails Grant Update

The Selectmen put a bid proposal in the *Windham Independent* three weeks ago and there were no takers to construct the boardwalks. We can advertise in the *Salem Observer*, hire an intern from the Student Conservation Association in Charlestown, New Hampshire, or try the Volunteer route. The grant is good till 2006. Material for the boardwalks will be purchased at cost from Cyr Lumber. Mr. Senibaldi motioned to pay for two advertisements to run simultaneously in two newspapers. Mr. Anderson seconded the motion. Mr. Senibaldi withdrew his motion. Mr. Anderson motioned that if David Sullivan, acting on behalf of the Selectmen, will not pay for these ads it will be paid for by the Conservation Land Fund. Mr. Senibaldi seconded the motion. Passed unanimously 6-0.

Butterfield Estates / County Road – David Brouillet of Herbert Associates

22 Lot Subdivision

Mr. Brouillet explained that he is requesting support from the Commission regarding the 10,000 square foot encroachment into the WWPD. Closed drainage system per the regulations. There are several trails shown on the soil plan. Proposed road width is 28-feet. The Commission requested that the road width be less than 28-feet and questioned water availability.

Orchard Blossom Estates

After a brief discussion the Commission decided that the Members would E-mail their questions to the Chairman who will then take them to David Sullivan. A decision will be made at a later time regarding the scheduling of a public hearing.

Fire Chief Messier – Forestry Truck

The Members discussed with Chief Messier the possibility of purchasing a forestry truck. The Chairman said that he would check with David Sullivan regarding the legality of the Commission spending Conservation Land Funds on equipment for the Fire Department.

Johnson Street Subdivision – Planning Board Request for Comments

After reviewing the 4-lot plan the Commission requested soils mapping, WWPD delineation and a site walk with the Planning Board.

Lot #11-C-425, 61 Indian Rock Road, Three-story Office Building

The Commission will review this plan at their next meeting.

Lot #11-A-580, 1 North Lowell Road, 38 Units

The Commission will review this plan at their next meeting.

Minutes

Mr. Anderson motioned and Mrs. Linowes seconded the motion to accept the September 9, 2004 minutes as written. Passed unanimously 6-0.



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Mr. Anderson motioned and Mr. Rouillard seconded the motion to accept the September 23, 2004 minutes as written. Passed unanimously 6-0.

Review of Zoning Board Cases

After reviewing the November 9, 2004 Zoning Board Agenda for the following cases the Commission had no comments.

Case #47-2004, Lot #25-R-17500, 38 Fletcher Road, Variance from Sections 501 & 702

Case #51-2004, Lot #3-B-265, 44 Hadleigh Road, Variance from Section 610.6.1.5

Case #52-2004, Lot #17-C-96A, 33 Sawtelle Road, Variance from Sections 401 & 405.2

Case #53-2004, Lot #17-C-96A, 33 Sawtelle Road, Variance from Section 702

Case #54-2004, Lot #18-L-3, 6 Woodvue Road, Variance from Section 710

Other Business

Mrs. Linowes advised the Members that the Office Of Energy & Planning Fall Conference is October 30, 2004. Mrs. Linowes will attend, the cost is \$25.00. Mrs. Linowes will bring a receipt to the next meeting.

Mr. Rouillard walked the Deer Leap Conservation Easement. The report will be sent to the state and a copy will be provided for the Conservation file.

Mail

- Copy of September 27, 2004 letter to NH DES Wetlands Bureau from Heather Storlazzi-Ward of Gove Environmental regarding Nassar Trust, Stonehedge Road, DES File #2004-0819, supplying additional information.
- Letter dated September 21, 2004 from NH DES File #040917-01 regarding an application from Make Dev. LLC for a Site Specific Permit to disturb 320,000 square feet for construction of a 22-lot subdivision.
- Fall 2004 issue of *The Source*
- NHACC 34th Annual Meeting, November 6, 2004
- Office of the Tax Collector – Current Use for September 2004
- NHDES Shoreland Waiver 2004-00246 for 24 Turtle Rock Road. RSA 483-B:9,II, is waived to allow construction of the project within the primary building setback.
- Booklet from LGC – *A Guide to Legislative Advocacy for Local Officials*.
- NH DOT invitation to attend an informational meeting on October 28, 2004 at the Derry Municipal Center. The Community Technical Assistance Program (CTAP) is intended to provide technical assistance and support to communities in the region wrestling with development pressure and long term growth.
- October 7, 2004 letter from Al Turner regarding an Open Space Easement at Orchard Blossom Estates. 5



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- October 5, 2004 NH DES letter regarding Nassar File #2004-00819, Lot #12-C-134. Wetlands permit to fill approximately 749 square feet to install a 24-inch X 20-foot culvert.
- NH DES – Wetlands and non-site specific permit #2004-00819, approval date 10/05/04, expiration date 10/05/09.
- October 14, 2004 Memo from Al Turner regarding 17 Appleton Road, Lot 22-R-10028.
- October 7, 2004 Letter from NH DES File #041006-01 application to disturb 450,000 square feet for construction of a Supermarket with associated parking.
- October 7, 2004 Letter from NH DES regarding Wetlands Bureau Complaint File #2004-02383 1 Bissell Camp Road, Lot 3-B-100. Complaint alleging that fill placed in a wetland which is interrupting the flow of water without a permit from DES.
- October 11, 2004 NH DES Letter regarding Castle Reach EPA #2542140, NH DES #995033 Water System does not meet the NH DES source capacity requirements for small community water systems.
- October 14, 2004 Letter from Croft & Brooks Attorneys regarding Lot 3-B-910 Warranty Deed.
- Memo from Pat Kovolyan to Chairman Finn requesting written comments and recommendations for 17 Appleton Road, copy of letter to Mrs. Noyles regarding a time line for completion of work, written comments from the October 2, 2004 site walk at the Butterfield/Nickerson Subdivision, copy of memo to the Planning Board regarding the Supermarket.
- Volume 22, Number 3 RPC Newsletter.
- October 22, 2004 letter to Eric Nickerson from Al Turner regarding trails improvement at Castle Reach.
- October 23, 2004 NH DES letter regarding 41 Sawtelle Road, acceptance of application.
- October 26, 2004 letter from Attorney Campbell to Attorney Wade regarding Orchard Blossom Estates
- October 26, 2004 letter from Attorney Campbell to Rebecca Way regarding Spruce Pond Road
- Copy of E-mail from Attorney Campbell to Al Turner regarding Orchard Blossom Estates
- October 26, 2004 Letter NH DES File #041025-01 received application from Lake View Farm to disturb 371,000 square feet
- Local Government Center Publications Catalog
- October 6, 2004 Letter from UNH Cooperative Extension 2005 Professional Development Opportunities



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At 11:11 PM Mr. Anderson motioned and Mr. Senibaldi seconded the motion to go into non-public session per RSA 91-A:3 for the purpose of land acquisition. Passed unanimously on a roll call vote.

The next meeting of the Conservation Commission is scheduled for November 18, 2004 at 7:30 PM at the large meeting room in the Library.

These minutes are in draft form and are respectfully submitted for approval.