

Conservation Committee

July 26, 2001

Members:

James Finn - Chairman
Tom Seniow - Vice-Chairman (Absent)
Christie Davis - Secretary
Gerry Capron - Member (Excused)
Cherie Howell - Member
Lisa Linowes - Member
Pamela Skinner - Member (Excused)
Bernie Rouillard - Alternate

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

Landry Easement Issues

The first three of the following four infringements were discovered during the Conservation Commission's annual walk.

- Road cut from Heritage Hill Road to a portion of the Landry property.
- New trail cut, brush cleared from the Middle School to the Landry easement.
- Spray painting on trail.
- Tracks from a Bobcat vehicle all through the woods. Stones removed from boundary walls.

A memo dated July 12th was sent to Mr. Turner, Director of Planning & Development regarding the damage done to the Landry property that occurred as a result of two town-directed trail constructions (one to provide access for emergency vehicles and one to access trails on school property). Mr. Everett Ryan of RJR Development explained that the initial intent was to provide access for emergency vehicles. There was a misunderstanding regarding the length of the access. Mr. Ryan advised the Members and Mr. & Mrs. Noyles that he is willing to rectify the situation. Mr. Carpenter, Chairman of the Planning Board, said that the intent was to connect the existing trail network in order to make it more useful for bicycles and walkers. Mr. Carpenter said that in the future the Planning Board would be more specific and abundantly clear regarding the instructions to Developers. Trails are added on to Sub-division plans late and Developers are reluctant to provide trails. Mr. Turner said that only 100 yards had been approved not 300. Mr. Gauthier, managing partner of RJR Development, was not in attendance at the pre-construction meeting held on Heritage Hill Road when trail construction was discussed with Mr. Zohdi and Everett Ryan. Work was to begin on this trail in the spring but was postponed till the fall. Mrs. Howell asked Mrs. Noyles what should be done to settle this problem. Mrs. Noyles said that she needed to speak with her brothers before she could make any recommendations. Mrs. Noyles suggested that through the news media, the public be advised that the Landry property is not a "free for all".

The Members discussed the tracks from the Bobcat vehicle and the unauthorized removal of stones. Chief Moeckel stated that other easements are not on private property. Chief Moeckel went on to say that the actions of the individual on the bobcat vehicle are not criminal but there could be a civil complaint. Mrs. Linowes asked if the removal of stones from boundary walls could be considered criminal. Mrs. Linowes asked if the individual has been stock-piling stones. Mr. Turner said that there should be guidelines for the use of an easement on private property. Mr. Rouillard said that there could be a chapter in the Walking in Windham books regarding this issue. Mrs. Noyles provided the Members with photographs she took of the trenching to the boundary wall of the neighboring property. Mrs. Noyles called the police to see the damage that was done to her property. The police advised the trespasser to cease and desist.

The trespasser dug up roots and boulders leaving enormous holes (the trespasser did go back and fill in the holes). Mr. Noyles said that he thought the vehicle used might be a small tractor rather than a bobcat. Mrs. Howell said that the trespasser offered to be present at tonight's Conservation meeting but was advised not to attend.

Since Mr. Rouillard and Mrs. Linowes needed to leave the meeting the Commission no longer had a quorum and had to adjourn.

Mrs. Howell motioned to adjourn at 9:30 PM and Mrs. Davis seconded the motion.

The next meeting of the Conservation Commission will be on August 9, 2001 at 7:30 PM at the Planning & Development Office.

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

