



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

February 24, 2005

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

Public Hearing – Lots 25-E-500 & 3-B-375

Lot #25-E-500, Abbott Road, donated by Mrs. Thorndike is less than ½ acre and has frontage on Moeckel Pond. Lot #3-B-375 is west of Route 28 along the railroad bed and is donated by Harvey Brothers. Mrs. Linowes motioned to accept the donation of Land Parcels Lot 25-E-500 on Abbott Road and Lot 3-B-375 west of Route 28 along the railroad bed in exchange for all legal fees and taxes required to complete the transfer of title subject to clearance of the title. Miss Skinner seconded the motion. Passed unanimously 4-0.

Approval of Minutes

Miss Skinner motioned and Mr. Senibaldi seconded the motion to accept the December 9, 2004 minutes as submitted. Motion passed 3-0-1. Mr. Senibaldi abstained because he did not attend the December 9, 2004 meeting.

Mr. Senibaldi motioned and Miss Skinner seconded the motion to accept the January 27, 2005 minutes as written. Passed unanimously 4-0.

Mr. Senibaldi motioned and Miss Skinner seconded the motion to accept the February 10, 2005 minutes as written. Motion passed 3-0-1. Mr. Finn abstained because he did not attend the February 10, 2005 meeting.

Planning Board Report – Pamela Skinner

- Discussion regarding proposed changes and additions to the Village Center District.
- Three plans presented for Lake View Farm.



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Mrs. Linowes motioned and Mr. Senibaldi seconded the motion that the Conservation Commission go on record as opposing Amendment 3. Passed unanimously 4-0. Mr. Karl Dubay addressed the Commission stating that discussion of Amendment 3 was not on the Commission's agenda for public discussion. He went on to say that was one of the most under-handed things he has ever seen; someone bringing a motion before a board on an issue that is coming up for vote that has been debated, analyzed and worked on for a number of years by the Planning Board. Mr. Senibaldi said that the public generally knows where the Conservation Commission stands on the issues but in fairness to the public should this have been put on the agenda. Mrs. Linowes said that this subject was discussed at length with Mr. Dubay at the December 9, 2004 Conservation meeting. Mr. Dubay said that the last time this was discussed at a Conservation meeting the Commission decided and took a vote not to take a stand on this issue of either support or non-support. Mrs. Linowes read into the record a portion of the December 9, 2004 minutes which state: *At the December 9, 2004 Conservation meeting Mr. Rouillard said that he would rather review on a case-by-case basis rather than see this change to the Zoning Ordinance.* There was no motion made or vote taken regarding amendment 3. Amendment 3 was not on the December 9, 2004 agenda. There was a lengthy discussion regarding discussing items that are not listed on the agenda. The Chairman said that he would check this point with David Sullivan, Town Manager. Mr. Case suggested that the Members withdraw their vote and revisit the motion under *Other Business* Mr. Dubay said that he would like to go on record and request that the Board reconsider that vote and motion because he thought it was done inappropriately. Mr. Senibaldi motioned and Miss Skinner seconded the motion not to reconsider the vote and to have a properly posted meeting next week to allow for public input. Mr. Dubay said there would be no benefit to another meeting for Amendment 3 but he would like clarification from the town attorney. Mr. Senibaldi withdrew his motion. Mrs. Linowes motioned to reconsider the vote and bring it up under *Other Business*. There was no second to the motion.

Other Business

Mr. Senibaldi motioned and Miss Skinner seconded the motion not to discuss Woodvue Road in non-public session tonight without the town attorney present. Passed unanimously 4-0.

Mrs. Linowes advised the Commission that dumping has started again at Deer Leap and recommended removing the trash barrel. Mrs. Linowes also advised the Members of tress illegally being cut at Fosters Pond. Mrs. Linowes reported that Zoning Board Case #7-2005 was continued to the March 22, 2005 meeting because the Zoning Board is looking for more information to see if this is a legal lot.



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The Members decided to wait for a full board before sending a letter to the Board of Selectmen regarding the Seavey Road properties.

Mr. Senibaldi advised the Commission that trees are being randomly cut throughout the woods in the vicinity of Castle Reach.

The Commission had a brief discussion concerning the removal of equipment from the Cyr Property.

Mrs. Kovolyan handed a memo to the Chairman and explained that this memo was left on her desk. The memo is dated February 16, 2005 and is addressed to Mr. Andrew Lane from the Windham Conservation Commission regarding 2 Woodvue Road site inspection report. The memo was not familiar to any of the Members, no one knew who wrote it or if it was mailed. Mr. Senibaldi motioned and Mrs. Linowes seconded the motion that this memo is an unauthorized letter dated February 16, 2005 to Mr. Lane and that the memo was not produced by a member of the Conservation Commission. Passed unanimously 4-0.

Mr. Senibaldi motioned and Miss Skinner seconded the motion to pay the Rauseo & Associates invoice #404 in the amount of \$420.00 for the analysis and preparation of Restricted Use Appraisal Report for lot 8-B-3000. Passed unanimously 4-0.

Mrs. Linowes motioned and Miss Skinner seconded the motion to reimburse Mrs. Linowes \$25.00 for the registration fee to attend the Office of Energy & Planning Conference. Passed unanimously 4-0.

The Chairman asked that the Commission be advised ahead of time of any conferences Members plan to attend.

Mail

- Copy of 2/7/05 Letter to Vollmer Associates from NH DES regarding Armco Flooring permit #1998-1871 granted from DOT to fill 1000 square feet of wetlands.
- January 2005 Current Use
- Copy of 2/18/05 Letter to Edward & Rita Leeman, Jr. from NH DES regarding the closing of Wetlands Complaint File #2004-02383 for 1 Bissell Camp Road.
- Permit #256.28 from NH DES to construct a new dam on lot #200 known as Lake View Detention Pond 2.
- Copy of 2/16/05 letter to David Sullivan from Al Turner regarding minutes.
- Copy of Article on Shore Development Law.



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At 9:45 PM Mr. Senibaldi motioned and Miss Skinner 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 March 10, 2005 at 7:30 PM in the Planning & Development Office.

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