



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission Minutes

January 12, 2006

Dr. James Finn – Chairman
Mr. Dennis Senibaldi – Vice-Chairman
Dr. Bruce Anderson – Secretary
Pamela Skinner – Member
Bruce Breton – Member
Lisa Linowes – Member
Bernie Rouillard – Alternate
Wayne Morris – Alternate

Seat Alternates

The Chairman appointed Mr. Morris to replace Mrs. Linowes and Mr. Rouillard to the vacant seat.

Spruce Pond II – Joe Maynard of Benchmark Engineering and Planning Board Request for Comments

Mr. Maynard explained that this plan is in the conceptual stages with the Planning Board. The Board of Selectmen have agreed to open Hopkins road which will have four (4) wetland impacts. Mr. Maynard proposed a 22-foot width roadway. Mr. Maynard said that he would be back in front of the Commission to discuss a Dredge & Fill application. The Planning Board is looking for suggestions regarding road width. Some areas of the plan will be open and some will have closed drainage. Dr. Anderson motioned and Mr. Breton seconded the motion to make Hopkins Road from Mitchell Pond thru the railroad 22-feet wide and widen to 24-feet only to the “T” intersection of Road X near the Derry line. Mr. Rouillard suggested to maintain 22-feet all the way to be consistent. Dr. Anderson withdrew his motion. Dr. Anderson motioned and Mr. Breton seconded the motion to make Hopkins Road 22-feet from its intersection with Mitchell Pond all the way to the “T” intersection in Derry. Motion passed 6-1. Mr. Morris voted against the motion.

School off of London Bridge Road – Dredge & Fill

Mr. Gove – Gove Environmental

Lot #20-D-1500 & 1700

Mr. Gove explained that he would amend the Dredge & Fill application that was filed on January 12, 2006 from 53,026 square feet to 55,645 square feet.

The first set of impacts are associated with the road and are numbered 1-6.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

- Impact Area #1 is 5163 square feet of scrub shrub wetland and open water of a man-made excavation area.
- Impact Area #2 is 8801 square feet of area similar to Impact Area #1.
- Impact Area #3 is 19,182 square feet of scrub shrub wetland and emergent march dominated by Phragmites. In this area a 60', 16'5" X 4.25" open bottom, aluminum box culvert will be installed to maintain the flow from the west to the east.
- Impact Area #4 is 4798 square feet of a perennial stream from a large beaver pond and an unnamed brook.
- Impact Area #5 was filed as 822 square feet, but will be amended to 2168 square feet of scrub shrub.
- Impact Area #6 was filed as 2290 square feet but will be amended to 3563 of scrub shrub wetland.

The second set of impacts are those associated with the school and are numbered 1-4.

- Impact Area #1 is 1731 square feet of a small isolated scrub shrub wetland for the creation of ball fields.
- Impact Area #2 is 5176 square feet for road access and parking.
- Impact Area #3 is 4441 square feet of a gulley area.
- Impact Area #4 is 622 square feet for grading.

Total Road Impacts are 43,675 square feet (reported at the meeting as 43,696).

Total Impact in the school area 11,970 square feet

Total impacts for school and roadway is 55,645 square feet.

Mitigation is being proposed as upland preservation of approximately 12 acres. Mr. Gove asked if the Conservation Commission would accept responsibility of this conservation easement that must be monitored. The School Board will own the land. The land can be transferred to another easement holder. The easement holder has the responsibility to monitor the easement. The easement will be clearly marked and flagged in the field.

Mr. Gove explained that he is looking for a motion that the Commission has no objection to the application to the DES Wetlands Bureau with the following conditions:

- a) To accept as compensatory mitigation a conservation easement to be held by the Town of Windham and the Conservation Commission.
- b) To amend the wetland impacts to 55,645 square feet.
- c) To look into alterations to the detention basin to see if portions or all could be developed into a gravel wetland.
- d) Add the planting of trees to the steep slope north of the proposed school and one of the ball fields.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Mr. Bradlee Mezquita, Vice-President of Appledore Engineering, said that the proposed 4000 square foot retaining wall would save over \$100,000.00.

Mrs. Linowes asked that the November 10, 2005 record be corrected. Mrs. Linowes said that it was stated that the bridge has no archaeological or architectural significance based on a report from Kathleen Wheeler. Mrs. Linowes read from the report that states *the bridge is a potential significant resource*. Mr. Mezquita said what Mrs. Linowes read is a portion of the report. Mr. Mezquita read from the Project Summary portion of Ms. Wheeler's report and the Conclusions and Recommendations on Page 19 of the report which states *the area has been evaluated as having low sensitivity to Native American or Euro-American archaeological resources*. Since that report an Architectural Historian has been contracted and they are in the midst of preparing their report. Mrs. Linowes said that the report was inaccurately represented at the November 10, 2005 meeting and she wanted to correct it.

Mr. Morris made the above motion requested by Mr. Gove. Mr. Senibaldi seconded the motion. Passed unanimously 7-0.

Dr. Anderson said the School Board identified the Bridge as something to be looked at a long time ago. A letter dated August 26, 2005 to Luke Hurley of Gove Environmental states that *the Bridge identified on the Class VI road may be documented by the archaeologist or this task can be referred to an architectural historian*. The archaeologist's report of September 2005 stated *no further archaeological survey*. On December 8, 2005 the archaeologist stated that an architectural historian is needed. This is still being looked at. The School Board has been doing what the State has asked every step of the way.

Because Mrs. Linowes arrived the Chairman removed Mr. Morris for the balance of this meeting.

Windham Junction – Planning Board Request for Comments

Jon Normington – Owner

128 North Lowell Road, Lot 2-A-1100

Food Service Take Out

Convert Garage area to take out service

After reviewing the submitted plan the Commission had no comments or recommendations.

Planning Board Report – Miss Skinner

On January 11, 2006 the Planning Board met to review zoning amendments.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Minutes

Mr. Rouillard motioned and Mr. Senibaldi seconded the motion to accept the December 8, 2005 minutes as written. Motion passed 5-0-2. Dr. Anderson and Mr. Breton abstained because they did not attend the December 8, 2005 meeting.

Mail

- Fall 2005 issue Rockingham Land Trust.
- Notification of the 2006 Trailbuilders Conference – February 14 thru February 16, 2006 at the Atlantis Casino Resort in Reno, Nevada
- Copy of December 19, 2005 Letter from Mr. Zohdi of Herbert Associates to Eben Lewis, Coastal Region Wetlands Inspector regarding Copps Hill, File #2005-02607, including one complete set of Copps Hill plans (22 pages).
- Current Use for November & December 2005.
- December 22, 2005 Letter from Attorney Campbell to David Sullivan regarding Forty Acres, LLC, Conservation Purchase.
- NHDES Dates for the 2006 Land Resource Management Workshop.
- January 6, 2006 Letter from NHDES, Michael P. Nolin, Commissioner, regarding 2 Woodvue Road.

Miss Skinner read into the record the January 6, 2006 letter from the NHDES regarding 2 Woodvue Road. Mr. Breton said the Commission should be applauded for their hard work regarding 2 Woodvue Road.

By-Laws

Item #5a of the By-Laws will be reworded and voted on at the next meeting.

Conservation Easement

Mrs. Linowes said she would like to take a vote showing the Commission agrees to the warrant article as agreed to by the Board of Selectmen. Mrs. Linowes motioned and Mr. Rouillard seconded the motion that the Conservation Commission supports the warrant article as agreed to by the Board of Selectmen. Motion passed 7-0. Mrs. Linowes motioned and Mr. Rouillard seconded the motion that a conservation easement be placed on the town owned southeast lands and be held by the Nature Conservancy or some other comparable agency. Motion passed 5-1-1. Mr. Senibaldi voted against the motion and Dr. Anderson abstained. Mrs. Linowes motioned that both she and Dr. Finn compose a draft letter on behalf of the Conservation Commission to the Board of Selectmen to consider to recommend to the State that the Town of Windham's position is to take ownership of the mitigation land and a conservation easement be placed on those lands on behalf of the Town of Windham. Mrs. Linowes made a new motion that the Conservation Commission stands by their recommendation to the BOS that the Town of Windham take ownership of the land and an easement be placed on it. Mr. Senibaldi seconded the motion. Motion passed 7-0. Dr. Finn and Mrs. Linowes will draft the letter and send it to Mrs. Kovolyan and she will E-mail it to all the Commission Members for their review.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Deer Leap

Mr. Rouillard submitted the Deer Leap Annual Monitoring Inspection Report. The Members discussed the new sign at Deer Leap. Mr. Morris asked where the old Deer Leap sign is and who gave permission to take it down. Mr. Senibaldi said that the person who put up the new sign still has the old one.

ATV Use

The Members discussed illegal ATV use on trails. Mr. Morris asked for permission to put up another *No ATV Use* sign at Bayberry.

At 9:47 pm Mr. Breton motioned and Mrs. Linowes seconded the motion to go into non-public session per RSA 91-A:3 for the purpose of land acquisition. Passed unanimously.

The next meeting of the Conservation Commission is scheduled for January 26, 2006 at 7:30 pm in the Planning & Development office. These minutes are in draft form and are respectfully submitted for approval.