



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission Minutes December 14, 2006

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

Seat Alternates

The Chairman appointed Mr. Senibaldi to replace Dr. Anderson and Mr. Rouillard and Mr. Morris to fill the vacant seats for this meeting.

Discussion of Land Swap with School – Dr. Bruce Anderson

Dr. Anderson explained that in an agreement made with Mr. Logan to cross his land it was negotiated to swap land. Mr. Logan would like to connect his two parcels 20-D and 20-E. Dr. Anderson said that the School District would like to go ahead and complete their agreement with Mr. Logan so that they can get their access to the site to build the high school. The Selectmen have the ability to dispose of land that has been taken for taxes in an equitable way, but they require comments from both the Planning Board and the Conservation Commission. The Selectmen will make the final decision on Tuesday evening; they are willing to give 9.6 acres to the school district so that approximately 2.25 acres can be deeded to Mr. Logan to complete the deal and the balance will be used for fields. Mr. Morris asked that the natural area of the cliffs be maintained. Mr. Rouillard said that he had no objections to the presentation. The Chairman said that he would put the comments in letter form. Dr. Anderson said that the letter is due by Tuesday, December 19, 2006.

Discussion of Current Use Penalty Tax Fund – Karl Dubay & Ralph Valentine

Mr. Dubay advised the Commission that he approached the Town Administrator and asked how to go about doing a warrant article or citizens petition to help fund some of the other budget needs in town, specifically taking a percentage of the Current Use Tax fund to pay for the high school. The answer was that it was too complicated (it would take quite a bit of legal work) to take the penalty taxes and put it toward a school district budget. The Selectmen spend a lot of time, week after week, trying to find money for good programs such as recreation. The Current Use Fund is a discretionary fund and is



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set up so that if the Town does not want to fault it to the general fund it can be used to buy conservation land. Mr. Dubay said that he asked the Selectmen if they would support a warrant to article to take 20% of the Current Use and put it toward programs that would benefit the people. Mr. Dubay said that he would like the Conservation Commission's participation. Mr. Rouillard asked what types of projects would be funded. Mr. Dubay said that value would be added to existing recreational projects, the Rail Trail and the Historic District. Mr. Rouillard said that he could be convinced to be a part of this if it is for recreational purposes. Mr. Breton said the Selectmen neglected to propose money in the budget for recreation. Mr. Ralph Valentine described repairs and maintenance needed for fields, Wonderland Playground, Griffin Park, historic areas etc.

Richardson Site Plan (Conceptual) – Planning Board Request for Comments

Lot #8-C-1 - 105 Rockingham Road

9.25 acres in the Professional Business & Technology District adjacent to the Rural District.

Applicant is requesting site plan approval for retail sales of motor vehicles. The parcel contains 6 structures that are being used as storage facilities and 1 office building. A portion of the existing parking lot is located within the WWPD, however it is not anticipated that the proposed project will have any significant adverse environmental impacts to the existing wetlands. Selling automobiles is not a permitted use, however, the applicant was granted a variance on December 13 2005, case #61-2005.

After reviewing the submitted plan the Commission had the following comments:

- Due to the sensitive nature of the surrounding area safeguards should be implemented to protect this area.

Mr. Morris motioned and Mr. Breton seconded the motion to approve the November 9, 2006 minutes as written. Motion passed 4-0-2; Miss Skinner and Mr. Senibaldi abstained because they did not attend the November 9, 2006 meeting.

Mr. Senibaldi motioned and Mr. Breton seconded the motion to reimburse Mr. Morris \$413.00 for the purchase of a GPS Mapping System #76CSX. Motion passed 6-0.

Mr. Breton asked the Chairman to send a letter to the IT Director asking him to release the link for the *Walking In Windham Books*.

Mr. Rouillard motioned and Mr. Breton seconded the motion to pay Attorney Campbell \$174.57 for services to purchase 40 Acres LLC. Motion passed 5-0-1. Mr. Senibaldi abstained.



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Mail

- Notice from the Professional Trailbuilders Association about the 2007 Trailbuilders Conference scheduled for Mary 6, 2007 thru March 8, 2007 in Reno, Nevada.
- Memo from David Sullivan regarding the 2006 Annual Town Report; narratives due before Friday December 22, 2006, statistical and financial due no later than January 16, 2007 and Board/Committee Chairman to include with their report a current roster of their members and terms.
- Copy of November 20, 2006 letter from NH DES to Johnson Family Realty Trust regarding File # 2006-02674, 6 Johnson Street regarding an incomplete expedited application.
- October 30, 2006 letter from Beaumont & Campbell to David Sullivan regarding an invoice for services for 40 Acres, LLC Purchases.
- Reminder from Rockingham Planning Commission regarding the RPC Legislator's Forum.
- Copy of letter to Michael Sclafani from Andrew Lane regarding Docket #06-15 WC submitting Exhibit #15, certified plot plan, of the request for reconsideration of administrative order WD 06-043.
- Copy of November 8, 2006 letter from NH DES to Paul Chicklis of 2 Wilson Road regarding Wetland Bureau Compliance File #2006-01630.
- Copy of November 10, 2006 letter from Anitra Lincicum and Todd Brodeur of 23 Seavey Road to David Sullivan regarding the purchase of 19 Seavey Road.
- November 14, 2006 letter from Attorney Theroux, Jr. regarding Lots 3-B-30, 352 and 262 with a copy of the Special Permit Application to the Planning Board to construct a single family dwelling, well and septic for each lot.
- Copies of E-mails from David Sullivan requested by Bruce Breton regarding Land Use Change Tax.
- Rauseo & Associates Invoice \$2979.51.
- November 29, 2006 letter from Benchmark Engineering regarding Land off Goodhue Road
- November 29, 2006 letter from Benchmark Engineering regarding H&B Homes and MLC Land.
- Holiday 2006 Issue of Greater Nashua Habitat for Humanity
- December 5, 2006 Memo from David Sullivan regarding Possible Conveyance of Land, 9.7 acres, to the Windham School District.



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At 10:30 PM Mr. Rouillard motioned and Mr. Senibaldi seconded the motion to go into Closed Session per RSA 91-A:3 for the purpose of land acquisition. Motion passed unanimously on a roll call vote.

The next meeting of the Conservation Commission is scheduled for January 11, 2007 at 7:30 PM in the Planning & Development Office.

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