



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission

Draft Minutes

May 12, 2011

Members:

Dr. James Finn – Chairman

Mr. Wayne Morris – Vice-Chairman

Mr. Brian Dell'Orfano – Secretary

Mr. Dennis Senibaldi – Member (Excused)

Ms. Pamela Skinner – Member

Ms. Lisa Ferrisi – Member

Mr. Bernie Rouillard – Alternate

Mr. John McRobbie – Alternate

Seat Alternates

The Chairman appointed Mr. McRobbie to replace Mr. Senibaldi for this meeting.

Mr. Morris motioned and Mr. McRobbie seconded the motion to reimburse the Town of Windham \$1607.63 for legal work done on the Leggatt property for Lot 6-A-1300, Kent Street. Motion passed 7-0.

Mr. Alan Carpenter explained that Moeckel Pond is currently owned by three individual parties, two are charitable organizations and one is an individual from Massachusetts. Mr. Carpenter and his wife approached the land owners about acquiring the property. Upon closer study, Mr. & Mrs. Carpenter found that the cost to repair the dam was financially undoable. It was suggested that the property be given to the community of Windham because the owners have not be able to sell the property because of the dam. All three owners confirmed in writing, that if the proposed plan comes to fruition, they would give the property, the pond, the island and the dam to the community of Windham. The Town has no desire to own the dam. The properties would be donated by the owners. The abutters of Moeckel Pond have met and are putting forth a petition to the Board of Selectmen to form the Moeckel Pond Village District. The donation would be made to that Village District and the Conservation Commission would be asked to purchase from that entity the pond, island and a building lot bordered on two or three sides by Deer Leap which would give public access to Moeckel Pond. Any funds gained by selling the property would be used to put the dam in Class A condition according to NHDES requirements. Essentially the Conservation Commission would get for less money, what they wanted some months ago without any liability to the Commission or the Community for the dam.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Miss Skinner motioned and Mr. Rouillard seconded the motion to go into Non-Public Session according to RSA 91-A:3 to discuss land acquisition on a roll call vote. Motion passed 7-0.

Mr. Rouillard motioned and Miss Skinner seconded the motion to go back into Public Session. Motion passed 7-0.

The Chairman said while the Commission was in Non-Public Session, the Members agreed in principle, to purchase Moeckel Pond, an approximately one acre lot and island contingent upon the sequence of events which would be incorporated into a memo of understanding, so that all sides would understand the sequence of events to complete the project. After receiving the memo of understanding, the next step would be to go to the Board of Selectmen to approve the purchase of the properties.

Mr. Neil Fallon of 26 Rock Pond Road asked if a price would be included in the memo. The Chairman said the memo would include a price when it goes before the Board of Selectmen.

Mrs. Dianna Fallon of 26 Rock Pond Road said there will be a discussion of the Village District at the May 23, 2011 Board of Selectmen meeting. Mrs. Fallon asked for direction from the Commission regarding what they would feel comfortable putting in the memo.

Mr. Norm Young of 1 Jordan Road said he would probably be the one drafting the memo of understanding and questioned the *To and From*. The Chairman said it should be one memo that both parties agree to and understand. Mr. Rouillard said the memo should be a draft outlining the principles as Mr. Young understands it, then the Commission will amend it, send it back and hopefully it will be agreeable or Mr. Young can amend it.

Baystate Forestry Services – Michael Powers

Mr. Powers said that before you can start talking numbers and dollars in terms of timber value the first step would be to pick a property that could be analyzed and then write a forestry management plan for that property.

Mr. Morris met Mr. Powers at a dedication of conservation land in Pelham. Mr. Morris looked at a couple of parcels that Baystate Forestry had worked on in Pelham. In order for any proceeds from forestry management to go into the conservation fund there needs to be a vote at town meeting.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

It was suggested by Mr. Powers that the Commission start with a low profile parcel that is less conspicuous.

Mr. Morris suggested the Lord Property that has approximately 70 acres and is isolated would be a good site to use to begin the process.

Mr. Powers offered to write a forestry management plan which would be a good guideline on how Baystate would move forward with that particular piece of property.

Mr. Rouillard motioned and Mr. Morris seconded the motion to hire Baystate Forestry Service to provide a forestry management plan for the Lord Property consisting of approximately 70 acres that is a Conservation Commission property. Motion passed 7-0.

At Mr. Powers request the Chairman signed a work order so that Baystate can move forward with a management plan.

Approval of Minutes

Mr. Morris motioned and Miss Skinner seconded the motion to approve the March 24, 2011 minutes as submitted. Motion passed 5-0-2. Mrs. Ferrisi and Mr. Dell'Orfano abstained.

Other Business

Mr. Rouillard reported that while walking at Fosters Pond he noticed *No Trespassing* signs have been posted between the Devlin parcel and Fosters Pond. Mr. Rouillard said it was his understanding that there was to be an agreement to have an easement to go around the pond. Mr. Morris said the Selectmen signed an agreement a couple of weeks ago. The Chairman will speak with Mr. Sullivan, Town Manager, regarding the signed easement.

Mr. Rouillard motioned and Miss Skinner seconded the motion to pay the NHACC invoice in the amount of \$511.00 for 2011 dues. Motion passed 7-0.

Mr. Morris asked if anyone was interested in viewing vernal pools at Spruce Pond he would contact Joe Maynard to set up a date and time.

Mail

- March 24, 2011 Letter from NHDOT regarding sale of state owned land in Windham.
- Current Use for the month of March.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

- Emergency Authorization for 25 North Shore Road to temporarily impact 25 linear feet of bank to create an infiltration trench to intercept spilled home heating oil before entering Cobbetts Pond.
- Shoreland Impact Permit #2011-00513 for 27 Armstrong Road Expires 3/28/2016.
- Invoice from NHACC in the amount of \$511.00 for Dues.
- April 1, 2011 letter from Attorney Campbell regarding Spruce Pond.
- April 6, 2011 memo from Board of Selectmen regarding State Surplus Land for Sale at 16 Roulston Road, Lot 13-A-100.
- Environmental Fact Sheet regarding erosion control for construction within the protected shoreland.
- Notice of Findings from NHDES regarding 25 North Shore Road File #2010-01987.
- April 19, 2011 email from Southeast Land Trust regarding easement monitoring program.
- April 25, 2011 email from Bruce Anderson regarding his resignation from the Conservation Commission.
- NHDES Administrative Order 11-021WD
- May 12, 2011 Memo from David Sullivan regarding the donation of Lot 6-A-1300, Leggatt property, Kent Street. Legal Expenses \$1607.63.
- May 8, 2011 email from Jim Dreyfuss regarding possible Eagle Scout project.
- April 2011 Current Use.
- Conservation Land Fund totals.
- Annual RPC meeting is schedule for June 8, 2011 at the Exeter Inn.
- Public Workshop on the Village Center scheduled for May 11, 2011 from 6-8PM in the Community Development

Mr. Rouillard motioned and Mr. Morris seconded the motion to adjourn. Motion passed 7-0.

The next meeting of the Conservation Commission is scheduled for May 26, 2011 at 7:30 PM in the Community Development Office.

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