



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission Minutes March 27, 2008

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

Seat Alternates

The Chairman appointed Mr. Morris to replace Dr. Anderson for this meeting.

Lot 22-B-14, 17 Johnson Road

Mr. Schroeder, Canobie Lake Protection Association

Mr. Cornier, Property Owner

Discussion – 90' Boat Dock

Dr. Finn read into the record a portion of the March 10, 2008 letter from Chris Brison, Shoreline Specialist with the DES Wetlands Bureau to Mr. Douglas Cormier ...

1. Pursuant to Rule Env-Wt 402.02 (a) (2) please revise plans so that the seasonal dock shall not extend more than 30 ft lakeward from the causeway's normal high water mark elevation. 2. Pursuant to rule Env-Wt 302.04 (d) (1) The Department determined that to put fill on top of the jurisdictional causeway is not the least impacting alternative as this area can be accessed by foot most times of the year. Please remove any proposed fill on top of the causeway from the plans. No deposition of fill added to the causeway will be authorized.

Mr. Cormier explained that he purchased the property approximately 18 months ago and at the time the dock was in disrepair. Mr. Cormier contacted the Town of Windham for information and was referred to Edward N. Herbert Associates, Inc. Mr. Cormier met with Mr. Wes Aspinwall of Herbert Associates and was told that his project was do-able. Mr. James Gove of Gove Environmental assessed the area, flagged the wetlands, took photos and staked lake levels. A representative from the NH DES made a site visit to the property and said that the causeway is a man-made structure and they have aerial photography from 1962.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Up until July 19, 2007 the area wasn't dry enough to gain access to remove the old dock. The DES Representative said a 90' dock should be allowed as long as some geo-fabric is put down first on the bed of the lake to prevent growth. The original proposal was not for the dock it was only for the causeway in order to get to the grandfathered dock to get it repaired. Mr. Cormier was told that if the NH DES is saying that a 90' dock is allowed it should be in his application. Mr. Cormier wants to repair the causeway with concrete curbing and replace the 30' dock. The NH Des will re-visit the site on April 8, 2008 at 10:00 AM. Mr. Cormier invited the Conservation Commission Members and any other interested parties to attend the meeting with DES on April 8, 2008.

Mr. William Schroeder, Vice-President of the Canobie Lake Protection Association, spoke about the water level being above 220' and he would like to see the revised plan.

The Chairman said that he would like an e-mail sent to Chris Brison at NH DES to confirm the status of the April 8, 2008 meeting.

Lot Mergers - Mr. Breton

Mr. Breton submitted a plan showing the parcel of conservation land (Blanchard, Cyr I and Cyr II) off of Route 28. Mr. Breton said that he could continue to work with Mr. Norman and do other mergers and a list of parcels will be forwarded in the next week or two. Mr. Morris motioned and Miss Skinner seconded the motion to have Mr. Breton continue with lot mergers. Motion passed 5-0.

Park Rangers – Mr. Breton

The Town Budget includes one Park Ranger. Mr. Breton submitted a job description that he worked on with Cheryl Haas for a Park Ranger to monitor both the Town and Recreation lands. The Park Ranger would be responsible for monitoring Town Recreation and Conservation Lands by patrolling the facilities and being available to answer patron questions as needed and would report directly to the Recreation Coordinator. Following are the duties and responsibilities of the Park Ranger.

- Patrols various Town parks, trails and conservation areas (including but not limited to the properties listed in the "*Walking in Windham*" book), promotes Town Ordinances, Recreation Department rules and regulations and safety practices at all times.
- Takes appropriate actions within authority to protect Windham's resources.
- Enhances visitor experiences through providing a presence at recreation areas by monitoring activities, answering questions and giving out information.
- Works with law enforcement officials and Recreation Coordinator to carry out appropriate regulatory actions.
- Explains applicable rules and regulations to individuals and groups.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

- Conducts safety checks and cleanliness of facilities.
- Performs light maintenance duties including picking up litter, moving fallen brush, etc.
- Participates in training sessions provided by the Town of Windham.
- Checks first aid supplies and reports needed items to the Recreation Coordinator.
- Maintains all necessary records, reports, log books, etc.
- Attends all meetings as directed by the Recreation Coordinator.
- Promotes and maintains positive community relations.
- Performs any and all other duties as assigned by the Recreation Coordinator.

It will be difficult to accomplish all that needs to be done with only one Park Ranger. The schedule would be for the Rangers to cover a seven day work week from June thru September. Mr. Breton said that after talking with NHACC the suggestion was made that the Town should have two or three Park Rangers. The cost for each would be about \$3000.00/year. Funding can come from Current Use. Mr. Breton asked if the Conservation Commission would approve two Park Rangers to be paid out of Current Use. Mr. Senibaldi motioned and Mr. Rossetti seconded the motion to approve the addition of two more Park Rangers as described in the job description presented and not to exceed \$6000.00 and Ms. Haas to do the hiring. Motion passed unanimously 5-0.

Mr. Tom Case said that if the Park Ranger is being paid for with Conservation funds and is sitting at Griffin Park he did not think that was the proper use of Conservation funds.

This was Mr. Breton's last Conservation Commission meeting. He will be the Board of Selectmen liaison to the Planning Board. Mr. Senibaldi thanked Mr. Breton for his service to the Commission.

Approval of February 28, 2008 Minutes

The February 28, 2008 minutes will be approved at the next meeting.

Farmland Preservation Initiative - Mr. Morris

Mr. Morris advised the Commission that he received an OK from all regarding farm photos being used on the Town website. Mr. Morris will work on the narratives.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Review of Zoning Board Cases

Lot #16-Q-212, Case #22-2008 (Moved from March 25, 2008)

Applicant – Benchmark Engineering

Owner – John Boss

Location – 10 Viau Road

Zone – Residential A

A variance is requested from Section(s) 401, 405.2, 405.5 & 702 Appendix A-1 of the Zoning Ordinance to permit the existing house and garage to be razed and the reconstruction of a new year-round dwelling on a non-conforming 12,200 square foot lot where 50,000 square feet is required, with street frontage of 105-feet where 175 feet is required and a front setback of 19 feet where 50 feet is required, side setback of 18 feet where 30 feet is required and a rear (lake) setback of 30 feet (to tie course) where 50 feet is required.

After reviewing Zoning Board Case #22-2008 the Commission had the following comments:

- The proposed house should be sized appropriate for the lot.
- The expansion continues to be within the Shoreland Protection area.

Lot #22-L-39, Case #24-2008

Applicant – Edward N. Herbert Associates, Inc.

Owner – Dennis & Catherine Butterfield

Location – 65 West Shore Road

Zone – Residential A

A variance is requested from Section(s) 401, 405.2, 405.5 & 702 Appendix A-1, of the Zoning Ordinance to permit an existing dwelling to be razed and replaced with a new dwelling on a pre-existing, non-conforming lot. The proposed two-bedroom dwelling will be 3' from the northerly lot line where 30' is required, 15' from the sideline of West Shore Road where 50' is required, 25' to the shore of Canobie lake where 50' is required. The existing lot has 85.08' of frontage on West Shore Road where 175' is required and contains 10,246 square feet where 50,000 square feet is required.

After reviewing Zoning Board Case #24-2008 the Commission had the following comments:

- The proposed house should be sized appropriate for the lot.
- The expansion continues to be within the Shoreland Protection area.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Other Business

Miss Skinner motioned and Mr. Morris seconded the motion to pay the \$150.00 invoice from Herbert Associates for the addition of conditions of approval, bound certification to plan set, run mylars & prints for the Planning Board for the Graff property. Motion passed unanimously.

Mail

- Copy of February 21, 2008 Letter from Thomas Burack, Commission, NH DES regarding Seavey Pond Dam.
- February 25, 2008 letter from Thomas Masland to Dr. Finn regarding the Use of Conservation funds for trails.
- February 27, 2008 letter from New England Wild Flower Society, John Burns, Plant Conservation Volunteer Coordinator, including a report summarizing the results of the rate plant monitoring activities in Windham during the 2007 field season.
- Copy of February 29, 2008 letter to the Wetlands Bureau from John Cooley, Jr., Staff Biologist, Loon Preservation Committee regarding the proposed dock at the southeast end of Canobie Lake.
- February 2008 Current Use.
- Invoice #8956 from Attorney Campbell in the amount of \$25.60.
- March 10, 2008 letter from Teresa McGivern of 57 West Shore Road regarding the proposed causeway and dock on Canobie Lake.
- February 28, 2008 Fax from John Cooley, Jr., Staff Biologist at the Loon Preservation Committee regarding active loon nests near the proposed dock site.
- Copy of March 12, 2008 letter from Matt Hamor of Polaris Consultants to Ruth Ellen Post, Planning Board Chairman, regarding Lot 3-B-262, 20 Flat Rock Road along with a copy of the Special Permit Application.
- Copy of March 12, 2008 letter from Matt Hamor of Polaris Consultants to Ruth Ellen Post, Planning Board Chairman, regarding Lot 3-B-350.
- Copy of March 12, 2008 letter from Matt Hamor of Polaris Consultants to Ruth Ellen Post, Planning Board Chairman, regarding Lot 3-B-352.
- Copy of March 14, 2008 letter from Gloria Andrews of the Alteration of Terrain Program at NH DES requesting additional information regarding an application to alter the terrain at The Willows.
- March 2008 Issue of NH Town & City.
- March 10, 2008 letter & brochure from Rachel Stevens of Birch Tree Conservation Consulting LLC.
- March 10, 2008 letter from William & Gail Souza of 41 West Shore Road regarding the proposed causeway and dock into Canobie Lake.
- Brochure from NH LGC listing workshops.



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

- Copy of March 18, 2008 letter from Eben Lewis, Compliance Specialist, Shoreland Program, NH DES wetland Bureau regarding File #2007-01340, 29 Walkey Road.
- Invoice #4 from Herbert Associates in the amount of \$150.00.
- E-mail from Dana Call advising that she will have a report on land funds in early April for the Conservation Commission.
- CTAP Local Government Workshop Catalog.

Closed Session

Miss Skinner motioned and Mr. Morris 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 April 10, 2008 at 7:30 PM in the Planning & Development Office.

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