



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission Minutes April 9, 2009

Dr. James Finn – Chairman
Mr. Bernie Rouillard – Secretary
Dr. Bruce Anderson – Member
Mr. Brian Dell’Orfano – Member
Mr. Wayne Morris – Member
Mr. Chris Rossetti – Member
Mr. Dennis Senibaldi – Member (arrived 7:55 PM)
Miss Pamela Skinner – Member

Seat Alternates

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

Approval of March 26, 2009 Minutes

Miss Skinner motioned and Mr. Rossetti seconded the motion to accept the March 26, 2009 minutes as written. Motion passed 5-0-1. Dr. Finn abstained because he did not attend the March 26, 2009 meeting.

Planning Board Report – Miss Skinner

Miss Skinner had nothing to report; there was no meeting scheduled for April 8, 2009.

Farmland Preservation Initiative – Mr. Morris

Mr. Morris did contact Ms. Taylor by email and Ms. Taylor will be a consultant after April 10, 2009. Mr. Morris will contact her after that date.

Review of Zoning Board Cases

There were no new cases to be reviewed.

Other Business

By-Laws will be reviewed at the April 23, 2009 meeting.

After reviewing copies of the daily sheets provided by Cheryl Haas, Recreation Coordinator, the members discussed time spent by the Park Rangers on conservation land. Mr. Rouillard said that he is not in favor of using *current use* money for



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maintenance. The members would like to see a better distribution of time, at least 50% of the Rangers' time to be spent monitoring conservation land and they would like to see reports in a timely manner. Mr. Morris motioned and Mr. Rossetti seconded the motion to expend \$3000.00 for Park Rangers subject to the following conditions:

- Weekly Reports
- The time spent on conservation land should reflect the funding provided by the Conservation Commission.

Motion passed 6-0.

Dr. Finn reported that Attorney Masland is still reviewing the H&B Home Easements.

Mr. Rouillard said that Cub Scout Pack #266 will clean up the parking lot area of Deer Leap on May 3, 2009.

Dr. Finn said that the NH Department of Environmental Services has made changes to the South East Land Trust and he will discuss the changes with the Board of Selectmen. Dr. Finn will email the changes to all the members.

Horseshoe Estates, Mr. Zohdi of Herbert Associates

Lots 17-L-17 and 17-L-150

Mr. Peter Zohdi submitted a report and photos from Gove Environmental Services. Mr. James Gove checked the wetland boundary on lot 17-L-154. It was brought to Mr. Gove's attention that members of the Conservation Commission wished to have this wetland boundary checked in the location of a concave overland flow that leads to a jurisdictional wetland area. The concern was that the wetland may extend upslope of the flagged wetland boundary on Lot 17-L-154. Mr. Gove conducted an inspection of the area. Two test pits were dug in the approximate location shown on the plan. Photos were taken of the soils to verify the findings of the test pit investigations. Briefly, the test pits confirmed that hydric soils do not extend upslope of the flagged wetland boundary in the concave overland flow area. No defined scoured channel was connected to the flagged wetland boundary; therefore, no intermittent stream extends upslope of the wetland. Without the presence of hydric soil, an area cannot be designated a wetland. The presence of wetland hydrology, wetland vegetation and hydric soils all need to be present to designate an area as a wetland. The wetland hydrology must be present during the growing season. Despite the lack of snow, the area of Windham is not currently in the growing season. Therefore the presence of water either in a test pit or on the soil surface, at this time, does not meet the criteria of having wetland hydrology. Mr. Rouillard said that Mr. Gove's report addressed the Commission's concerns and proved that hydric soil does not exist. The Commission had no further comments. Mr. Zohdi requested a letter from Conservation be sent to the Planning Board no later than May 6, 2009.



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Mr. Senibaldi motioned and Mr. Morris seconded the motion to have the Chairman send a letter to the Planning Board stating that the Commission is satisfied. Motion passed 7-0.

Mail

- March 27, 2009 Memo from Laura Scott, Community Planner, regarding the Technical Review Committee Process.
- March 27, 2009 Memo from Laura Scott, Community Planner, regarding the Highway Department's March 24, 2009 site walk of Lots 17-L-17 & 150.
- Copy of March 25, 2009 Letter from Ansel Sanbor, CTAP Project Manager to Cliff Sinnott at RPC regarding CTAP one year local discretionary account.
- Copy of March 26, 2009 Memo from Laura Scott to Peter Zohdi regarding a WWPDP Special Permit Request for Lot 11-C-2561.
- Copy of April 2, 2009 Memo from Laura Scott to Peter Zohdi regarding a 6 Lot Subdivision (Horseshoe Estates) and lot merger of Lots 17-L-17 & 150.
- Copy of March 27, 2009 Letter to David Sullivan, Phil LoChiato and Laura Scott from Kathleen Sullivan DiFruscia, Legal Advisor to CPIA (Cobbetts Pond Improvement Association) regarding the impact to Cobbetts Pond from the CVS Pharmacy drainage plan.
- NHDES Shoreland Impact Permit #2009-00275 issued to Richard Hannon, 77 West Shore Road. 8,646 square feet of impact for the construction of a single family dwelling with driveway, installing a septic system and removing an existing garage, shed and tennis court.
- Office of the Tax Collector – March 2009 Current Use. \$0.00.
- UNH Cooperative Extension complimentary CD with an electronic copy of *The Importance of Hydroperiod in Wetland Assessment*.
- Central NH Regional Planning Commission Two Workshops scheduled for Monday April 13, 2009.
- Copy of April 2, 2009 letter from NHDES Shoreland Program regarding application 2009-00547, 37 Sawyer Road acknowledging receipt of the application that will be reviewed within 75 days.
- NHDES Aquatic Resource Mitigation Program accepting applications for the Merrimack River Watershed. Applications must be submitted no later than 4:00 PM on June 5, 2009.
- NHLGC schedule of 2009 Local Officials Workshops in NH.
- April 7, 2009 Memo from Laura Scott regarding Lot 11-C-2561 WWPDP Special Permit Request.
- April 3, 2009 letter from NHDES regarding File #090401-011 Alteration of Terrain application from Town of Windham to disturb approximately 339,400 square feet of earth to extend the existing London Bridge Road.



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- April 3, 2009 Letter from Jim Gove of Gove Environmental Services regarding Horseshoe Estates wetland boundary on lot 17-L-154.
- April 3, 2009 Letter from Brendan Quigley of Gove Environmental Services regarding 164 Range Road, Wetlands File #2009-00459, revised application material.
- April 8, 2009 Letter from Mr. Zohdi regarding Horseshoe Estates.
- April 8, 2009 Memo from Laura Scott regarding Lots 17-L-17 & 17-L-150, lot merger and 6-Lot Subdivision (Horseshoe Estates).
- April 8, 2009 Memo from Laura Scott regarding the April 14, 2009 TRC Meeting.

Closed Session

Mr. Senibaldi motioned and Miss Skinner seconded the motion to go into Closed Session per RSA 91-A:3 for the consideration of the acquisition of real or personal property on a roll call vote.