

Conservation Committee
May 10, 2001

Members:

Cherie Howell - Chair
Tom Seniow - Vice-Chair (Excused)
Christie Davis - Secretary (Excused)
James Finn - Member
Gerry Capron - Member
Pamela Skinner - Member
Ross McLeod - Alternate (Absent)
Bernie Rouillard - Alternate

Mrs. Howell appointed Mr. Rouillard to replace Mrs. Davis for this meeting.

Minutes

Mr. Rouillard made a motion to accept the April 26th minutes. Mr. Capron seconded the motion. Passed unanimously.

Boy Scout Troop 266

Mr. John Foster, Assistant Scout Master for Windham Troop 266, requested approval of his color-coded signs for trails around Fosters Pond. Yellow for Fosters Pond, white will be used for the small side trails and since blue was already being used for the Nancy Johnson trail, Mr. Foster will continue to use blue for that area.

NH Comprehensive Shoreland Protection Act

Mr. Bruce Flanders, Building Inspector and Mr. Alan Carpenter, Chairman of the Planning Board had a discussion with the Members regarding the interpretation of the Shoreland Protection Act. Mr. Flanders said that the Shoreland Protection Act was originally written for new subdivisions. Mrs. Howell said that the Building Department's interpretation is that if a body of water is exempt that equals zero. The Conservation Commission's interpretation is that if there is an exemption the 50 foot setback kicks in. Mr. Flanders reminded the Members that if they default to the Shoreland Protection Act, accessory buildings such as garages and sheds can be built since the Shoreland Protection Act only applies to primary buildings. The final interpretation of the act comes from the Planning & Building Department. Mr. Carpenter said that he would contact Bernie Campbell, Town Attorney, to review the Shoreland Protection Act. Mr. Carpenter also said that he would recommend that the Planning Board rephrase the Zoning Ordinance. Mr. Rouillard made a motion to send a letter to the Planning Department requesting that they reconsider their interpretation of the setback standard of 30 feet from exempted ponds for building structures in lieu of the 50 foot standard set forth in the Shoreland Protection Act. It is our belief that because Cobbetts Pond, Canobie Lake, Shadow Lake, Rock Pond and Moeckel Pond are exempted from our local WWPd ordinances, we have no established setback and therefore the Shoreland Protection Act and not minimum lot setback requirements established by the town should prevail. Mr. Capron seconded the motion. Passed unanimously.

Ristorante Italiano - 85 Range Road - Lot 17-G-40 DES Permit #1996-00287

Mr. Alex Ray, Owner of the Common Man Restaurant, advised the Members that several weeks ago, as he was preparing to do the wetlands crossing, on lot 17-G-40 (17 acres that were purchased across the road from the Common Man Restaurant) he became concerned about the erosion and sediment control. The input of Mr. Gino Infascelli at the NHDES was solicited and a few modifications to the plans were made in order to further minimize any impact to the wetland. The Conservation Commission received the

Erosion and Sediment Control Management Plan that was submitted for the Hiltz Construction Company. Mr. Ray explained that there was a change in the elevation of the water (24" higher) in the construction crossing (approximately 200 feet) because of a beaver dam. After receiving permission, the beaver dam was removed. Mrs. Howell asked how long the construction would take. Mr. Ray said that the construction would last two weeks. Lisa Linowes, member of the Planning Board, questioned the placement of tanks. After reviewing the document for two wetland crossings the Conservation Commission had no objections.

Minimum Impact Expedited Application 18 Hayes Hart Road

After reviewing the submitted application to install a seasonal boat dock on Canobie Lake, the Conservation Commission had no objections. Miss Skinner made a motion to accept the submitted application. Mr. Finn seconded the motion.

Other Business

The Members reviewed the Drinking Water Source Assessment Reports.

The Members discussed a possible Eagle Scout Project, building birdhouses for the Blue Bird Corridor on the Landry Conservation Easement.

Mr. Finn advised the Commission that a \$30.00 entrance fee must be paid by June 21, 2001 for the Apple Festival. Mr. Finn made a motion to pay the \$30.00 entrance fee. Mr. Capron seconded the motion. Passed unanimously.

Mr. Capron presented apple pins to the Members to use as a possible fundraiser. Mr. Capron made a motion to be reimbursed \$23.75 for the apple pins. Miss Skinner seconded the motion. Passed unanimously.

Mr. Finn made a motion to reimburse Mrs. Howell \$9.00 for shipping costs. Mr. Capron seconded the motion. Passed unanimously.

Mrs. Howell made a motion to reimburse Mr. Finn \$228.00 for copies of the LCHIP Proposal. Mr. Capron seconded the motion.

Mail

- Letter from Betsy Carlson resigning from the Conservation Commission dated May 4, 2001
- Brochure from American Farmland Trust, Presentation November 12-14, 2001 at Pheasant Run Resort in St. Charles, Illinois

Miss Skinner made a motion to adjourn at 9:05 PM. Mr. Finn seconded the motion. Passed unanimously.

The next meeting of the Conservation Commission will be on May 24, 2001 at 7:30 PM in the Town Hall.

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

