



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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June 10, 2004

Bruce Anderson – Chairman
Lisa Linowes – Vice-Chairman
Rick Adams – Secretary (Absent)
Tom Seniow – Member (Absent)
Pamela Skinner – Member
Dennis Senibaldi – Member
Bernie Rouillard – Alternate

Miss Skinner motioned and Mrs. Linowes seconded the motion to go into Public Session. Passed unanimously.

Alternate Appointment

The Chairman appointed Mr. Rouillard to replace Mr. Adams for this meeting.

The Members reviewed a letter written by Mr. Anderson to Fire Chief Messier stating that the Commission has no objections to Boy Scout Troop #266 building a campfire at Fosters Pond the weekend of June 11-13, 2004. The following conditions were listed:

1. The fires are confined to the existing fire pit in the area known as "Scout's Point".
2. Trained adult (Troop Leader) supervision is present at all times when a campfire is burning.
3. Fires are completely extinguished before leaving the area.
4. The Troop adheres to any other safety and forest fire prevention protocols stipulated by the Windham fire Department.

Mr. Rouillard motioned and Mr. Senibaldi seconded the motion to accept the letter written by Mr. Anderson to Fire Chief Messier. Passed unanimously 5-0.

Mr. Zohdi of Herbert Associates – Bear Hill

Mr. Zohdi presented an Open Space Subdivision Plan. There will be a Dredge & Fill application for three areas and the total impact for the entire project will be 4,531 square feet. Mr. Zohdi requested the support of the Conservation Commission for this project. Mr. Rouillard asked if the distance to the head walls could be reduced from 50-feet to 40-feet to minimize the impact. Mr. Rouillard suggested that the road width to the cul-de-sac be reduced. Mr. Zohdi requested that he and Mr. Gove be on the June 24, 2004 agenda for a Dredge & Fill application.

Karl Dubay of MHF Design & Jim Gove of Gove Environmental – Windham Supermarket Revised Plan

Mr. Dubay addressed the concerns of the Conservation Commission at the April 8, 2004 meeting.

- Reduce parking in the WWPD. *Parking has been eliminated in the WWPD. Some parking will be in the back. Overall there will be 319 parking spaces. Parking isle widths have been reduced.*
- Reduce Supermarket Building in the WWPD. *Reduced footprint in the WWPD and eliminated a loading dock.*
- Reduce Knoll Impacts by moving Water Pump House. *Pump House has been moved to the side; there will be less grading. There will be some parking in the knoll area.*
- Minimize Leach Field area. *Original plan showed a primary and a reserve field. A reserve leach field is not required in New Hampshire. Only half the area will be needed for the reserve field and the trees in the reserve field area will not be cut. A small treatment plant, Bioclere Wastewater Treatment Systems, will be installed. Bioclere reduces the BOD's (biochemical oxygen demand) and TSS (total suspended solids) to levels that meet or exceed EPA and NSF standards.*
- Investigate Well System Back Wash Technology. *Looking into this and will provide more information at a later date.*
- Forbid salt piles on site. *No salt piles will be on the site.*

Mr. Gove spoke about the two small wetland impacts, approximately 400-600 square feet each. On the main access drive coming off of Wall Street there is a man-made wet meadow condition that is not a vernal pool. The second area is a small isolated wetland this is not a vernal pool.

Mr. Dubay asked to be on the June 24, 2004 agenda for a Minimum Expedited Dredge & Fill and he would like a letter of support from the Conservation Commission stating that the Commission accepts the changes presented. Mr. Senibaldi motioned that the Commission is happy with the changes presented by Karl Dubay that parking has been eliminated in the WWPD, eliminated the building in the WWPD, the pump house has been moved to reduce grading, Bioclere Treatment Plant installed to minimize leach field area, no salt piles on site as part of site approval and will continue to investigate back wash technology. Mr. Rouillard seconded the motion. Passed unanimously 5-0.

Karl Dubay of MHF Design – Carr Landscape, Change of Use Site Plan

20 Route 28, Lot #13-B-50

Mr. Dubay gave a brief introduction to a conceptual plan that was submitted to the Planning Board for a change of use of a two-acre site just north of the bowling alley. The existing approved use of record from 1996 was for a used car lot. Proposing to transform to a landscaping operation. Mr. Gove flagged the area. There is some temporary ponding in the area. Wetland functions will be improved due to the landscaping operation. Mr. Dubay asked that the Commission forward their concerns and support to the Planning Board. Mrs. Linowes motioned and Mr. Rouillard seconded the motion to verify size and extent of wetland south of the property, ask that there be no salt storage on site and any sand stored on site be properly contained. Passed unanimously 5-0.

Wayne Morris of the Trails Committee, Hopkins Road

Mr. Morris submitted the Trails Committee's recommendations for Hopkins Road made after the May 29, 2004 site walk and the June 9, 2004 Trails Committee meeting.

1. Reconnection of the existing trails should occur along the Hopkins Road detention basin access.
2. The detention pond access road along the existing Hopkins Road trail should be no wider than 10-feet to align with the existing trail.
3. The restored trail should be as close to the west bank of the trail as grading will allow in order to maintain a reasonable buffer for 26 Mitchell Pond Road.
4. Restoration of underbrush and trees along the trail should be a mix of native species that include rapid growth and slow growth plants and trees the size and variety to be determined by best practices methods and to be overseen by the Assistant Planning Director, Rebecca Way.
5. Special attention needs to be paid to plants that will enhance the trail i.e. mountain laurel, low bush blueberries, maple leaf viburnum, etc.
6. New landscaping material should be maintained the first year to insure long term success.
7. Grading at the intersection of Mitchell Pond Road and the trail should minimize impact with a slope that insures safe and easy access for foot and horse traffic across the intersection.
8. Rocks and ledge along the trail should be left in place and restorative grading on the trail should meet the outcropped area in order to prevent erosion and enhance aesthetics along the trail.
9. Restoration of plant materials need to take place on both sides of the trail.
10. Trail restoration is to take place as soon as possible to insure public safety and resumed use of the trail.
11. Native plant material (cattails, water lilies) should be placed along the shore of the detention basin to discourage invasive plants and improve visual aesthetics.
12. The contractor should construct a gravel bed detention pond access road that will accommodate safe foot and horse access along the trail and provide proper drainage that insures a passable trail and existing homeowner protection.

Mrs. Linowes said that the Board of Selectmen has withdrawn or not given authority to the Developer to use Hopkins at all as an access road. Mr. Morris said that the concern the Trails Committee has is that there is a 10-foot drop to the detention basin and if you get in there with a backhoe you will not be able to get to the bottom and will have to make some sort of access road to get to the side. Mr. Breton said that the Developer requested to go back to his May 2003 plan. Mr. Morris said that it was not that the Developer requested to go back to the 2003 plan the Developer said that he would do it. Miss Skinner motioned and Mr. Rouillard seconded the motion if the access road is built two lots down as on the original plan our recommendations for reconstructing the Hopkins Road Trail are items 3 thru 11 of the Trails Committee memo dated June 9, 2004. If, however, access to the detention pond is via the reconstructed Hopkins Road Trail we offer the following additional recommendations that include items 1, 2 and 12 of the Trails Committee memo. Miss Skinner amended the motion to remove the second sentence and add the reconstruction of Hopkins Road be the first priority of the Developer. Mr. Senibaldi seconded the motion. Passed unanimously 5-0. Mr. Anderson

will write a memo to the Selectmen and forward it on to Mrs. Fallon so that the Trails Committee can review it and make comments.

Mr. Morris advised the Commission that the Trails Committee did receive the Recreational Trails Grant in the amount of \$15,520.00 to finish work at Fosters Pond, Deer Leap, Gage Lands and Bayberry to build boardwalks and bridges. On June 21, 2004 there will be a Public Hearing to discuss accepting the grant for the Town of Windham.

Joe Maynard of Benchmark Engineering – Indian Rock Road

DeVries – 5 Condo Units on 6 acres

Mr. Maynard explained that he was looking for input to finalize the plans. Tree cutting will be limited to pruning of branches from existing trees. Miss Skinner motioned to reduce road width from 20-feet to 18-feet, minimize as much as possible the *turn-around* and request that the Planning Board verify the methodology used to determine the number of units on this property. Mr. Rouillard seconded the motion. Passed unanimously 5-0.

Joe Maynard of Benchmark Engineering – Lake View Farm

Dredge & Fill Application – Filling of farmers ditch

Mr. Maynard advised the Commission that the Planning Board recommended 22-feet of pavement, 4-foot grass strip and 4-feet of sidewalk on each side of the road. Mr. Maynard will pursue a connection to Armstrong Road. The total impact is approximately 8500 square feet. Miss Skinner motioned to have a 22-foot road width and no sidewalks. Miss Skinner, Mrs. Linowes, Mr. Rouillard and Mr. Anderson voted for this motion. Mr. Senibaldi voted against the motion. Passed 4-1. Mr. Maynard asked the Commission to ask the Planning Board to respond to the Commission's recommendations in letter form.

Mr. Rouillard asked to be excused from the June 24, 2004 meeting.

Minutes

Miss Skinner motioned and Mr. Rouillard seconded the motion to accept the May 27, 2004 minutes as written. Miss Skinner, Mr. Rouillard and Mr. Anderson voted to accept the minutes. Mrs. Linowes and Mr. Senibaldi abstained. Motion passed 3-0-2.

Planning Board Report

Miss Skinner reported that there was a Master Plan Meeting on Land Use on June 9, 2004.

Mr. Greg Aldwin of 6 Twin Street questioned the draining of small pond on Gillis Road. Mr. Anderson advised Mr. Aldwin that the Commission will look into the draining of the pond and will get back to him.

Review of Zoning Board Cases

Lot #21-V-237, Case #28-2004

26 Fish Road

This case requests a variance from Section 702-A-1 of the Zoning Ordinance to permit the replacement of a 29.6' X 6' deck with a 29.6' X 8' deck 24-feet from the right side

setback where 30-feet is required and 19-feet from the left side setback where 30-feet is required and 34-feet from the front setback where 50-feet is required.

After reviewing the case Mr. Senibaldi motion that the Commission had no comment on Case #28-2004. Miss Skinner seconded the motion. Passed unanimously 5-0.

Mail

- Copy of Deed for Lord Property, Book 4208, Page 1148.
- Copy of Deed for Pesando Property, Book 4049, Page 2994.
- NH DES Wetlands Permit #2004-00539, Lot #7-A-400 Cardiff Road, Castle Reach Phase III.
- Letter dated June 8, 2004 from the NH DES regarding DES #994205, EPA ID #2542060, Hardwood Heights/Birch Hill, Conditional Approval of the April 21, 2004 Final Report for Hardwood Heights. Conditions are to provide the DES with a copy of the recorded easement and recorded plan #D-15571 and water derived from the well must be treated for arsenic, iron and manganese to reduce concentrations below drinking water standards.
- NH DES File #2004-00819 Nassar Investment Trust – the Conservation Commission report will be included in the file of this application and will be considered with all data pertinent to waters & wetlands involved in the project.
- Letter dated June 7, 2004 from Mr. Zohdi of Herbert Associates. Copy of the preliminary wetland flagging and preliminary topo of Forty-Acre, LLC.

At 11:15 PM Mr. Senibaldi motioned and Miss Skinner seconded the motion to go into non-public session per RSA 91-A:3 for the purpose of land acquisition. Passed unanimously, 5-0, on a roll call vote.

The next meeting of the Conservation Commission is scheduled for June 24, 2004 at 7:30 PM in the Planning & Development office.

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