



OLD VALUES - NEW HORIZONS

## COMMUNITY DEVELOPMENT

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### **Conservation Commission Approved Minutes Thursday December 8, 2016 7:30pm @ Community Development Department**

#### **1. Attendance**

**Chair Lisa Ferissi- present**

**Vice Chair James Finn- present**

**Pam Skinner- present**

**Dave Curto- present**

**Wayne Morris- present**

**Brian McFarland- present**

**Staff: Rex Norman**

**Meeting Minutes** – Review and Approve – November 10, 2016

**A motion was made by Mr. Finn to approve the November 10<sup>th</sup> meeting minutes as presented. Seconded by Mr. Curto. Vote 4-0-1. Chair Ferissi abstained. Motion passes.**

There is site walk for 15 Roulston Road on December 11<sup>th</sup> with the Planning Board and the applicant.

Chair Ferissi asked the Board to review the 2017 schedule and initial if they approved.

#### **Discussion**

Campbell Farm Sub Committee

Vice Chair Finn stated that the Preservation Alliance is in the process of studying the curatorship. Mr. Morris and Vice Chair Finn also mentioned the necessary chimney cleaning in the residence of Campbell Farm. Vice Chair Finn will follow up with the chimney cleaning.

Moeckel Pond

Ms. Diane Fallon, 26 Rock Pond Road addressed the Board. She stated that an agreement needs to be secured between the Association (who owns the dam), the Conservation Commission, who owns land nearby and Pelham, who owns the road on the other side of the pond. They were asked to remove their application until it can be decided the best way for these three parties to work together. The Friends of Moeckel Pond would upgrade the road. They would look to Pelham to maintain it thereafter. There would be no plowing of the road in the winter. Ms. Fallon is requesting that Pelham Conservation and Windham Conservation go before the Board of Selectmen in Pelham to make this request.

Paul Gagnon, Chairman of the Pelham Conservation Commission addressed the Board. Mr. Gagnon stated that the Conservation Commission is in support of the project. He stated that the Board of Selectmen in Pelham has been supportive of the conservation efforts.

Mr. Morris summarized the efforts of both Windham and Pelham to work together in this area. He also reminded the Board and Mr. Rex Norman (present for the meeting) that the Moeckel Pond dam would soon be rebuilt. Mr. Gagnon stated that the first step is to get the road finished and approved by the Board of Selectmen. After, the repair of the bridge would then be pursued. Pelham Conservation Commission meets the second Wednesday of the month. Windham Conservation would be interested in having a joint meeting.

**A motion was made by Vice Chair Finn to support the plan as presented and to move forward to the joint meeting with the Pelham Conservation Commission in the near future. Seconded by Mr. Morris. Vote 5-0. Motion passes.**

## **ZBA**

**Lot 1-C-2550 Case # 40-2016** Applicant – Eco-Site c/o Ricardo M. Sousa, Esq. Owner –Devlin Family Revocable Trust **Location** – 105 Londonderry Road **Zoning District** – Rural Variance relief is requested from **Section 701.3** to allow a wireless telecommunication monopole to be constructed on the above lot, which is not a permitted use in the Rural District.

Ms. Kasey Rockel addressed the Board. She stated that she has a large group of people who are opposed to the project.

Mr. Daniel Glissman, of Principal, Bell and Tye addressed the Board. He is representing the applicant. The applicant is seeking a use variance, wireless use in a residential zone. Mr. Glissman stated that they are outside the WWP.

Tyler Dulgos addressed the Board to review the Site Plan. Mr. Glissman and Mr. Dulgos reviewed the plan for the Board. Neither the access road nor the tower impacts the WWP. Mr. Morris asked if there was a trial balloon floated; Mr. Glissman stated that it was noticed in the paper as well. Mr. Morris stated that it would have been helpful to the Conservation Commission to see the height of the balloon from the trail at Foster's Pond. Mr. Morris stated that there are very few trees in that area. Pictures are often taken from public roadways, not typically from trail systems. Mr. Glissman stated that T-Mobile or some other carrier would research where there are gaps in service and begin to research potential properties. Vice Chair Finn asked how far away the proposed tower is from Foster's Pond. Vice Chair Finn stated that this is not ideal in its proximity to a conservation area; it is concerning to him.

DAS networks are often filler networks. Mr. Glissman stated that he is not aware of any DAS network being set up. Mr. Glissman stated that the applicant reached out to several landowners to place the tower. Mr. Morris asked why the Conservation Commission was not contacted since Foster's Pond was looked at as a potential site for the tower. Mr. Morris asked the height of the tower near Klemm's (what was once Waterhouse) on Route 111. Mr. Glissman was unaware of how tall that tower was. Mr. Dulgos stated that the poles are often the height of 150 feet. Vice Chair Finn asked what the other criteria was for a pole like this. 1. Search for something in an allowed district. 2. Minimal visual impacts 3. Willing landowners. He stated it is often difficult to find large parcels. The Board discussed how large the tower was on the Sisters of Mercy property. That tower is approximately 330 feet. Mr. Morris, after reviewing the photos, stated that there were no photos from the Foster's Pond trail area.

Ms. Kasey Rockel, 107 Londonderry Road addressed the Board. She stated that she did not receive prior notification of the balloon testing. She stated that the access road is a small road ten feet from her driveway; she does not consider this to be an access road. She stated that the tower is very large in relation to the neighborhood. She does not think the tower belongs in this area. Ms. Rockel stated that the tower would not protect the conservation area; it is making money at the expense of the open space.

Mr. Morris stated that he would have loved to take pictures from the same spot he has taken on the trail over the years. Aesthetically, Mr. Morris does not think the tower should be placed there.

Mr. Glissman stated that the tower is over 472 feet from the property line of Mr. Devlin. There is an easement across the Devlin property. Mr. Morris stated that the map shows that the tower would be approximately 150 feet from the property line. He then reviewed the pictures and could see how the tower would look if an individual was standing on the trail.

Vice Chair Finn asked if there were other potential sites in town. Mr. Glissman stated that there were no other sites in town. Ms. Skinner stated that the Governor Dinsmore tower is “maxed out” and cannot be used for any other carriers.

Amy Steffanetes, 15 Londonderry Road addressed the Board. She stated that there is T-Mobile service in the area and there are no gaps in service when she called to inquire with the company.

Vice Chair Finn stated that he felt as if it was detrimental to the Foster’s Pond Conservation Area; this might not be a good place for a tower.

Chair Ferissi stated that the comments would be going to the ZBA for their meeting next week.

The applicant did not contact the Conservation Commission as an abutter. The Board would like to see the balloon test redone and pictures taken from the trail. The tower would be three times the height of the trees. The tower would be a negative impact to the area on aesthetics and recreation.

**Lots 16-Q-211 & 16-Q-211B Case #43-2016 Applicant** – Benchmark Engineering Inc. Joseph Maynard **Owner** – David & Anita Robitaille and Richard & Virginia Viau **Location** – 16 & 18 Viau Road **Zoning District** – Residence A & Cobbett’s Pond & Canobie Lake Watershed Protection District  
Variance relief is requested from **Section 702, App. A-1** to allow a dwelling to be constructed on a lot with 9,247 sq. ft. where 50,000 sq. ft. is required, frontage of 0 ft. where 175 ft. is required, 14 ft. front setback, where 50 ft. is required, a 15 ft. east side setback & a 9 ft. west side setback, where 30 ft. is required.

This is a lot of record. The impervious surface is increasing from 30% to 35%. A small improvement is being made to the property. The current residence would be razed.

The Board would like to know if there is anything the applicant could do to reduce the impervious surface to make it more conforming to zoning. The Board did not see evidence of a dry well for roof run off. The Board would like to see the applicant reduce the coverage from 35% to 30%.

Misc.

**A motion Mr. Morris to approve the release of \$1,400 from the conservation fund for the purpose of constructing the fence in the parking lot at Campbell Farm. Seconded by Ms. Skinner. Vote 5-0. Motion passes.**

Mr. Morris did ask for an update on the amount of money on the land fund. He hopes to hear by the next meeting.

**A motion was made by Mr. Morris to adjourn at 8:47pm. Seconded by Ms. Skinner. Vote 5-0. Motion passes.**

**Respectfully submitted by Anitra Brodeur**