



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 No Lowell Rd, Windham, New Hampshire 03087

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

www.windhdhamnh.gov

Conservation Commission
Thursday March 24, 2016
7:30pm @ Community Development Department
Approved Minutes

Attendance

Chairman Wayne Morris-present

Vice Chairman James Finn

Dave Curto (alternate)-present (seated for Justin Pare)

Pam Skinner-present

Lisa Ferissi-present

Jason Rodgers (alternate)-present

Brian McFarland (alternate)-present

Justin Pare-excused

The meeting began and 7:30pm.

Meeting Minutes – Review and Approve – March 10th

A motion was made by Mr. Curto to approve the March 10th, 2016 meeting minutes as presented. Mr. McFarland seconded. Vote 4-0-3. Abstained: Ms. Skinner, Mr. Finn and Ms. Ferissi. Approved: Mr. Curto, Mr. Morris, Mr. McFarland, Mr. Rodgers

Eagle Scout Project: The Eagle Scout, Matt Frazier presented his project to blaze or re mark several of the trails that belong to the Conservation Commission. Chairman Morris presented an option of how the Scout would mark and blaze those trails. Chairman Morris would like to arrange a meeting with the Trails Committee so that they can coordinate efforts. He also discussed the importance of involving Dig Safe.

Kevin Rochford, a Scout leader, offered an update on other trail maintenance. A bridge is being proposed by another Eagle candidate. A drawing was passed around to the Board so they were able to view the proposed project. The Board appeared very excited about this proposed project slated for May. The Scout is having a fundraiser; the Board specifically asked when this would be. The Conservation Commission would be happy to announce the Eagle Scout's fundraising efforts.

Discussion - Campbell Farm Sub Committee

Mr. Finn stated that the Campbell Farm Subcommittee Board met Tuesday night. The primary focus will be trying to steer this property towards curatorship and prepare the property for such an event.

WHDC/Heritage Commission retaining / sheep wall pen on the Gage Lands

Wendy Williams and Frank Farmer addressed the Board. They showed photos of the sheep pen walls. By law, the statute states that it is against the law to dismantle or remove any part of the wall. The homeowners that abut these walls may not understand the laws. The Historic District Commission is interested in posting signs to help citizens understand the need to preserve these walls.

Most of the breaks in the wall are from natural occurrences. There are two RSAs that protect such lands: 472.5 and 227-C-6. The Commission is interested in letting the abutters know that it is a requirement not to remove the stone walls. There are 7 abutters presently. There may be other abutters after other homes sell in the development.

The HDC would like to further their (future homeowners') education around these walls in the "Welcome Packet" that new residents may receive when they move into town. There is another development going in off Morrison Road that abuts another sheep pen wall. The HDC would like to make a distinction between what is an easement and what is a statute.

Mr. Finn asked if there were financial penalties for these potential infractions. It is a misdemeanor; the maximum fine is up to \$1200 for a misdemeanor offense.

The letter was presented as a draft and they are seeking the support of the Conservation Commission to write a joint letter to protect these walls.

Ms. Ferissi volunteered to walk the area occasionally since she lives nearby to be sure the wall is being protected and not tampered with or altered.

Mr. Curto called the wall a beautiful artifact that needs to be protected. Ms. Skinner spoke to other barn foundations that used to be found around town as well.

The Board discussed how further breaks in the wall could then lead to yard waste or other items being disposed of on the conservation land.

A motion was made by Mr. Finn to support and sign a letter in conjunction with HDC to inform abutters that these stone walls that form a boundary need to be preserved in perpetuity. Seconded by Ms. Skinner. Vote 5-0. Motion passes.

Technical Review Committee (TRC) March 22th & April 12th

PROPOSAL #1

Case#2016-12/MAJOR Watershed/160 Range Road (21-K-18B)

A Major Cobbetts Pond and Canobie Lake Watershed Application has been submitted for 160 Range Road (21-K-18B), located in the Residential District A zone and Cobbetts Pond and Canobie Lake Watershed Overlay Protection District. The applicant, Joseph Maynard of Benchmark Engineering, Inc., on behalf of the property owner, Bull Pines RT c/o Brian Harvey, is proposing to construct a new dwelling, the resulting impervious coverage will be 7%. *This Application is scheduled for review at the 4/20/16 Planning Board meeting.*

Neither the homeowner nor Mr. Maynard were in attendance. The dwelling would be a single family dwelling. Chairman Morris stated that the lot is fairly steep. The proposal would have some grading. It is not on Cobbetts Pond proper. The Board has no issues with the proposal at this time.

PROPOSAL #2

Case#2016-13/Watershed/25A Cobbetts Pond Road (21-Z-268)

A Major Cobbetts Pond and Canobie Lake Watershed Application has been submitted for 25A Cobbetts Pond Road (21-Z-268), located in the Residential District A zone and Cobbetts Pond and Canobie Lake Watershed Overlay Protection District. The applicant, Joseph Maynard of Benchmark Engineering, Inc., on behalf of the property owner, Carr Hill RT, is proposing to raze four (4) structures and construct one (1) new dwelling with attached garage. The existing impervious is 25.2 % and the proposed will be 30%. ***This Application is scheduled for review at the 4/20/16 Planning Board meeting.***

Neither the homeowner nor Mr. Maynard were in attendance. The foliage has been located by Mr. Maynard as well as the current structures on the property. The proposed structure would be a single family dwelling with a garage. The Board has no issues with the proposal at this time.

Design Review Major Subdivision (Lots 7-A-2050, 7-A-2100)

A Design Review proposal for a Major Subdivision has been submitted for Lots 7-A-2050 and 7-A-2100 (Dunraven Road) located in the Rural District Zone, Wetland and Watershed Protection District (WWPD), and Flood Plain District. The applicant, Craig Francisco, L.L.S., Bedford Design Consultants, on behalf of the property owner, Carey Family Trust, is proposing to extend the existing cul-de-sac, to a total the length of 1,425'. Then the applicant is also proposing to merge the existing two lots and then subdivide the properties into a total of 4 lots, ranging in size from 2.5-3.7 acres, for single family residential development. **At the 3/10/16 Conservation Commission Meeting the Commission requested that the Applicant attend a meeting and present to the Board. The Applicant is expected to attend the 3/24/16 meeting.**

Craig Francisco of Bedford Design addressed the Board. The cul-de-sac would be extended about 400 feet. The proposed road has conservation land abutting in several areas.

Mr. Morris asked about a flood plain. It does not appear as if the property is in flood plain. At the last TRC meeting, it does not appear as if a secondary outlet would be needed or desired at that time. The high point of the area would be before the termination point and leave room for impervious area. There would be overflow in a small channel. Mr. Francisco discussed drainage; Mr. Morris is interested in seeing the drainage plan once the permit is submitted to Planning Board.

Mr. Morris and Ms. Ferissi asked what type of plan Mr. Francisco had for a sheep wall. Mr. Francisco pointed out where the wall was and where it touches the property of the owner.

The Board has no issues at this time.

Planning Board March 30th, April 6th & April 13th

Case#2015-34/Preliminary Major Site Plan/Design Review Major Subdivision/ 55+ Simpson's Crossing/36 Marblehead Rd (25-D-39; 25-G-30, 40)

A Preliminary Major Site Plan Application and Design Review Application for a Major Subdivision has been submitted for 36 Marblehead Road (25-G-30, 40) and 50 Sharon Road (25-D-29), located in the Residence District A zone and Wetland and Watershed Protection District (WWPD) Zone. The applicant, Joseph Maynard, of Benchmark Engineering, Inc., on behalf of the property owners, South Fork Properties, LLC, Windham Marblehead

Properties, LLC, and the Sally D'Angelo Trust, is proposing to adjust the lot line of Lot 25-D-39 and merge a portion of it with Lots 25-G-30, 40 for the purposes of constructing a 55+ housing community consisting of 37 single-family units and including related parking, drainage, and snow storage areas on property sized +/- 50 acres. New private roads are proposed to access the development. A WWPDP Special Permit will be required at the time a final application is submitted due to proposed disturbance for the installation of roads, parking, and drainage features.

Scheduled for 3/30/16 Planning Board Hearing-New Plans Sheet submitted

At this time, Chairman Morris recused himself from hearing or voting on the case. Neither the homeowner nor Mr. Maynard were in attendance. The application indicated that a hydrological study would be provided. The Board feels as if it is important for the engineer to present the information. Additionally, the Board feels as if it is important to inform the abutters in a timely fashion so they would be able to voice their opinions as residents.

Mr. Morris, acting as a member of the Rock Pond Conservation Association addressed the Board. The proposal now had 37 units down to 27 units.

The Board requests that the engineer come before the Conservation Commission to go over the proposal.

The Board would also like to know more regarding submission times so that abutters can be informed of the proposal.

The Board would also like to see the difference between the original proposal and what is presented now as well as the rationale behind the new proposal.

Chairman Morris rejoined the Board at this time.

ZBA – April 12th

Case 8-2016 variance application for 91 London Bridge Road,(lot 14-B-2005) located in the Neighborhood Business District. Peter Zohdi of Edward N. Herbert Assoc., Inc. on behalf of London Bridge North wishes to subdivide a 14.19 acre parcel into three (3) lots and construct two (2) dwellings on two (2) of the lots. Single family dwellings are not an allowed use in the Neighborhood Business District. This application is scheduled for the Zoning Board of Adjustment meeting on 4-12-2016.

Mr. Shane Gendron addressed the Board. There would be three lots that would be parceled out and two of the lots would be residential. The building areas would be up close to London Bridge Road. Mr. Gendron was kind enough to indulge the Board of the property's location on "Google Earth".

Some soil testing has been done. Chairman Morris asked if any cutting had been done. Mr. Gendron stated that another close property had been doing some cutting and milling.

The Board has no issues with the proposal at this time.

The Village Center District Plan also came before the Board. There is nothing new with the proposal and the variances were granted for the wetland. Mr. Dubay had stated that this will come before the Board once again at a later time.

DES Permits

There is a Dredge and Fill application for 53 Range Road. Mr. Dubay will be coming before the Board to discuss this at a later time.

Intent to Cut Applications

Misc Items – Binder Updates

Binder Updates were distributed to the Board.

Correspondence

New Hampshire Timber Owners Association sent along information to Campbell Farm.

There was Correspondence from South East Land Trust. The Selectmen voted to enter into an agreement with the South East Land Trust. \$135,000 will be awarded to the Conservation Commission as part of this agreement. The property will be monitored at least annually.

The Board also talked about a new item for the next agenda; they would like to consider changing the name of the Town Forest.

Also, the Board would like to look at the monies that are available in the account chiefly to pay off the bond for Campbell Farm at this time.

Chairman Morris asked Mr. McFarland to summarize carbon credits which is his area of expertise. He develops forest conservation projects in Brazil. The projects he develops with land owners are voluntary at this time and are a bit risky, especially in relation to the compliance market. Most of the time, large parcels of land are used for these credits. Small projects can be very difficult and too costly. The best projects have multiple revenue sources. Carbon credits are put into an online account that can be typically drawn from for the sake of reducing emissions. These are often bought as off sets or mitigation. Chairman Morris asked for such a summary in light of educating the New Hampshire public and the Conservation Commissions in the area. Outreach is a part of Mr. McFarland's job as well.

A motion to adjourn was made by Ms. Skinner at 9:05pm. Seconded by Mr. Finn. Vote 5-0. Motion passes.

Non-Public per RSA 91-A:3 (d)

Next Meeting: April 14, 2016

Agenda items and order may be modified at the discretion of the Commission