



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 No Lowell Rd, Windham, New Hampshire 03087

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

www.windhamnh.gov

Conservation Commission

Thursday June 9, 2016

7:30pm @ Community Development Department

Approved Minutes

Attendance:

Chairman Wayne Morris, present

Vice Chair James Finn, present

Pam Skinner, excused

Lisa Ferissi, present

Justin Pare, present

Dave Curto, alternate, present (seated for Pam Skinner)

Brian McFarland, alternate, present

Jason Rodgers, alternate, excused

Election of Officers

A motion was made by Ms. Ferissi to nominate Mr. Pare to Chairman of the Conservation Commission. Seconded by Mr. Finn. Vote 5-0. Motion passes.

A motion was made by Mr. Pare to nominate Ms. Ferissi to Vice Chair of the Conservation Commission. Seconded by Mr. Finn. Vote 5-0. Motion passes.

Meeting Minutes – Review and Approve – May 26, 2016

A motion was made by Mr. Finn to approve the May 26th meeting minutes as written. Seconded by Mr. Morris. Vote 5-0. Motion passes.

Discussion

Campbell Farm Sub Committee

The subcommittee is trying to arrange a meeting with the Preservation Alliance; they hope to have an actual meeting within the month.

The Conservation Commission almost has enough funds to pay off the bond. Mr. Morris thinks this will be close to the beginning of August once all funds are collected.

Technical Review Committee (TRC) June 14th & Planning Board July 6th

Case 2016-18 Preliminary Major Site Plan/Design Review Subdivision Application 36 Marblehead Rd 25-G-30 / 25-G-40. 8 lot Condo

Mr. Joseph Maynard addressed the Board. Mr. Morris recused himself.

Conservation Commission Approved 6/9/16

The Board has seen this plan several times; there are very few changes. A Dredge and Fill Application is also in the process at this time. Additionally, there is an archeological study. The applicant is waiting for final results.

Chairman Pare open and closed public comment.

The Board has no issues at this time, as before.

Case 2016-19 Design Review Open Space Subdivision/ Major Watershed Application 208 & 212 Range Rd Lots 21-C-70 / 21-C-80. 5-lot subdivision

Mr. Maynard addressed the Board. This did receive approval from ZBA for a conservation subdivision. There is an existing house on the property. There would be a driveway with a hammerhead at the end of it. One lot is in the Cobbetts' Pond Watershed area. Drip edge and infiltration will be the drainage design; it will all be under 30% impervious coverage.

The Board has no issues at this time.

55+ / Development Lot 13-C-123 / 13-C-200 15 Roulston Rd Demolish the existing structures & abandon the non-conforming uses (13-C-123) merge the 2 lots and develop into a 55+ condominium w/ private road, w/ WWPD impacts & recreational amenities for a density bonus.

Mr. Maynard addressed the Board. The initial variance on this property was designed. It is being proposed as a 55+ community. They are looking to maintain a buffer. The trails on the property will eventually connect to the rail trail. There would be 32 units on the property. The abutter will have easements on the property; they have used the property for their septic business for a significant amount of time. There is a 30% density bonus for the recreational use. There will be a Dredge and Fill Application to connect to the rail trail. The trail would come across the MLC lot. Mr. Morris asked about the elevation difference between the rail trail and the property. Mr. Maynard does not yet have an exact location for the trail. The applicant envisions a 5-foot wide access path. Mr. Maynard envisions that it would be paved as that is often requested in 55+ communities. Mr. Curto asked if the proposed trail would be handicapped accessible; Mr. Maynard stated it was doubtful.

Mr. Morris asked about solar panels. Mr. Maynard will mention it to the applicant; his concern is the large pine trees in the area.

The Conservation Commission would be interested in attending a site walk if requested by the Planning Board.

Planning Board June 15, 2016

Case 2015-23 Windham High School Greenhouse 64 London Bridge Road (Lot 20-D-1500)

Per Section 712 of the Zoning Ordinance, a public hearing is to be held on the proposed 16'x36' greenhouse to be constructed at Windham High School.

The public hearing will be June 15th at 7 pm. The Board could not locate the proposed plan. Regardless, the Board has no comment at this time.

Case 2016-21 Minor Site Plan/Change of Use Application 49 Range Road (Lot 18-L-400)

An application for a Minor Site Plan/Change of Use has been submitted for 49 Range Road (Lot 18-L-400) in the Professional, Business and Technology District and Cobbetts Pond & Canobie Lake Watershed District.

The property will contain a dance studio; the Board has no issues at this time.

Case 2016-22 Minor Site Plan/Change of Use Application 41 Range Road (Lot 18-L-480)

Conservation Commission Approved 6/9/16

An application for a Minor Site Plan/Change of Use has been submitted for 41 Range Road (Lot 18-L-480) in the Professional, Business and Business and Technology District and Cobbetts Pond & Canobie Lake Watershed District.

No exterior changes are being proposed; the Board has no issues at this time.

ZBA – June 14th

Lot 25-D-30 & 40, Case # 16-2016 36 Marblehead Road Windham Marblehead Properties LLC & South Fork Properties LLC- Residence A and Wetland & Watershed Protection District (WWPD)

Variance relief is requested from **Section 702, App. A-1** of the Windham Zoning Ordinance to allow each dwelling area to be less than the required 100 ft. by 100 ft. rectangle development box and less than the required 30,000 sq. ft. of contiguous area, and from **Section 603.1.1** of the Windham Zoning Ordinance to allow multiple dwellings per lot, where only one (1) dwelling per lot is allowed.

Board comments are listed under TRC.

Lot 25-D-30 & 40 Case # 17-2016 36 Marblehead Road-Windham Marblehead Properties LLC & South Fork Properties LLC Residence A and Wetland & Watershed Protection District (WWPD)

Variance relief is requested from **Sections 601.3, 601.1, 601.4.2, 601.4.5** of the Windham Zoning Ordinance to allow the reduction of the WWPD to 25 ft. in the area of units 1 & 2.

Board comments are listed under TRC.

Lot 17-M-142, Case # 18-2016 8 York Road-Judy Denardo Residence A and Cobbett's Pond and Canobie Watershed Protection District Variance relief is requested from **Section 702, App. A-1** of the Windham Zoning Ordinance, to allow a dwelling to be constructed on a lot with 7,500 sq. ft. where a minimum 50,000 sq. ft. is required, frontage of 78 ft., where 175 ft. is required, 25 ft. front setback, where 50 ft. is required, a 9 ft. east setback where 30 ft. is required and a 16 ft. west side setback, where 30 ft. is required.

Mr. Maynard addressed the Board. The house is not on the water. There is an existing camp on the lot. The existing structure would be torn down, a new septic would also be installed. The footprint is a little larger. The town's construction minimum requirement is 1,000 sq. ft.

The Board has no issues at this time.

Lot 11-A-570 & 580, Case # 19-2016 1 North Lowell Road -Mesiti Indian Rock Road LLC & Windham Lowell Road Development, LLC Village Center District Variance relief is requested from **Section 612.2.1** of the Windham Zoning Ordinance to allow single family dwellings in the Village Center District, which is not allowed.

Single detached houses are being asked for where the ordinance requires multi-family units.

The Board has no issues at this time.

Lot 17-J-142, Case # 20-2016 19 Gardner Road-Shawn & Ashley Thrasher Residence A, Cobbett's Pond & Canobie Lake Watershed Protection Variance relief is requested from **Section 702, App. A-1** of the Windham Zoning Ordinance to allow a dwelling to be constructed on a 9,000 sq. ft. lot where the minimum lot size is 50,000 sq. ft., 74 ft. frontage where 175 ft. is required, 10 ft. front setback, where 50 ft. is required, 15 ft. west side setback where 30 ft. is required, 18 ft. east side setback where 30 ft. is required, 24 ft. lake setback where 50 ft. is required.

Mr. Maynard addressed the Board. There is an existing structure. There are power lines and you must be 10 feet away from the power lines. The new structure will be in the Shore land Buffer, yet, the existing home is as well. The

Conservation Commission Approved 6/9/16

power lines will not allow a further setback. A concrete patio is getting removed. Also, plantings are going to be established so that the state point system can be complied with. There will be substantial plantings of trees and shrubs by the applicant. The impervious surface will be approximately 46%. Mr. Morris asked about the fire pit and the proposed walkway. Mr. Morris asked if there was any way to intercept the water that might travel down the path.

The Board has no issues at this time.

Lot 17-J-104, Case # 21-2016 15 Rocky Ridge Road-Roberts Family Trust Residence A and Cobbett's Pond and Canobie Lake Watershed Protection District Variance relief is requested from **Sections 200 & 603.1** of the Windham Zoning Ordinance to allow a garage to be constructed without a dwelling on the lot.

Mr. Maynard addressed the Board. The applicant owns the lot next door. She is interested in building a garage only for her home next door. The garage would have a 14-foot ceiling because there may be a room under the garage. Under Windham Zoning laws, you cannot build an accessory building or structure without a residence. The applicant is not interested in merging the lot. The basement would need to have 1,000 sq. ft., of living space to make that a residence. The applicant is not interested in merging the lot at this time.

The Board has no issues at this time.

DES Permits & Correspondence

Intent to Cut Applications

9 Easy Street. Access is across the driveway for the applicant. The intent is to cut 40 total cords of wood, 20 tons of pine. The area to cut is 1 to 1 ½ acres, done from a professional logger/forester. Work will be done by Kevin Towns from Ware, NH. There will be a 20-foot buffer left around the property.

The Board asked if there was WWPD around it. The Board is also asking about stump removal. Also, they are also concerned about the volume of trees for the relatively small lot. The Board has no issues at this time after viewing the lot on the town maps.

Misc. Items – Wood Meadows Development/ Open Space Document Review

Can the property be deeded because of the water and septic uses on the lot? This is the question set before the Board. Attorney Campbell does not believe there is a hindrance to transferring the property for the sake of these uses. There were also some suggestions on the way the deed had been written. It is approved; it is going through the open space documentation. The property would be deeded to the Town of Windham under the auspices of conservation. The Board supports Attorney Campbell's summation which is there is no issue with the usage of land and the deed can indeed be transferred. Covenants need to be recorded before the deed is recorded.

Adhere to the transfer of the land to conservation is what the Board would wish.

Mail

Balance of the fund: \$612,137.74

The Conservation Commission Newsletter contained information about invasive plant species information. The Board has not received any emails for quite some time.

Mark Laurent, environmental project manager for I-93, would like to talk about mitigation properties for I-93. The Conservation Commission will be interested in having them on the agenda.

Conservation Commission Approved 6/9/16

Language regarding conservation subdivision language: Mr. Curto found the language interesting to protect existing trails that are in Windham: “the applicant must protect and/or relocate the trails”

Forestry Committee: one or both members are up for reappointment, 2 conservation commission members and 3 members of the public. The committee meets once a month. Mr. McFarland would be interested in the appointment. Mr. Finn will remain on the Committee.

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

Respectfully submitted by Anitra Brodeur