



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Conservation Commission Minutes

Thursday August 27, 2015

7:30pm @ Community Development Department

Attendance

Mr. Wayne Morris, Chairman- present

Mr. Justin Pare- present

Mr. Steve Kurtow?- present (filling in for Lisa Ferrisi)

Ms. Lisa Ferrisi-excused

Mr. James Finn, Vice-Chairman- present

Mr. Jason Rodgers- excused

Ms. Pam Skinner- excused

Meeting Minutes – Review/Approve, August 13th

Mr. Finn made a motion to approve the August 13th minutes as written. Seconded by Mr. Morris. Vote 3-0-1. Mr. Pare abstained.

Discussion

-Campbell Farm Subcommittee

The cutting of the fields is not yet complete. The hope is that they will complete by next week.

-By-Laws

Some of the By-Laws for the Commission need to be updated. The current By-Laws state it is a 7 member board; that needs to be updated to 5 members.

Also, the current By-Laws state that a public hearing needs to happen for current monies to be released; this section needs to be edited. Currently, a majority vote of the Board is needed UNLESS the Board is planning on buying property.

2016 Town Meeting

-Increase of Vernal Pool Buffers – September 3 Submittal deadline; September 9 Workshop

Ms. Ferrisi has been updating these notes and will fill in the Board upon her return.

Technical Review Committee (TRC) August 25th & September 8th No Cases

Planning Board

September 2nd

-Case#2014-33, Pilgrim Road, (11-A-1400, 1418), Highclere Subdivision/WWPD Special Permit, A FINAL Application for an Open Space Subdivision, Standard Subdivision, and a Wetland and Watershed Special Permit has been submitted for Lots 11-A-1400 & 1418 (Pilgrim Road), located in the Rural District, Wetland and Watershed Protection District Zone, and Aquifer Protection District. The applicant, Karl Dubay of the Dubay Group, Inc., on behalf of the property owner, AWAC Realty Trust, is proposing to subdivide the land area into one (1) standard lot with an existing home sized 229,390 sq. ft. (5.27 acres); two (2) standard lots for single family residential use, sized 168,284 sq. ft. (3.86 acres) and 198,198 sq. ft. (4.55 acres); thirty-two (32) open space single family residential lots ranging in size from 19,979 sq. ft. (.459 acres) to 29,985 sq. ft. (.688 acres); and eight (8) open space lots totaling 3,092,376 sq. ft. (70.99 acres). Two of the standard lots are proposed to be built off of Chestnut Street and a new road with a 2,400' cul de sac length is proposed off of Hawthorne Road to access the open space lots.

Mr. Carl Dubay addressed the Board. Copies of a conservation easement were handed out to the Board. (These were also made available prior to the meeting.) The Pliskin's attorney prepared the paperwork to show the family was interested in the conservation easement. Also in the packet was a Declaration page regarding how this open space would be supervised, advised and reviewed. The Windham Conservation Commission is specifically named in Article 9 as an advisory board.

Mr. Dubay also submitted the letter from the town engineer (Keach-Nordstorm Associates, Inc.) to list their General Comments about the project. Mr. Dubay offered notes in the margin of the letter to show the changes that were made in relation to each comment.

The road width has been altered to 24 feet. There are additional road connections on the plan, yet, Mr. Dubay stated that these road connections are sometimes good for transportation and access. Yet, in this case, these additional road connections may adversely impact the wildlife in this area. Some of the roads made be a substantial cost because of the grade as well. Mr. Dubay is asking the Conservation Commission to consider recommending to the Planning Board that these additional roads are not needed and may be damaging to conservation land and wildlife. These additional roads may offer very little to the response time or access to homes in the event of an emergency. All homes have ample access on the proposed road without the access roads. There is only one WWPD impact on the main access road. There is only one Wetland impact, also related to the access road.

Mr. Dubay asked if there were any questions from the Board. Mr. Dubay clarified that he was more than happy for any input from the Board since the Planning Board's approval would most likely be conditionally based on Attorney Campbell's suggestions and comments.

Mr. Luke Hurley addressed the Board. There is a water way that is from surface water flow; Mr. Hurley called it ephemeral drainage. There is a crossover that will allow the proper flow of water during the wetter periods. There will be a 24 inch pipe that will allow animals to cross under the road.

Mr. Morris stated that the Board has no objection to the wetland crossing.

Mr. Dubay stated that the open space is 70-75 acres. Additional conservation easements also equal 5 acres. He then discussed the impact of the additional roads on the conservation land. There were clear visuals that show not only the impact of the actual road, but the area surrounding the road as well. Side fills on the road would be needed as they are essentially crossing a ravine. A bridge would also be an option but is cost prohibitive for the project. Mr. Morris pointed out that the substantial side fill would not allow for wildlife crossing with no open or closed culverts.

Mr. Dubay mentioned that the mitigation on the last proposed road would not be ideal. Mr. Pare asked if the Meetinghouse Road access road would be the primary access road if it were created as it has the most obvious access to Route 111. This access road would also allow for the quickest emergency response time because of the emergency services location. Mr. Morris reiterated what Mr. Dubay's research had suggested, that Chestnut Road would actually create a longer response time. The Meetinghouse Road proposal would require work on other peoples' property. The Pilgrim Road as an access road is also not ideal; there are pools that the Pliskin driveway wraps around; it is not ideal to have a road near these wetland pools.

Mr. Dubay discussed how the Highclere Road is a very gentle slope.

Mr. Pare stated that the secondary access road, any of them, would impact the conservation land in a significant and negative way. Mr. Morris agreed. He went further to state that the Board would not recommend these roads to the state and the Board would fight the installation of these roads. How are these roads not construction within the open space?

Mr. Finn would like a more substantial statement than the memo sheet to show the Board's opposition to the alternate access road proposals across conservation land. The Board will send a letter/memo to the Planning Board articulating their position. Also, the Board will request that Attorney Campbell's comments be forwarded to us for review and that the Board be allowed the comment.

The Board has no issues with the WWPD special permit.

Planning Board

September 16th

-Case#2015-21, 139 Londonderry Road (1-C-1500), Minor Subdivision/WWPD Special Permit

A Minor Subdivision proposal has been submitted for 139 Londonderry Road (1-C-1500) located in the Rural District and Wetland and Watershed Protection District (WWPD). The applicant, Timothy Winings of TJW Survey, on behalf of Charles W. Etsey, is proposing to subdivide the existing lot into two lots; one for the existing residence and two accessory buildings, sized 3.85 acres (167,902 sq. ft.); and another vacant lot sized 3.96 acres (172, 261 sq. ft.) for future residential development.

The Board has no issues with this proposal at this time; they were able to review this at the previous meeting before it went to ZBA.

-Case#2015-22, London Bridge Road, London Bridge South, (14-B-2600, 3450), Major Preliminary/Final Subdivision

A Major Subdivision and Wetland and Watershed Protection District (WWPD) Special Permit was submitted for Lots 14-B-2600 and 14-B-3450 (London Bridge Road), located in the Rural District, WWPD, and Flood Plain District. The applicant, Peter Zohdi of Edward N. Herbert Assoc., Inc., on behalf of the property owner, London Bridge South, Inc., is proposing to subdivide the property into four lots, sized 1.64, 1.81, 2.52, and 43.12 acres, for single family residential development. No new roads are proposed.

Mr. Shane Gendron addressed the Board. There are no wetlands; There is no WWPD. There is no special permit.

The Board has no issues with the plan at this time. The agenda did not accurately reflect the impact on these properties.

ZBA

September 8th

-Case 28-2015, 125 Lowell Rd, (Lot 24-E-14), Variance requested the allow 32 ft of an 85ft long privacy fence, to be 8ft high where 6ft is allowed. The lot is 200' off Rt. 111A, Range Rd & abuts Conservation land.

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

-Case # 29-2015, 5 Grove St, (Lot 17-L-83), Cobbetts Pond/Canobie Lake Watershed Protection District, Variances are requested to allow a new septic system to be 17ft from poorly drained soil where 50ft is required; to allow 0ft frontage where 175ft is required; to allow the lot area of 8,057sf where 50,000 is required; to allow 17ft setback from lake where 50ft is required; to allow a 2ft setback from both side lot lines where 30ft is required.

Mr. Shane Gendron addressed the Board. He is representing the homeowner, Ms. Eugenia Ferrante. The lot is very unique and very narrow. The patio area would be removed along with the shed. A Clean Solutions tank

will be installed right next the house; the leach field will be nearby. It will be coupled with the Enviro system. This system will require a 17 foot waiver. Mr. Gendron's stated that this will be updating the current system that is, in its current state, sub-standard.

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

DES

Misc Items – Binder Updates - NH Municipal Conservation Fund Guidebook

Binder Updates were distributed to the Board members.

Mr. Morris asked for copies to be made of the NH Municipal Conservation Fund Guidebook.

A memo to Ms. Scott from Ms. Zens regarding properties owned by Thorndike Revocable Trust, the lots are 21-D-60 and 21-C-60. The proposed use is harvesting woodchips and cord wood.

The Board has no issues at this time.

The other properties are lots 24-F-1100 24-F-1120. This is for the subdivision that they would be harvesting wood chips and cord wood.

The Board has no issues at this time.

Two letters from DES were submitted. Additional information and possible compliance issues were stated as to why the applications had been suspended.

The owner of lot 11-C-3625 wrote a letter to the Board. She is interested in perhaps selling her parcel to Board at this time. The Board discussed that when they were approached several years ago, the property was a little isolated. The property does sit next to town land. The Board is barred from buying more land at this time.

Mr. Morris called the Chairman of the Planning Board and asked him to watch Tim Winnings on the Conservation Commission. Mr. Morris felt as if Mr. Winnings comments were insightful and helpful.

EJR Jr. Development wrote a letter to the Board. Lot 20-D-3000 was to be deeded to the town by August 1st, 2015. It has not yet been done. A trail has been made along Burnham Road to the Gage properties. The leaf layer needs to be blown off and the granite post needs to be installed.

A letter was submitted inviting the Conservation Commission to attend a meeting regarding sustainability in small town.

Mr. Kurtow stated that the Foster's Pond sign had been vandalized with spray paint. Mr. Morris suggested that perhaps the Maintenance Department could be asked if this could be removed.

Mr. Finn made a motion to adjourn. Mr. Pare seconded. Vote 4-0. Meeting adjourned at 9:04 pm.

Next Meeting: September 10, 2015

