



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Conservation Commission

Approved Minutes

May 14, 2020

7:30 pm @ Community Development Department*

Attendance:

Chairman Dave Curto- present (at Community Development)

Vice Chair James Finn- excused

Wayne Morris- present

Pam Skinner- present

Lisa Ferrisi- present

Brian McFarland, alternate- present

Kara Feldberg, alternate- excused

Oliver Liu, alternate- excused

Staff:

Rex Norman- Community Development Director

Miscellaneous Items:

- Trail mapping and GPS discussion with SNHRPC (Southern NH Regional Planning Commission) to discuss future planning of updating town trail maps.

The Southern New Hampshire Regional Planning Commission has two representatives present via Zoom at tonight's meeting, Zack Swick and Madeleine Diiionno.

Ms. Diiionno addressed the Board; Ms. Diiionno stated that she received a request from Mr. Morris to map the trails in Windham. Ms. Diiionno stated that they would like to develop a contract based on the needs of the Conservation Commission and the town.

Chairman Curto stated that the goal is to have all of the trails in town recorded by GPS and they would like to have trail maps on the kiosks available for the users of the trails. Chairman Curto stated that there are advances in technology that would make the maps much more accessible for users as well.

Chairman Curto stated that there are also many historical points of interest on these trails that they would like to see recorded as well.

Mr. Morris would like to have a system similar to Pelham as he finds the system to be accessible and user-friendly. Deer Leap, Foster's Pond, Clyde Pond, Route 28 Forest, Moeckel/Baine area the Rail Trail with its adjoining trails and a few others were mentioned by Mr. Morris as potential areas to be mapped by the Commission.

Ms. Wendy Williams addressed the Board and mentioned several areas that she would like to see mapped with various historical landmarks.

45 Mr. Morris mentioned the Simpson, Moeckel/Baine, and Osgood cellar hole tour that was
46 envisioned several years ago. Mr. Morris stated it would be advisable to focus on these areas.

47
48 Ms. Diionno stated that the next step would be to get a list of areas they would like maps for. Ms.
49 Diionno asked what the usage of the maps would be. Mr. Morris and Chairman Curto agree that
50 they would like maps for both the kiosks as well as online for residents and users to use.

51
52 Chairman Curto discussed different GPS options for the process as well. Mr. Swick would like to
53 see what exists so far and then walk the trails. Mr. Swick stated that it might also be important for
54 the Commission to priorities the properties in order to decide how best to proceed.

55
56 Mr. Swick stated that he will also reach out for to Mr. Dulong to see if he had any GPS/GIS data
57 available.

58
59 Mr. Curto stated he thought it was also important to indicate parking areas on the maps as there
60 are some ongoing issues with parking. This is also a safety issue. Mr. Morris also mentioned
61 finding a way to indicate which vicinity of town each of the trails are in.

62
63 Ms. Williams addressed the Board and stated that the Historic District Commission would also
64 benefit from being able to join the various maps they have for the different properties in town.
65 Ms. Williams mentioned some of the easements that are present in the trails system and if
66 permissions would be necessary.

67
68 Mr. Morris also indicated that land owners would also need to be considered with these
69 easements. Chairman Curto stated that he would be in touch with Ms. Diionno and Mr. Swick for
70 the next stages of the project.

71
72 **ZBA:**

73
74 **Case #09-2020: Parcel 11-A-1620**

75 **Applicant - Benchmark Engineering, Inc.**

76 **Owner - Kyle Segal and Michelle Guilmet**

77 **Location - 53 Blossom Road**

78 **Zoning District - Rural District and Wetland and Watershed Prot. District**
79 **(WWPD)**

80
81 Variance relief is requested from **Section(s) 601.3 and 601.4.8** to allow construction of
82 an in-ground pool, pool apron, patio, cabana and fencing. Specifically from **Section(s)**
83 **601.3** to allow structures within 60' of the edge of wetland that exerts a 100' WWPD
84 setback and to allow the existing yard area to remain at approx. 25' from the edge of
85 wetland that exerts a 100' WWPD setback, where within the WWPD where such use is
86 not permitted. And from **Section 601.4.8** to allow this proposal without requiring
87 submission to the Planning Board for a special permit for this proposed work.

88

89 Chairman Curto stated that some of his concerns are around the chlorine in the WWPD,
90 storm water run-off from the pool area, and how close the proposal is to the WWPD.
91 Additionally, he would like to know why the project does not require Planning Board
92 approval. Mr. Morris asked if there was an environmentally safe way to treat pool water.
93 Mr. Morris stated that there was a zoning change in recent years that pools would not be
94 allowed in the WWPD. Mr. Morris does not know that age of the home and if this is a
95 pre-existing lot. Chairman Curto stated that the pool might also be salt water but that
96 could also impact the WWPD along with chlorine.

97
98 The Commission has a concern around the impact of chlorine in the WWPD.
99 Additionally, they are concerned about storm water management. The Board would also
100 like to be sure that steps in the process not be omitted.

101
102
103 **Case #10-2020: Parcel 17-C-105A**

104 **Applicant - Benchmark Engineering, Inc.**

105 **Owner – Joseph and Dawn Sapienza**

106 **Location – 10 Cross Street**

107 **Zoning District - Residential A District and Cobbetts Pond & Canobie Lake**
108 **Watershed Protection Overlay District (WPOD)**

109
110 Variance relief is requested from **Section(s) 406.2, 616.6.4.2, 702 and Appendix A-1,**
111 **703.1** to allow construction of a 24' by 24' garage addition onto an existing single-family
112 dwelling (SFD) on a pre-existing non-conforming lot with two frontages (Cross Street, a
113 right of way, and Cobbetts Pond). Specifically from **Section 406.2:** To allow an
114 expansion in the area and/or volume of the house from 960 sf to 1,536 sf in area and
115 15,360 cu/ft to 19,968 cu/ft in volume, where the ordinance does not allow an increase in
116 the area and/or volume of the structure. And from **Section 616.6.4.2:** To allow an
117 impervious lot coverage of 36.4% (existing coverage is 32.6%) where only 30%
118 impervious coverage is allowed. And from **Section 702 & Appendix A-1:** To allow a lot
119 size of 9,496 sf +/- where a minimum land area of 50,000 sf is required. To allow 0' of
120 frontage on a private road, Cross Street, where 175' of frontage is required on a public
121 road. To allow the SFD a Cross Street front yard setback of 40' +/- from the right of way
122 and a Cobbetts Pond modified front yard setback of 48' (existing), where 50' is required.
123 To allow a westerly side yard setback of 5' +/- (existing), where 30' is required. And
124 from **Section 702 & Appendix A-1:** To allow a shed on the lot to be relocated to a
125 location that will have a Cross Street front yard setback of 3'+/-, where 50' is required
126 and an easterly side yard setback of 3' +/- where 30' is required. And from **Section 703:**
127 To allow the garage addition a front yard setback of 40' +/- from the right of way, where
128 50' is required and an easterly side yard setback of 3' +/- where 30' is required.

129
130 Mr. Morris asked about access to the lot. There would be an easement through the
131 neighbors' lot to access this lot. Mr. Morris would like to see a more definitive location

132 of the current septic system/disposal area. The Board discussed the underground retention
133 system, yet, the impervious surface is still being increased which is concerning to
134 members of the Board. The Board would like to see more improvements to the
135 impervious surface. The Board would also like to know if the septic system is state
136 approved and is seeking more detailed information about the system, namely, its exact
137 location. Ms. Ferrisi understands the native planting are necessary as part of the permit
138 but would like to be sure this regulation is complied with. Although the silt fencing is
139 shown on the plan, Ms. Ferrisi would like to know what else will be used for erosion
140 control.

141

142 **DES Permits & Correspondence:**

143

144 Communication about Best Management and Practices was sent to the Board.

145

146 **Campbell Farm Discussion:**

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148 Chairman Curto stated that he received an email about the beauty and significance of the
149 house and land around Campbell Farm from a resident.

150

151 **Meeting Minutes Review and Approve – 4/23/20**

152

153 **A motion was made Ms. Skinner to approve the April 23, 2020 draft minutes.**
154 **Seconded by Ms. Ferris. Vote 4-0-1. Mr. McFarland abstained. Motion passes.**

155

156 Mr. Morris would like to send a letter to Attorney Campbell to see if they can discuss an
157 item with him as the town's attorney. There is a question about Spare Hill Road on a
158 deed. There is a question about the language to "pass and repass" the property. Mr.
159 Morris stated that Mr. Norman has requested an opinion from Attorney Campbell. Spare
160 Hill Road was discontinued in 1962 and the town had no residual interest. "The town has
161 no residual interest in the road" is the language in the letter yet Mr. Morris would contend
162 that they do have a residual interest in the road since they have two parcels of land near
163 this property.

164

165 Mr. Norman stated that if the Board and/or Mr. Morris would like to draft a letter, he
166 could forward a letter to Attorney Campbell for clarification.

167

168 There is a Rockingham County American Chestnut Award for having the biggest tree.
169 The Windham Forestry Committee of New Hampshire Big Tree Program gave the award.

170

171 **A motion was made by Mr. Morris to adjourn at 9:08pm Seconded by Ms. Ferrisi.**
172 **Vote 3-0-1. (Ms. Skinner was not present via Zoom.) Motion passes.**

173

Approved