



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Conservation Commission

Approved Minutes

June 23, 2022

7:00 pm @ Community Development Department

Attendance:

Chairman Dave Curto- present
Vice Chair Wayne Morris- present
Kara Feldberg, Secretary- present
Lisa Ferrisi, regular member- present
Joe Bradley, alternate (seated for Pam Skinner)
Mike Specian, alternate- present
Brian McFarland- present

New business/ Old business

Board member elections

A motion was made by Vice Chair Morris to appoint Dave Curto to the position of Chairman for the Conservation Commission. Seconded by Ms. Feldberg. Vote 4-0-1. Motion passes. Mr. Curto abstained.

A motion was made by Ms. Feldberg to appoint Wayne Morris to the position of Vice Chair for the Conservation Commission. Seconded by Ms. Ferrisi. Vote 4-0-1. Mr. Morris abstained.

A motion was made by Mr. Morris to appoint Kara Feldberg to the position of Secretary for the Conservation Commission. Seconded by Ms. Ferrisi. Vote 5-0. Motion passes.

Campbell Farm Updates:

The Board and members of the audience discussed the haying of the field at Campbell Farm and how this might be mowed differently. Chairman Curto stated that the company that does trail work does have a mower that will cut back the brush in the area. The Board discussed that this may need to be put out to bid to see if other companies might be interested.

Clyde Pond/ Ashton Park Updates:

1. Trash and signage

The Board discussed that the weather this coming weekend will likely have this area fairly busy. The Board discussed creating signage for all of the properties as well as posting the bylaws. Mr. Bradley suggested a sign that said something along the lines of take out your trash or we will take down the swing. The Board discussed that signage is an important first step and the Board is in agreement with this. The Board discussed the platform and the fact that this was a liability concern. The Board discussed that there should be a sign about swimming at your own risk. Mr. Bradley stated that he was willing to talk to Mr. Derek Monson to see where the trail signage might have come from. Chairman Curto suggested Voss signs as a place to start as well. Chairman Curto discussed printing out the bylaws to have posted on all the kiosks, including Clyde Pond. The Board discussed increasing the budget for a park ranger for Conservation lands in next year's budget.

2. Ashton Park site walk review from June 20, 2022

Chairman Curto stated that the Board went to go look at the beaver deceivers in the area. The pond will be raised back up to try to mitigate the situation. There is plenty of room between the water level and the road according to Chairman Curto.

Todd Dannon, 10 Crestwood Road addressed by Board. Mr. Dannon asked who determines what is the right height for the water level. Chairman Curto stated that several parties are involved in determining how best to handle the water level. Chairman Curto explained that the dam was broken up first and then the water was let out. Mr. Specian stated that beaver deceivers have only been legal for 3 years in the state of New Hampshire. Vice Chair Morris stated that there was no height to the pipe at Ashton Park. The Board discussed beaver activity at this and other conservation sites but the water level has been raised in this area and it will be monitored according to Chairman Curto.

Vice Chair Morris stated that the lot lines are being measured and the basketball court is not on the conservation land. Vice Chair Morris stated that there was only minor encroachment in the area; this is only slight encroachment on either side but it is not impacted their ability to get to the open space area according to Vice Chair Morris. The Board discussed getting a signed agreement from the neighbors for this reason. The Board discussed the drainage in the area and the vernal pools in the area. The Board discussed the wetlands in the area and other planned roads in the area and how the drainage might impact wetlands.

3. Proposed parking area on Castle Hill Rd.

Chairman Curto stated that some of the dead trees in the area had to be removed. Mr. Dennis Senibaldi stated that there is crushed stone in the area that he would like to finish the parking area with. This will be completed in the next few months.

4. Code enforcement visit/Encroachment

This was included in the Clyde Pond and Ashton Park discussions above.

Deer Leap/ Moeckel Pond Updates: N/A

Fosters Pond/ Greenway Updates:

1. Site walk review from June 20, 2022

Chairman Curto stated that the pond water had been lowered significantly in the area. The Board and members of the audience discussed the usage of the property and how that has changed over the years. Chairman Curto explained that there is a trail easement in the area that belongs to the Devlin family. Hence, the usage of the property has changed since the water height has changed, especially in the fall. Chairman Curto stated that the decision was made to raise the water level up 3 inches.

Mr. Todd Hannon, 10 Crestwood Road addressed the Board. Mr. Hannon stated that there has been damage to Foster's Pond and they had been told by staff that it would need to be lowered at least a foot. The Board and members of the audience discussed how the water level was regulated and how the dam impacted the water level over time.

Mr. Chuck Allen, 4 Old Mill Road. Mr. Allen stated his property has been flooded several times since the fall. Mr. Allen stated that his property had not been flooded for 7 years. Mr. Allen stated that it is turning into a mud flat. Vice Chair Morris stated that their goal is to maintain their water level. Mr. Allen is concerned that the levels will not come back to where they were in past years. Mr. Allen asked how far away from Mr. Develin's property this water was. Vice Chair Morris stated that the water is still on the Devlin property. Mr. Hannon recently expressed in an email that he is concerned that Foster's Pond is drying up. Mr. Hannon asked why the pond cannot be set as high as it can be tolerated. Vice Chair Morris stated that it is currently set at that level. The Board also discussed the trees that were falling into the pond and the fact that that was impacting the water level as well.

Mr. Bruce Hyder, 11 Crestwood Road addressed the Board. Mr. Hyder stated that he believes they are about a foot below the top line. Mr. Hyder states that the dam was tampered with in 1997 and he was told by staff to allow the beavers to repair the area. Mr. Hyder stated that last year was the first-year kayaking was enjoyable in the area since 1996. The Board discussed the water level height in 2020 and how it had never been that high in years past. Vice Chair Morris stated that they cannot take this chance downstream and also provide a habitat for beavers.

Chairman Curto stated that he would like to see the neighbors and the Board see the water level come up 3 inches. Chairman Curto stated that they would continue to monitor the water level. Vice Chair Morris stated that the rock was a good place to monitor the water level. Mr. Allen stated that high water has never been an issue downstream. Vice Chair Morris stated that many

of the people in this line of work setting up traps and beaver deceivers stated that they have never seen as many beavers as they have seen in the past few years. Mr. Hyder stated that he and the 3 neighbors present do not think 3 inches is enough and he is concerned that the pond will drop even more if they do not get rain. Chairman Curto stated that they are working on mitigating the situation.

2. **Beaver Flow control invoice submittal**
3. **Volunteers cleaning trails, Thank you to Stapleton family**

The Chairman thanked the Stapleton family for all their hard work in the Ashton Park area.

Rt. 28/Melvaine Forest Updates: N/A

Other Conservation lands and Easements Updates:

Miscellaneous items:

1. **Masterplan Conservation section**

Chairman Curto stated that the Planning Board will be reaching out to the Conservation Commission to work on the chapter on Conservation lands. The Board discussed that part of the Master Plan would be modeled after Auburn's Master Plan.

Meeting Minutes Review and Approve – 5/12/22, 5/26/22, 6/09/22

A motion was made by Vice Chair Morris to approve the June 9th draft minutes as amended. Seconded by Mr. Bradley after being seated for Ms. Skinner by the Chairman. Vote 3-0-2. Motion passes.

A motion was made by Ms. Feldberg to approve the May 26th draft minutes as presented. Seconded by Mr. Bradley. Vote 4-0-1. Motion passes. Chairman Curto abstained.

A motion was made by Ms. Feldberg to approve the May 12th draft minutes. Seconded by Ms. Ferrisi. Vote 4-0-1. Motion passes.

ZBA: N/A

PB:

47 North Lowell Road (Parcel 11-A-885); Zone – Residence B District and Wetland and Watershed Protection District (WWPD).

The applicant, Peter Zohdi of Edward N. Herbert Associates, representing property owner, Nesmith Meadow, LLC, is seeking a pre-application meeting for a 50-unit duplex-style development. The proposal was discussed previously under the preliminary application 2021-62.

Mr. Shayne Gendron of Edward N. Herbert Associates addressed the Board. Mr. Gendron stated that staff would like to see an applicant discuss the plan with TRC and other boards before going before Planning Board. The Board discussed the new lay out on the property. Mr. Gendron stated that there was not currently a drainage plan. Mr. Gendron stated that he can request to come back before this Board once the drainage plan is in place. Ms. Ferrisi asked if it was possible to do a buffer in the front of the property. The Board discussed that there would be a trail in the front of the property. The Board and Mr. Gendron discussed the connectivity to Cardinal Road. The Board discussed how this development might impact traffic in the area.

The Board would like to see the plan again once drainage has been established for the site.

2022-15 – Allen Road (Parcels 13-J-53, 12B, 9, 8, 52, 80, 80A, 50, and 51); Minor Subdivision; Zone – Rural.

The Applicant, Joe Maynard of Benchmark LLC, is seeking Minor Subdivision approval to adjust lot lines of multiple parcels along Allen Road. The purpose is to grant land south of the new alignment of Allen Road to the adjacent land owners.

Mr. Joseph Maynard from Benchmark LLC addressed the Board. Mr. Maynard explained the division of land among the abutters. Mr. Maynard stated that Allen Road is a private road. Mr. Bradley stated that he would be concerned that the lake lots could expand. Mr. Maynard stated that one of the residents would like to be able to upgrade outside the WWPD and all of the houses in the area are currently year-round.

2022-16 – 21 & 23 Third Street and 24 Fourth Street (Parcels 16-P-192B, 16-P-570, 16-P-1030); Minor Subdivision; Zone – Residence A and WPOD.

The Applicant, Joe Maynard of Benchmark LLC, is seeking Minor Subdivision approval to adjust lot lines between three parcels. The purpose is to swap land between parcels to account for an existing location of a well.

Mr. Joseph Maynard from Benchmark LLC addressed the Board. Mr. Maynard stated that this is a land swap of sorts. Mr. Maynard stated that there is no encroachment and this was a simple land swap for the sake of a well for one of the lots. The Board has no issues with the plan as presented.

2022-17 and 2022-19 – 61 Roulston Road (Parcel 13-D-75); Preliminary Site Plan, WWPD Special Permit; Zone – Commercial A and WWPD

The Applicant, Joe Maynard of Benchmark LLC, and Owner, LTD Storage, LLC, is seeking

Preliminary Site Plan, Major Final Site Plan, and a WWPD Special Permit to construct a storage building and associated improvements. The site received a Variance (ZBA Case 33-2021).

Mr. Joseph Maynard of Benchmark LLC addressed the Board. Mr. Maynard stated that there is a detention mitigation area for the lot; there is also a proposed septic system. The septic system is being designed for the state minimum of 300 gallon per day and the septic system will be under the parking lot. Mr. Maynard and the Board explained that there are changes in elevation on the lot. Mr. Maynard stated that the septic system cannot be moved in the direction of 28 as it would be uphill.

The Board discussed if they had previous comments to the plan. The Board discussed the Snow Pro storage on site and where that would be located with the landscape plan. The Board discussed the snow storage in relation to the detention pond. Mr. Maynard discussed adding drip edge infiltration to the back side of the structure as mitigation. Mr. Maynard and the Board discussed landscaping.

2022-18 – 171 Range Road (Parcel 21-F-40); Minor Subdivision and WPOD; Zone – Rural and WPOD

The Applicant, Joe Maynard of Benchmark LLC, and Owner, 171 Range Road, LLC, is seeking subdivision approval and WPOD land development application to divide the lot into two lots, demolish the existing residence, and construct two new residences.

Mr. Joseph Maynard of Benchmark LLC addressed the Board to discuss the subdivision of the lot. The lot does fall in the WPOD. The existing coverage is 4.3%. The lots would be 10 and 13% coverage respectively post development. There is a detention pond that picks up the driveway run off on the property. The existing well will be used and a new well will be drilled. Mr. Maynard described the culvert that is being proposed under Range Road. Mr. Maynard discussed the flood plan event changes that have been made over the last few years for all properties. The Board discussed the grade change in this area of Range Road and the flow of water on the property. Mr. Bradley stated that a detention pond at the base will be helpful for mitigation. Mr. Maynard discussed all season site line and why areas were being regraded on the property.

Intent to Cut Applications: N/A

DES Permits & Correspondence:

- 16 Hayes Hart Rd - Shoreland Permit Application

The Board discussed the plan as presented. The plan has not yet gone before Planning Board.

- 19 Abbott Rd – Wetlands by Notification

The Board discussed the replacement wall on the plan.

Non-public session under RSA 91A: 3 II (d)

A motion was made by Vice Chair Morris to enter non-public session at 9:42pm under RSA 91A: 3 II (d). Seconded by Ms. Ferrisi. Roll call vote: Chairman Curto, Vice Chair Morris, Ms. Feldberg, Ms. Ferrisi, Mr. Specian- yes. Vote 5-0. Motion passes.

Topic: Land acquisition

A motion was made by Ms. Feldberg to come out of non-public session at 10:22pm. Seconded by Ms. Ferrisi. Roll call vote: Chairman Curto, Vice Chair Morris, Ms. Feldberg, Ms. Ferrisi, Mr. Specian- yes. Vote 5-0. Motion passes.

A motion was made by Ms. Ferrisi to seal the non-public minutes for a period of 2 years. Seconded by Vice Chair Morris.

A motion was made by Vice Chair Morris to adjourn at 10:23pm. Seconded by Mr. Specian. Vote 5-0. Motion passes.

Respectfully submitted by Anitra Lincicum