



OLD VALUES - NEW HORIZONS

## COMMUNITY DEVELOPMENT

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### Conservation Commission

#### Meeting Minutes

Thursday July 9, 2015

7:30pm @ Community Development Department

#### Attendance

Wayne Morris, Chairman- present

James Finn- present

Lisa Ferrisi- present

Justin Pare- excused

Jason Rodgers- excused

**Meeting Minutes** – The Board did not vote to approve previous meeting minutes for June 11<sup>th</sup>, 2015.

#### Discussion

-Election of Officers

James Finn nominated Wayne Morris as Chairman of the Conservation Commission. Ms. Ferrisi seconded.

Vote 2-0-1. (Mr. Morris abstained.) Motion passed.

Wayne Morris nominated James Finn as Vice-Chairman of the Conservation Commission. Ms. Ferrisi

seconded. Vote 2-0-1. (Mr. Finn abstained.) Motion passed.

-Walking In Windham Booklet Reprint

There is interest from the public to have these booklets available so that it is known where the trails in Windham are. A motion was made by Mr. Finn to investigate the cost of “Walking in Windham” booklet and have 100 booklets printed depending on cost. Seconded by Mr. Ferrisi. Vote 3-0. Motion passed.

-Mussel and Turtle Survey Cost-sharing with Friends of Moeckel Pond

This will be taken up at the next meeting. Common mussels were found but not endangered mussels when the dam was investigated. A wetlands permit must be acquired for the construction of the dam.

-Campbell Farm Subcommittee Update

The Committee is waiting on the study from the Conservation Alliance. The report is due at the end of the month. There was discussion about haying the fields and when this should be done. Mr. Morris would like to call the previous caretaker to find out the appropriate time to hay.

-Further Tree-cutting along Kendall Pond to View Campbell Farm Fields

More trees could possibly be de-limbed and cleared out so there is a nice view of the fields. Chairman Morris will contact Jack McCarthy about which subcontractor can be hired to clear said trees and foliage.

-Master Plan Natural Resources Chapter Update

Ms. Ferrisi has been working on her “Invasive Species” chapter. (A chapter which has not appeared in previous Master Plans.)

-Joint Letter with other Conservation Commissions to Opposed the Proposed Gas Pipeline through Windham

Other Conservation Commissions along the Proposed Gas Pipeline are signing the letter opposing the pipeline coming through the proposed corridor.

After discussion, James Finn made a motion, along with other Conservation Commissions, to sign a letter of opposition to the proposed gas pipeline. Seconded by Chairman Morris. Vote 2-0-1. Ms. Ferrisi abstained. Motion passed.

#### **Technical Review Committee (TRC) – July 14<sup>th</sup>**

#### **Planning Board – August 5**

**-Case 2015-15 Major Watershed Application**, 30 Horseshoe Road (Lot 17-L-78), This application is to construct an 825sf detached garage in the Cobbetts Pond/ Canobie Lake Watershed Overlay Protection District, with a permeable driveway and an infiltration swale/rain garden are also proposed as part of the construction. The impervious surface will increase from 30% to 34%. Mr. Joe Maynard from Benchmark Engineering had previously presented the information for the permit. He was not before the Board this evening. A Dredge and Fill Application has been filed. No opposition to the plan from the Board.

**-Case 2015-16 WWPD Special Permit**, Haverhill Road, (Lot 11-A-410), WWPD proposal to construct a single family residence, driveway and related improvements within the WWPD. Silt fencing and a mulch berm is proposed to mitigate the development on WWPD. ZBA granted the variance for this case. There are two wetland impacts. There will be a vegetative swale where the water flows towards the wetland. Again Joe Maynard from Benchmark Engineering had presented this case previously; he was not presenting before the Board this evening. There is no opposition from the Board for the plan at this time.

#### **Planning Board - July 15<sup>th</sup>**

**-Case 2015-12 Minor Site Plan Application**, 35 No Lowell Road, (Lot 11-A-860), Residential B and WWPD Applicant – 21<sup>ST</sup> Century Development Corporation, Owner – James/Patricia Flynn. This application is to construct a 4,436+/-sf two (2) story addition to the existing Assisted Living Facility, to bring into compliance with ADA, Building and Life Safety Codes. There will be no proposed increase in the number of assisted living units. The Board has seen this before. The case was heard by ZBA on June 23<sup>rd</sup> and variance were granted. There is a minor encroachment by the addition of the structure on the WWPD. Mr. Tony Massahos addressed the Board to discuss the improvements that the plan presented. The Board has no opposition to the plan at this time.

**-Case 2015-13 Preliminary/Final Major Site** 39 Rockingham Road (Lot 13-A-33), Commercial A, Aquifer Protection District, Floodplain District and WWPD, Applicant – Edward N. Herbert Associates, Owner – RWRL, LLC. This application is for a proposed new 4,000sq ft. two-story building and parking for retail, medical and/or restaurant uses. Mr. Shane Gendron addressed the Board. The building would be two stories in the front and closer to one story in the back of the structure. The proposed area is a gravel area presently with a gravel driveway. This is a similar proposal to one presented in 2009. The economy was not advantageous to build at that time. The septic system has been approved earlier this year. The codes have been updated. The entrance and exits will be the same as the original proposal as well. This would be an addition to the existing site. The rest of the building would be open for commercial space. Chairman Morris talked about the “significant grade” that would exist between the current and proposed parking lot. Page 9 of the plan has a planning profile. The grade of 8% is within the regulations and a retaining wall is also proposed. Run off will be going to a pond. The overflow would go into the existing structures on Jones Road. The total number of parking spaces does, indeed, meet code. The Board has no opposition to the plan at this time.

#### **-Case 2015-14 Prelim/Final Major Site Plan/ Watershed Application**

55 Range Road (Lot 18-L-300), Professional, Business and Technology District, Cobbetts Pond/Canobie Lake Watershed Protection District, Applicant – Karl Dubay, The Dubay Group, Owner – Duck Pond Realty Trust. The application is for the stockpiling and processing of earthen material brought onto the site. No structures, paving, excavation, blasting, or WWPD/wetlands impacts are proposed. Mr. Karl Dubay addressed the Board. This proposal involves Gateway Park which was once the old driving range. There have been 75-80 test pits. They are in the Lake Overlay Protection Area. They are also coordinating with Penachuck Water in case there is additional water available from the proposed wells. If the DOT has additional material, they would like to stockpile the materials at this time on the land. This application is to bring in the material, store it, crush it and prepare the site for the next phase of the project. Silt fence is up in the area at this time for protection. They have met with AOT as well. Phase 1, bring it in. Phase 2, process it, will not export. Phase 3, prepare the site for construction. Because the act of bringing material on site and processing it may be considered a use, a variance may be needed. Mr. Dubay does not agree with this interpretation of the usage. The hope is that they will be able to deal with this issue in a positive manner. Chairman Morris asked about whether or not all the other sites that have

received material also needed a variance at this time. Mr. Dubay indicated that some sites have and some have not. Drainage will be needed on site, along with septic, and this will be the perfect material to take care of these site needs. Mr. Dubay stated that they will be refiling with more information. Mr. Keach, the town engineer, asked for more information for the proposed site plan. A traffic management plan will be in place with Windham police officers, not flaggers. There is also a traffic plan. Mr. Dubay will be coming back to the Board with a more thorough drainage calculations. There will be a voluntary 100 ft. buffer around the border of the property. The water is typical glacial till per the test pits that have been done. The site is conducive to septic and wells. The Board would like to go out and take a look at the property. Tuesday, July 14<sup>th</sup> at 6 pm the Conservation Commission will be doing a site walk. The grass is about waist high at this time. Section 614.2 speaks to a “stand alone use” piece of the ordinance. It is the applied use section of the ordinance. Energy, Police, Fire, and Historical had no issues with the proposal.

### **Misc. Items**

In regard to the Tennessee Gas Plans. Communication about plans and maps.

The bridge and repair construction will hopefully start on Saturday. All Dredge and Fill permits have been granted.

FEMA maps have been updated. RISK MAP is a new program that helps communities update their data. Discovery meetings will take place. Yet, those meetings have already occurred.

A motion was made by Mr. Finn to go into non-public at 8:40 pm. Seconded by Ms. Ferrisi. Vote 3-0. Motion passed. The Board went into Non-public at 8:40 pm.

A motion made to come out of non-public at 9:23 by Mr. Finn. Seconded by Ms. Ferrisi. Vote 3-0. Motion passed.

Motion made to adjourn by Chairman Morris. Mr. Finn seconded. Meeting adjourned at 9:23 pm.

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

Next Meeting: July 23, 2015