



# CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

## Conservation Commission

### Minutes

**February 25, 2010**

#### **Members:**

Dr. James Finn – Chairman

Mr. Bernie Rouillard – Secretary

Mr. Brian Dell'Orfano – Member

Mr. Wayne Morris – Member (Absent)

Ms. Pamela Skinner – Member

Mr. Dennis Senibaldi – Member

Dr. Bruce Anderson – Member (Absent)

Mr. John McRobbie – Alternate

#### **Seat Alternates**

The Chairman appointed Mr. McRobbie to fill the open seat for this meeting.

#### **Lot 16-D-450 – 32 Indian Rock Road**

WWPD Special Permit

Construction of a gas station, convenience store and multi-tenant retail building in the Village Center District. The WWPD Special Permit application is to allow a portion of a building, driveway, drainage, grading and well to be located within the WWPD.

Mr. Peter Zohdi of Herbert Associates displayed the plan and showed the location of the proposed gas station, convenience store and multi-tenant retail building. Mr. Zohdi reminded the Board that the Applicant has complied with the suggestions made during the July 11, 2010 site walk and the August 27, 2009 meeting. Mr. Zohdi has been working with NHDES to get all required permits for the 3.31 acre site. The driveway has been moved away from Dunkin Donuts. There will be 8 catch basins with oil separators, a 15 foot crushed stone pad leading to a treatment swale on the westerly side of the site. Mr. Rouillard requested more time to review the submitted drainage plan. Mr. Zohdi said that he is looking for comments from the Conservation Commission to be sent to the Planning Board.



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## Review of Zoning Board Cases

### Lot #17-M-5, Case 7-2010

Applicant – Edward N Herbert Associates Inc.

Owner – Dennis & Sharon Rogers

Location – 17 Armstrong Road

Zone – Residential A

A variance is requested from Sections 401, 405.2, 405.5 & 702 Appendix A-1 of the Zoning Ordinance to permit the owner to remove an existing year round two-bedroom home and replace it with a new, larger two-bedroom home on a lot which does not meet frontage, area, front, side and rear setback requirements. The proposed house is to be 30 feet from Armstrong Road, 10 feet from the northeasterly side line, 18 feet from the southwesterly side line and 10 feet from the northwesterly lot line. A proposed deck and stairway would be 14 feet from the southwesterly side line. The lot has 73.80 feet frontage on Armstrong Road.

Mr. Zohdi presented the plan. The total square footage of the site is 13, 980 square feet +/- on the shore of Cobbetts Pond. The longest distance of the proposed home is 58 X 40. A two car garage is also proposed. The applicant is in compliance with the Shoreland Protection Act. The applicant is going in front of the Zoning Board for front and side setbacks. The proposed building is double in size and lot coverage will be less than 20%. The proposed home will be located further away from Cobbetts Pond than the existing home. Plans for a new two bedroom septic system have been submitted to NHDES and the Town of Windham.

Mr. Rouillard said that he likes the idea of pervious pavement and the drywell to collect roof water. Mr. Rouillard said that the Conservation Commission could ask that the proposed dwelling stay within the current footprint. Mr. Rouillard has concerns regarding the increase in lot coverage.

Mr. Zohdi mentioned that there is an existing garage on the property that will be removed. Because the 800 foot garage will be removed, the increase will not be double it would be approximately 30%. There will be no regrading and no excavating.

Mr. Senibaldi motioned and Mr. Dell'Orfano seconded the motion to send a letter to the Zoning Board stating that the Conservation Commission is not opposed to the plan as presented. **Motion passed 6-0.**



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## **February 23, 2010 TRC Meeting Agenda**

### **Planning Board Case #2010-6, Lot #18-L-400, 49 Range Road**

A site plan application to replace a parking lot, modify an existing driveway and install a sidewalk. The property is zoned Professional Business & Technology and located in the proposed Cobbetts Pond Watershed Protection Overlay district petition and must meet all requirements outlined in the Ordinance.

Mr. Zohdi displayed plans and presented the case. This property is located next to Delahunty Nursery (the old Semiconductor Building). A portion of this parcel was taken when hen the state of NH widened Route 111. The building is 24,000 square feet with 40 parking spaces in the front of the building. There is a tenant leasing 6000 square feet of the building. Currently there is no visitor parking. The applicant is going in front of the Planning Board to add 36 of the 40 parking spaces that were lost. There is a connection to the Delahunty driveway that will be kept open. All sheet drainage on the 12.47 acre parcel will be directed toward the back of the property.

Mr. Rouillard would like to see the potential for reducing the amount impervious surface.

Mr. Rouillard motioned and Mr. Senibaldi seconded the motion to comment to the Planning Board that the Conservation Commission reviewed the proposal for additional parking near the existing building and request as a condition of approval that the Planning Board consider mandating the existing parking near the building be reduced based on a study of the actual use of the parking lots to further reduce impacts to both Canobie Lake and Cobbetts Pond Watersheds. **Motion passed 6-0.**

### **Lot 13-A-31 – 33 Rockingham Road**

#### **Planning Board Case #2010-3**

An application has been submitted by Dealers Trust Corp. for a Special Permit for a Change-Of-Use at 33 Rockingham Road, Lot 13-A-31. Proposal is to locate a pre-owned retail automotive sales and service business.

The Commission could not tell from the submitted plan if there were any alterations to grades, therefore, it was difficult to comment. The Commission would like to see more detailed plans.

### **Approval of February 11, 2010 Minutes**

Mr. Dell'Orfano motioned and Mr. Rouillard seconded the motion to approve the February 11, 2010 minutes. **Motion passed 4-0-2.** Mr. McRobbie and Dr. Finn abstained.

### **Planning Board Report – Miss Skinner**

Watershed Ordinance discussed.



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## Farmland Preservation Initiative –Mr. Morris

Dr. Finn advised the Commission that Mr. Morris had a discussion with Ms. Scott, Director of Community Development, regarding the Community Study. Ms. Scott is willing to work with Digit Taylor. Ms. Skinner motioned and Mr. Rouillard seconded the motion to have Mr. Morris contact Digit Taylor to initiate the Community Study and not to exceed \$5000.00. **Motion passed 6-0.**

## Other Business

Dr. Finn advised the Commission that he walked the Ingersoll property for the Society for the Protection of NH Forests. There is an accumulation of trash such as pallets, beer cans, tarps and lumber. Once the weather is better Dr. Finn would like the Commission to clean up the area.

## Mail

- Conservation Land Fund Balance.
- February 10, 2010 Letter from NHDES Wetlands Bureau Complaint File 2007-00978 27 Cobbetts Pond Road. Inspection to determine compliance and two actions listed that need to be completed by May 15, 2010.
- February 11, 2010 Letter from NHDES Wetlands Bureau Complaint File 2008-01621 Gardner Road. DES unable to take action relative to the seasonal dock until the property dispute issue is resolved.
- February 10, 2010 Letter from NHDES Wetlands Bureau File #2009-01320, 37 Sawyer Road advising that the dock does not meet the rules for a Minimum Seasonal Dock Notification. Dock is not the standard size or configuration and there are existing docking structures on the frontage (boathouse & concrete wharf).
- February 23, 2010 Letter from NHDES File #2009-03023, 37 Sawyer Road additional information is needed to complete and clarify the Dredge & Fill application.
- February 11, 2010 Letter from NHDES Wetlands Bureau Shoreland Waiver #2008-00385, 29 Abbott Road. Condition #7 on the Waiver has not been met that an initial monitoring report shall be submitted by November 15, 2009 documenting the success of vegetation planted as specified on plans approved by DES. A report and photographs must be submitted by June 1, 2010.
- Municipal Turf & Grounds Conference scheduled for March 24, 2010 at UNH.
- February 19, 2010 Letter NHDES Wetlands Bureau File 2007-01090 Granite Hill Road. By April 1, 2010 submit a proposal to DES for the removal of the stone slab that was placed on the bed of Cobbetts Pond to provide access to a docking structure. A detailed description of methods for removal and proposed means of siltation controls including locations of silt fence and/or turbidity curtain.



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Minimum Impact Expedited Dredge & Fill application submitted by Mr. Joaquim 16 Fletcher Road to build an access road to backyard to reach uplands by tractor.

Mr. Dell'Orfano motioned and Mr. Senibaldi seconded the motion to adjourn. **Motion passed 6-0.**

The next meeting of the Conservation Commission is scheduled for March 11, 2010 at 7:30 PM in the Community Development Office.

These minutes are in draft form and are respectfully submitted for approval by Patricia Kovolyan.