



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission Minutes March 26, 2009

Dr. James Finn – Chairman (Excused)
Mr. Bernie Rouillard – Secretary
Dr. Bruce Anderson – Member (Excused)
Mr. Brian Dell’Orfano – Member
Mr. Wayne Morris – Member
Mr. Chris Rossetti – Member
Mr. Dennis Senibaldi – Member
Miss Pamela Skinner – Member

Seat Alternates

Miss Skinner appointed Mr. Rouillard to replace Dr. Finn for this meeting and then turned the meeting over to Mr. Rouillard.

Lot #17-L-42, 130 Range Road – Karl Dubay of MHF Design

No wetlands or WWPDP on the site.

Project may include restoration of the former Chick Austin Barn Manor House, a possible museum component with the common area of the building, conversion/restoration of the existing apartments to upscale condos and an upscale group of very small but sophisticated “chalet” homes on a pervious cobble drive.

Mr. Dubay displayed plans of Austin Place and gave a history of the property, the Austin Family and the Windham Playhouse that was managed by Chick Austin for many years. There are no wetlands and the property is not subject to the Shoreland Protection Act setbacks. The second floor of the existing house will be transformed into condo flats. There will be a common room on the first level of the house. The proposed twelve detached single family “chalet” homes will have approximately 1800 square feet and will have individual septic systems. There will be rain barrels, roof recharge units and sidewalks. All the engineering on the plan does meet the elderly requirements for buffers, setbacks etc. There will be approximately 32-36 bedrooms. The intent is to use pervious pavers on the private way. Each unit will have 200 square feet of managed space. Water will be provided by Pennichuck Water Works.



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Lot #21-K-16, 164 Range Road – Brendon Quigley of Gove Environmental

164 Range Road – Minimum Impact Dredge & Fill Application

Shoreline Access Path Stabilization

74 square feet of new impacts to wetland, bank or other jurisdictional areas.

Mr. Brendon Quigley on behalf of Mr. & Mrs. Deluca explained that the Dredge & Fill application is for the restoration and resurfacing of a shoreline access path. The area has deteriorated and is an erosion hazard. A trench drain has been added to divert flow before it enters the pond. No vegetation will be cut. 12” square pavers will be used. A site walk was scheduled for Saturday, March 28, 2009 at 8:00 AM.

Lot #20-D-1200 & 20-E-300 – Peter Zohdi of Herbert Associates

Combine Lots and subdivide into 21 Building lots and 3 Open Space non-buildable lots

Mr. Peter Zohdi submitted plans and presented the case for a 21 lot subdivision on London Bridge Road. Mr. Zohdi asked that the Commission come to the site to provide input before he goes any further. Mr. Zohdi explained that they are asking for two wetland crossings. There is an Aquifer District on the site that Mr. Zohdi would like to discuss during a site walk. Mr. Gove will attend the site walk to explain the wetland flagging. A site walk was scheduled for Saturday, March 28, 2009 at 9:00 AM.

Lot 17-L-17 & 17-L-150 – Peter Zohdi of Herbert Associates

Cobbetts Heights – Subdivision Plan

Combine Parcels and subdivide into 6 building lots.

Mr. Peter Zohdi submitted plans for the 6 lot subdivision and presented the case. Two parcels will be combined on Horseshoe Road. Plans were sent to the TRC (Technical Review Committee). There is an existing house on Lot 17-L-17. Mr. Zohdi asked for a letter from the Conservation Commission to the Planning Board and the Planner for this subdivision. A site walk was scheduled for Saturday, March 28, 2009 at 8:30 AM.

Mr. Zohdi asked to be on the next Conservation Commission agenda in Closed Session.



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Review of Zoning Board Cases

Lot #21-V-249A, Case #14-2009

Applicant – Edward N. Herbert Associates

Owner – Paul & Carol Caten

Location – 24 Fish Road

Zone – Residential A

A variance is requested from Section(s) 603.1.1 & 702 Appendix A-1 of the Zoning Ordinance to permit the existing building to be converted from seasonal to year round use on a pre-existing, non-conforming lot. The existing dwelling is 8.0' from the north lot line where 30' is required, 8.2' from the south lot line where 30' is required and 27' from the reference line where 50' is required. The existing lot has 50.27' of frontage on Fish Road where 175' is required and contains 11,314 square feet where 50,000 square feet is required. Only one dwelling allowed per lot. The two seasonal structures need to be removed or no longer used as seasonal structures but may be converted to sheds or a garage and will required restrictions that they may never be used as dwellings of any nature.

After reviewing Zoning Board Case #14-2009 with Mr. Zohdi the Commission had the following comments. The Commission would not object to this request for a variance if the stipulation that the two detached accessory structures be discontinued.

Lot #17-M-22, Case #12-2009

Applicant – Benchmark Engineering

Owner – Richard Armstrong & Alan Armstrong

Location – 19 Oak Street

Zone – Residential A

A variance is requested from Section(s) 401, 405, 406 & 702 Appendix A-1 of the Zoning Ordinance to permit the razing of the existing dwelling & sheds and to reconstruct a new dwelling with a different footprint on a 4658 square foot non-conforming lot where 50,000 square feet is required with 40 feet of street frontage where 175 feet is required, a front setback of 18 feet where 50 feet is required, a side setback of 6 feet where 30 feet is required and a shoreline setback of 20 feet where 50 feet is required.

After reviewing Zoning Board Case #12-2009 the Commission had the following comments. The Commission has difficulty supporting this request for a variance. There is no information on the current or proposed septic system on this site and there is no comparison given regarding the current square footage or structural to proposed square footage.



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Laura Scott – Windham Town Planner

Miss Scott informed the Commission that she has a Conservation background, she was the Executive Director for a Land Trust, worked for non –profit environmental groups and is still very involved volunteering with statewide non-profit organizations. She has been busy putting together policy and procedures for a technical review committee. There will be a time line, the Developer will know what is expected and the Conservation Commission will receive copies of all plans. The Commission discussed procedures with Miss Scott in regard to Planning Board plans and Zoning Board cases.

Approval of December 11, 2008 & March 12, 2009 Minutes

Mr. Dell’Orfano motioned and Miss Skinner seconded the motion to approve the March 12, 2009 minutes. Motion passed 6-0.

Planning Board Report – Miss Skinner

None

Farmland Preservation Initiative – Mr. Morris

Mr. Morris will follow up to find out what the cost would be for a cost to community study.

Other Business

In response to Dr. Finn’s letter of March 26, 2009 to Cheryl Haas, Recreation Coordinator Mr. Senibaldi presented the Park Ranger job description and daily logs. The Commission will discuss funding for Park Rangers at the April 9, 2009 meeting.

Mail

- Shoreland Impact Permit #2009-00337 for 14 Hayes Hart Road, 3000 square foot impact to construct a driveway.
- NHDES Request for more information for Granite Hill Road
- Memo from Laura Scott, Community Planner.

Mr. Senibaldi motioned and Miss Skinner seconded the motion to adjourn. Motion passed unanimously.



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The next meeting of the Conservation Commission is scheduled for April 9, 2009 at 7:30 PM in the Planning & Development Office.

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