



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission

Minutes

June 25, 2009

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

Seat Alternates

The Chairman appointed Mr. Rouillard to sit in for Mr. Senibaldi for this meeting.

Shoreland Permit Application, Prepared by Benchmark Engineering

Lot 21-V-252, 10 Fish Road

Reconstruction of an existing 1160 square foot dwelling that was damaged by fire. Temporary impacts include 1460 square feet of excavation for the proposed slab with concrete walls. Length of shoreline frontage is 49 feet. Total area impacted within 250 feet of the reference line is 4000 square feet.

After reviewing the submitted Shoreland Permit Application the Commission requested that they proceed using Best Management Practices.

Minimum Impact Dredge & Fill, Prepared by Gove Environmental

Lot #11-A-161, 8 Ledge Road

1447 square feet of Wetlands

Mr. Karl Dubay of MHF Design displayed plans and submitted a drainage study for the 17 acre parcel. The gravel storage area was built eight or nine years ago. An Alteration of Terrain Permit is required for the expansion of the materials storage area. As part of the expansion there would be quite a bit of drainage treatment areas, recharge etc. and WWPD restoration that was modeled after the Shaw's system.

Mr. Dubay introduced Mr. Glen Cairns, one of the property owners. Mr. Cairns explained that excess materials from construction sites will be stored in the expanded area. Mr.



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Cairns stated that they run a very clean operation. They recycle all their own oil and heat the building with the recycled oil. All garage fluids are captured and nothing is discharged onto the site. The expansion is for dry storage. They have an oil containment section within the garage; 2000 gallons of waste oil is captured throughout the year and is used to heat two buildings. They also have a number two back up system. There is a floor drainage system that captures fluids in a sump system under the floor which flows into sediment traps and is boiled off. Any contaminants stay in the system and are condensed down to a 55 gallon drum. A company then removes the liquid and hauls it away.

Mr. Dubay said that no blasting will be done; there is existing fill and they will not be cutting into ledge.

Ms. Lindsay O'Reilly of Gove Environmental Services explained that she did the wetland delineation on site. The total amount of wetlands that will be impacted is 1447 square feet. This is a marginal wetland in a previously disturbed area and the soils are marginal for a wetland area. The wetland will dry up for most of the summer.

Mr. Dubay explained that the elevation of the peninsula will be reduced from 313 to 302. The peninsula will be lowered approximately 10 feet. The trail easement will be honored.

Mr. Rouillard motioned and Mr. Rossetti seconded the motion that after reviewing the plans the Commission had no negative comments. Motion passed 7-0.

Approval of June 11, 2009 Minutes

Mr. Morris motioned and Miss Skinner seconded the motion to accept the June 11, 2009 minutes as written. Motion passed 4-0-3. Dr. Anderson, Mr. Dell'Orfano and Mr. Rossetti abstained because they were not at the June 11, 2009 meeting.

Review of Zoning Board Cases

Lot #25-E-450, Case #18-2009

Applicant – Peter H. Bronstein, Esquire

Owner – James Morgan

Location – 7 Abbott Road

Zone – Residential A

A variance is requested from Section(s) 401 & 702 Appendix A-1 of the Zoning Ordinance to permit the construction of a single family dwelling on a private road with side setbacks of 8 feet where 30 feet is required, front setback of 25 feet where 50 feet is required, street frontage of 47 feet where 175 feet is required on a 6040 square foot lot where 50,000 square feet is required with 17% lot coverage.



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Lot #25-E-430 & 431, Case #19-2009

Applicant – Peter H. Bronstein, Esquire

Owner – James Morgan

Location – 13 Abbott Road

Zone – Residential A

A variance is requested from Section(s) 401 & 702 Appendix A-1 of the Zoning Ordinance to permit the construction of a single family dwelling on a private road with side setbacks of 8 feet where 30 feet is required, front setback of 8 feet where 50 feet is required, frontage of 57 +/- where 175 feet is required on a 4788 +/- square foot lot where 50,000 square feet is required with 19% lot coverage.

Lot #25-F-108, Case #20-2009

Applicant – Peter H. Bronstein, Esquire

Owner – Joseph Morello

Location – 37 Abbott Road

Zone – Residential A

A variance is requested from Section(s) 401 & 702 Appendix A-1 of the Zoning Ordinance to permit the construction of a single family dwelling on a private road with side setbacks of 10 feet & 28 feet where 30 feet is required, front setback of 10 feet where 50 feet is required, frontage of 100 feet where 175 feet is required on a 9,940 square foot lot where 50,000 square feet is required with 11% lot coverage.

After reviewing Zoning Board Cases 18-2009, 19-2009 & 20-2009 the Members decided to have a site walk on Saturday June 27, 2009 at 10:00 AM. Suggestions and comments will be provided after the site walk.

Lot #18-L-1, Case #17-2009

Applicant – Andrew & Christine Lane

Owner – Andrew P. & Christine J. Lane Revocable Trust

Location – 2 Woodvue Road

Zone – Residential A

A variance is requested from Section(s) 601 of the Zoning Ordinance to permit an existing garage to remain in place that was built relying on a town building permit and the counsel of the Town Attorney and the Director of Planning.

The Members asked that the current plan be provided before the next meeting.

Planning Board Report – Miss Skinner

None



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Farmland Preservation Initiative – Mr. Morris

None

Other Business

Review of By-Laws (Intent to Cut Procedure)

The Chairman explained that an *Intent To Cut* is filed with the Assessor for tax purposes. The Chairman said that he intends to ask that Conservation be informed of any *Intent to Cut* applications that are filed with the Assessor.

Mail

- Memo from Bruce Breton regarding schedule of CIP meetings.
- June 19, 2009 Letter from William Beckett regarding Gertrude Linton Estate includes Letter of Deficiency and intent to complete repairs.
- June 19, 2009 Letter from Brian Hart, Executive Director of Southeast Land Trust of NH regarding completion of the Windham Town Forest Conservation Easements and three invoices, \$7050.59, \$191.10 & \$670.15.
- June 12, 2009 letter from Thomas Gilbert at NH DES Wetland Bureau regarding File #2006-02854 for 31 West Shore Road listing results of a site inspection and administrative review.
- June 9, 2009 memo from Laura Scott regarding the June 9, 2009 TRC meeting for a three-story office, 18,800 square feet and a warehouse, 6,600 square feet on Industrial Drive, Lot 13-A-196.
- June 15, 2009 Letter from Dale Keirstead Shoreline Inspector, NH DES request for more information File #2009-00459 for 164 Range Road.
- Copy of Letter from Eric Nickerson to Thomas Gilbert, NH DES regarding File #2006-02854, 31 West Shore Road included certified location plan and sewerage system design plan.
- Copy of Letter from Thomas Gilbert, NH DES to Tom Murray regarding File 2007-00187, 29 West Shore Road listing results of a site inspection and administrative review.
- June 22, 2009 Letter from NH DES regarding File #090619-038, Lot #11-A-161, application to alter terrain, 227,796 square feet.

Mr. Dell'Orfano motioned and Mr. Morris seconded the motion to pay to Southeast Land Trust Invoices 2009-6 in the amount of \$7050.59, 2008-18 in the amount of \$191.10 and 2008-9 in the amount of \$670.15. Motion passed 7-0.



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Non-Public Session

Miss Skinner motioned and Mr. Morris seconded the motion to go into Non-Public Session per RSA 91-A:3 to discuss land acquisition. Motion passed 7-0.

The next meeting of the Conservation Commission is scheduled for July 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.