



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission Minutes March 25, 2010

Members:

Dr. James Finn – Chairman (Excused)

Mr. Bernie Rouillard – Secretary

Mr. Brian Dell'Orfano – Member (Excused)

Mr. Wayne Morris – Member

Ms. Pamela Skinner – Member

Mr. Dennis Senibaldi – Member (Arrived Late)

Dr. Bruce Anderson – Member (Absent)

Mr. John McRobbie – Alternate (Excused)

Mr. Rouillard replaced Dr. Finn as Chairman for this meeting.

31 Walkey Road, Permit by Notification – Joe Maynard, Benchmark Engineering

Lot #17-I-111 - Permit by Notification

Repair Wall

Mr. Joseph Maynard of Benchmark Engineering submitted photos and presented the plan. There will be no changes in the type or size of the wall. Fabric will be placed behind the wall to help with erosion while repairing 400' of the wall. The height of the wall varies from 3' to 3-1/2'. The Members discussed with Mr. Maynard the timing of the repair. Depending on weather, the repair will be done in the Spring or the Fall. Mr. Maynard did mark the displayed plan *all work will be done in the dry*. Miss Skinner motioned and Mr. Morris seconded the motion to sign the Permit by Notification for Lot 17-I-111 for wall replacement. **Motion passed 4-0.**

Flat Rock Road, next to pump house – Joe Maynard, Benchmark Engineering

Lot 3-B-265, Install 12 X 20 Shed

Portion of Shed in Wetland.

Mr. Joseph Maynard of Benchmark Engineering presented the plan for a storage shed to be installed at Hadleigh Woods a Senior Community off of Route 28. Mr. Maynard explained that he was looking for input from the Conservation Commission. There is a pump house and small parking area on the site. The residents would like to place the shed beside the pump house because they can get power and it is near the parking area. The difficulty is that a portion of the 12' X 20' shed falls within the WWPD. Mr. Maynard



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would need to get a variance for the shed because the shed would be about 85' to the edge of the wetland. The pump house, an allowed use in the wetlands, is about 95' from the edge of the wetland. The parking area is for overflow, visitors etc. Mr. Rouillard asked if the parking was used extensively. Mr. Maynard was not sure how often the parking area was used. Mr. Rouillard recommended placing the shed in two of the parking spaces, the shed would then be on an impervious surface.

Review of Zoning Board Cases

Lot #24-F-5100 Case # 9-2010

Applicant – Edward N. Herbert Assoc.

Owner – Paul Chicklis

Location – 2 Wilson Rd.

Zone – Rural

A variance is requested from Section(s) 601.3, 710, 702 and Appendix A-1 of the Zoning Ordinance to permit a pool and the associated accessory structures (foundation, patio, fence and shed) to be constructed and finished within the Wetland and Watershed Protection District (WWPD) and to permit a portion of the shed, patio and foundation to be less than 50 feet (40.3) from Wilson Rd. Also to permit a safety fence higher than 3 feet around the pool a portion of which is closer than 60 feet to the front property line.

Mr. Chris Nickerson of Herbert Associates presented the plan. The reason the home owner is requesting a variance after the fact is because original survey was done incorrectly. The surveyor did not flag the wetlands. The home owner was granted a permit for the pool; the wetland was discovered after the pool was constructed. Mr. Nickerson asked for a recommendation from the Conservation Commission to the Zoning Board. If the variance request is denied and if the pool would need to be removed, the detriment to the site and the environment would be substantially more than trying to finish the site. Mr. Rouillard would like to know how this fell through the cracks. Mr. Senibaldi motioned and Miss Skinner seconded the motion that the Conservation Commission accepts the as built plan for the pool but will require and scrutinize landscaping plans if a variance is granted. **Motion passed 5-0.**

Lot #16-F-4 Case # 14-2010

Applicant – Joe Maynard for Benchmark Engineering

Owner – James Frazier

Location – 24 Ash St.

Zone – Residential A

A variance is requested from Section(s) 1.2A, 1.3A, 1.6, 1.6C, 1.10A, 1.10B & 1.10C of the Cobbetts Pond Watershed Protection Overlay District of the Zoning Ordinance to permit redevelopment of the property per the previously approved variance # 2-2010 which granted relief to 401, 406.2, 702 & Appendix A-1.



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Mr. Maynard presented the plan. The impervious surface will be reduced from 40% to 33 or 34%. Mr. Rouillard asked that a portion of the concrete patio be removed to reduce some of the impervious surface. Mr. Maynard said that he will also ask for relief from using permeable product but will mitigate by using other material. Mr. Maynard will request a waiver from Planning Board approval and to renew the variance for one year. Mr. Morris motioned and Miss Skinner seconded the motion to recommend the request for a variance. **Motion passed 4-1.** Mr. Rouillard voted against the motion.

Lot #17-J-113 Case # 15-2010

Applicant – Joe Maynard for Benchmark Engineering

Owner – Matthew Gaudio

Location – 16 Rocky Ridge Rd.

Zone – Residential A

A variance is requested from Section(s) 1.2A, 1.3A, 1.6, 1.6C, 1.8, 1.10C of the Cobbetts Pond Watershed Protection Overlay District of the Zoning Ordinance to permit the redevelopment of the property per the previously approved variance Case # 46-2009 & 46A-2009 which granted relief to 401, 702 & Appendix A-1.

Mr. Maynard explained that he would be asking for a waiver from Planning Board review. Mr. Senibaldi motioned and Mr. Morris seconded the motion to send a letter to the Zoning Board stating that the Conservation Commission has no objections to the presented plan. **Motion passed 4-1.**

Lot #17-M- 22 Case # 16-2010

Applicant – Joe Maynard for Benchmark Engineering

Owner – Richard Armstrong & Alan Armstrong

Location – 19 Oak St

Zone – Residential A

A variance is requested from Section(s) 1.2A, 1.3A, 1.6, 1.6C, 1.10A, 1.10B of the Cobbetts Pond Watershed Protection Overlay District to permit the redevelopment of the property per previously approved variance case # 12-2009 which granted relief to 401, 405, 406, 702 and Appendix A-1.

Joe Maynard explained that originally the impervious surface was 60% and they were able to reduce it to approximately 40%. A portion of the septic system was installed under Oak Street because the Armstrong's own Oak Street. Mr. Maynard will be asking for a waiver from Planning Board review. Mr. Senibaldi motioned and Miss Skinner seconded the motion to send a letter to the Zoning Board stating that the Conservation Commission has no objections to the presented plan. **Motion passed 4-1.** Mr. Rouillard voted against the motion.



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Lot #17-L-50 Case # 17-2010

Applicant – Joe Maynard of Benchmark Engineering

Owner – Derek & Jessica Monson

Location – 18 Turtle Rock Rd.

Zone – Residential A

A variance is requested from Section(s) 1.2A, 1.3A, 1.6, 1.6C, 1.10B, 1.10C of the Cobbetts Pond Watershed Protection Overlay District of the zoning ordinance to permit the redevelopment of the property per previously approved variance case # 31-2009 which granted relief to 405, 405.2, 405.5, 702 & Appendix A-1.

Mr. Maynard explained the impervious coverage will be under 30% according to CPIA regulations but lawn coverage will be over 10%. Mr. Morris motioned and Mr. Senibaldi seconded the motion that the Conservation Commission has no objections to the request for a variance. **Motion passed 5-0.**

Mr. Senibaldi needed to leave the meeting.

164 Range Road, Standard Dredge & Fill

Lot #21-K-15

744 Square feet of shoreline subject to impacts

4' Wide Aluminum Dock

The Commission reviewed the Dredge & Fill application for a seasonal dock with three boat slips on 304 feet of shoreline frontage, 616 square feet of docking and 128 square feet for a swim platform. The dock will be removed at the end of summer and re-installed in the Spring. Mr. Morris motioned and Miss Skinner seconded the motion to send a memo to NH Department of Environmental Services stating that the Conservation Commission has no objections to the application. **Motion passed 4-0.**

Approval of February 25, 2010 Minutes

The February 25, 2010 minutes will be reviewed at the April 8, 2010 meeting.

Planning Board Report – Miss Skinner

The Planning Board discussed CPIA forms.

Farmland Preservation Initiative – Mr. Morris

Mr. Morris reviewed the letter and contract submitted by Dijit Taylor. The Commission would like to meet with Dijit Taylor before starting the study. Mr. Morris will contact Dijit Taylor and Laura Scott regarding a meeting.



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Other Business

Miss Skinner motioned and Mr. Morris seconded the motion to pay \$180.00 to NHACC for the purchase of ten (10) Conservation Handbooks. **Motion passed 4-0.**

The Members are interested in the Summer Park Ranger Program and will discuss funding once they receive a proposal.

Mail

- January 2010 Current Use \$11,500.00.
- February 26, 2010 letter from Attorney Campbell to Laura Scott regarding Rail Trail Damage.
- March 1, 2010 letter from Attorney Campbell to James Armstrong regarding Rail Trail Damage.
- March 4, 2010 memo from Cheryl Haas to Jim Finn regarding Summer Park Rangers.
- March 3, 2010 letter from David Sullivan to Lisa Ferrisi confirming her appointment to the Conservation Commission.
- March 4, 2010 memo regarding March 9, 2010 TRC meeting.
- NHACC Invoice for 10 Copies of CC Handbook \$180.00.
- Conservation Land Fund as of March 9, 2010.
- NHDES File 2008-01991 regarding 45 Abbott Road requesting additional information.
- Habitat for Humanity Newsletter.
- Workshop – Stewardship of Conservation Easements, April 7, 2010, Brentwood NH
- NHDES File 2010-00360 Incomplete application, 16 Fletcher Road.
- NHDES Shoreland Application 2010-00425, 6 Horne Road.
- March 10, 2010 Letter & Agreement from Dijit Taylor.
- NHDES Complaint File 2010-00541 83 Kendall Pond Road.
- NHDES Shoreland 2010-00578 8 Waters Edge receipt of application.
- NHDES Wetland File 2010-00537 additional information and clarification required.
- NHDES Shoreland permit 2010-00425.
- Letter and Invoice from Tom Masland, invoice \$500.00 professional Services.
- March 21, 2010 Letter form Mr. Joaquim to NHDES regarding File 2010-00360.

The Commission asked that the \$500.00 invoice from Attorney Masland be held to the next meeting for Dr. Finn's review.



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Mr. Morris motioned and Miss Skinner seconded the motion to adjourn. **Motion passed 4-0.**

The next meeting of the Conservation Commission is scheduled for April 8, 2010 at 7:30 PM in the Community Development Office.

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