



CONSERVATION COMMISSION

PO Box 120

Windham, New Hampshire 03087

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

www.WindhamNewHampshire.com

Conservation Commission

Minutes

March 22, 2012

Members:

Dr. James Finn, Chairman

Mr. Wayne Morris, Vice-Chairman

Mr. Brian Dell'Orfano (Excused)

Mr. Dennis Senibaldi, Member (Excused)

Ms. Pamela Skinner, Member

Ms. Lisa Ferrisi, Member

Mr. Bernie Rouillard, Alternate

Attendance and Seat Alternate

The Chairman appointed Mr. Rouillard to replace Mr. Senibaldi for the meeting.

Review of TRC Cases

Presented by Joe Maynard, Benchmark Engineering, Inc.

1. Lot # 22-L-81, 29 West Shore Road

Owner: Tom Murray

Mr. Maynard was seeking support from the commission to file for a Dredge & Fill Application to replace an existing wall in need of repair located on Canobie Lake. He explained that the wall they are trying to rebuild is currently underwater and historically the wall was technically within the wetland jurisdiction and not the shoreline.

Mr. Maynard described further that the plan is to fix the wall and rebuild it 6-9" taller than it currently exists. As there are existing walls behind this wall, filing for a Dredge & Fill permit in order to build the wall higher will allow the walls behind it to stay and this will change top of bank and shoreline setback.

Mr. Rouillard raised the question about how the wall will be rebuilt. Mr. Maynard mentioned that the wall will be mortared stone like the walls that exist behind it. Mr. Morris asked when the work on the project would be done and Mr. Maynard responded that the work would take place in the fall.

Mr. Morris commented that this process does not make any sense and Mr. Murray noted that he agrees. Mr. Murray explained that so far he has planted 116 native



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plant species on the property, added two dry wells, moved the septic back and added permeable pavers to the driveway and still received a violation from NHDES. NHDES would prefer to have the wall removed and have the land sloped downward to the lake and Mr. Murray noted that the wall was always there. NHDES said he needed to go to Wetlands Council in which they denied his application and wanted the wall removed. NHDES said to apply for a Dredge & Fill Permit to rebuild the wall at the top of bank.

Mr. Maynard mentioned that this was an ownership issue, and that Canobie Lake is municipality owned and controlled by a dam and does not have the protection that other lakes have.

Mr. Maynard said the plan is to rebuild the wall, mortar it (same as the other existing walls) then fill behind it and vegetate. He noted that the application is almost ready to go and just needs support from the Conservation Commission and then will need to go to Salem. He said he needs the board to issue a letter to both the NH Wetlands Board and the Town of Salem, New Hampshire.

Mr. Rouillard motioned that the Conservation Commission has no objection to the proposed plan. Mr. Morris seconded the motion.

Motion passed 5-0.

2. *Lot # 3-B-625, 183 Rockingham Road (Windham Inn)*
Owner: Murray Properties

Mr. Maynard presented to the board that Murray Properties is seeking a variance request from the ZBA and wants to reconstruct a 25000sf mixed use building and new parking lot. The property is zoned Commercial A and HB Homes owns the surrounding land. Easements exist to the north and south. The existing parking lot drains directly into adjacent wetlands, which have been previously altered. The storm water that flows off of the parking lot into the wetlands is not currently treated.

The goal of obtaining this variance would serve to improve drainage at this site but would also add new parking in the WWPD. The plan is to keep the old building, retrofit it and the addition of a 2500ft proposed office building. Additionally, solar trees are to be added on the property but are considered an encroachment into the WWPD.



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Mr. Finn asked what exactly will go in the WWPD. Mr. Maynard replied that the only structures proposed in the WWPD will be the solar trees and some parking lot. There is however a drainage easement on the on the lower property which allows for drainage mitigation and therefore all of the runoff will go through treatment in a swale before being discharged into the adjacent wetland.

Mr. Roulliard asked if it would be possible to reduce the amount of proposed parking in the WWPD. Mr. Murray responded and is more than happy to try and reduce the amount of pavement at the next Planning Board meeting.

Mr. Morris asked how much land area needs to be cleared for the solar trees. Mr. Murray said that the area consist of mostly brush, some old growth trees and mentioned the old growth trees would not be taken down and that the intention is not to clear for the solar trees that they would be in front of the old growth trees. Mr. Murray also mentioned that there is the possibility to reduce the amount of solar trees if some solar can be placed on the building roof.

Mr. Morris motioned that if a variance is requested, that the Conservation Commission recommends making an attempt to reduce impacts to the WWPD. Motion passed 5-0

3. *Lot # 21-H-1, 47 Cobbetts Pond Road*

Mr. Maynard presented that he is seeking to obtain a Minimum expedited Dredge & Fill Application to replenish beach sand along the shore of Cobbett's Pond. The application will be to add 10 cubic yards of sand to the shore. Mr. Maynard requested signature of the application from the board.

Mr. Morris motioned to sign the application and Ms. Skinner seconded the motion. Motion passed 5-0

Presented by Karl Dubay, The Dubay Group, Inc.:

4. *Lot # 12-A-532, 125 Indian Rock Road*

Mr. Dubay presented proposed modifications to a major site plan and noted that he will be asking the Planning Board for these modifications. He mentioned he was there to amend a special permit in the WWPD and reduce pavement. Mr. Dubay explained that with these modifications there would be an 800sf reduction in impervious footprint.

Originally, the plan was to have two buildings one of those being a bank with a drive through. Now, an Urgent Medical Care Facility is to replace the bank. By



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not building the bank and additional driveway initially proposed, will reduce the amount of pavement in the WWPD. However, there would still be some pavement but not as much.

As far as landscaping, Mr. Dubay said that they would be doing transitional slope planting through Gove Environmental Services. Also, the lighting will be updated to a full lighting LED plan.

Mr. Rouillard asked about the potential increase on septic loading from the medical facility and Mr. Dubay responded that this facility on other locations are the same or less than state standards.

Mr. Dubay requested a letter of support from the Conservation Commission to the Planning Board for the modified site plan to reduce pavement in the WWPD. Mr. Morris made a motion to accept, Mr. Rouillard seconded. Motion passed 5-0.

5. *Lots # 17-H-10, 17-H-20, 17-H-25-U, Range Road*

Mr. Dubay presented a proposed plan for a 2-Phase Submittal requiring Variances, a Major Site Plan Application, WWPD Special Permits, and Lot Mergers. Mr. Dubay said that he is looking for support for a WWPD variance which includes saving and restoring a historic house for the gateway entrance.

Naults dealership/Windham Honda would like to expand the business and have purchased the historic house on the abutting property. The plan is to move the house to the existing business and restore it back to function where it will be mixed use with an office upstairs and a shop downstairs.

Mr. Dubay said that this will be a phased project, and the first step will be to move the house and improve the driveway. The second phase will be the showroom which cannot be done until the DOT is done working on 111A. He also mentioned that he is currently working with the DOT on drainage in both the Cobbetts Pond and Canobie Lake Overlay.

Ms. Skinner asked about the process of moving the existing appendages on the house. Mr. Dubay said that some existing appendages will be saved and that others might not be depending on their conditions. However, new appendages will be added once the house is moved.

Mr. Rouillard asked about timeframe and Mr. Dubay responded that this plan first goes through TRC, then Planning Board, then ZBA and then Planning Board.

Commission agreed that the next step will be a site walk with the Planning Board.



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Planning Board Report – Miss Skinner

None

Other Business

None

Review of Correspondence

Non-Public Session RSA 91-A:3

Mr. Roulliard motioned to go into Non-Public and Mr. Morris seconded the motion.

Motion passed 5-0.

The next meeting of the Conservation Commission is scheduled for April 12, 2012 at 7:30 PM in the Community Development Office.

These minutes are in draft form and are respectfully submitted for approval by Lisa Ferrisi