



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 N Lowell Rd, Windham NH 03087
(603) 432-3806 / Fax (603) 432-7362
www.WindhamNH.gov

Conservation Commission

Approved Minutes

March 24, 2022

7:00 pm @ Community Development Department

Attendance:

Chairman Dave Curto- present

Vice Chair Wayne Morris- excused

Kara Feldberg, Secretary- present

Pam Skinner, regular member- present

Lisa Ferrisi, regular member- excused

Brain McFarland, alternate member- present, seated for Vice Chair Morris

James Finn, alternate- excused

PB:

Case 2002-10 –Major Final Site Plan; WWPD Special Permit; Major WPOD, 72 Range Road, (Parcel 17-H-30); Zone- Gateway Commercial, Watershed Protection Overlay District (WPOD)

The applicant, Karl Dubay of the Dubay Group, Inc., representing property owner Crystal Ball Enterprise, LLC, is applying to construct a new multi-tenant commercial building, parking, access, and site improvements.

Mr. Karl Dubay addressed the Board and is representing the applicant. Mr. Dubay showed where the wetlands were on the property. The building would not be in the wetland and would be a small commercial building. The proposed parking is in the back of the building. The proposed pavement would be porous. There will be landscaping in the front and there is some WWPD on the back of the lot. The septic system will be outside the WWPD. Mr. Dubay stated that the lightning will be dark sky friendly.

The applicant, Mr. Spinney, addressed the Board and asked if the Board had any questions.

Chairman Curto asked about the porous pavement on the property. The Board also discussed truck traffic on the property for the proposed business. The Board discussed how the WWPD impact has been reduced on the proposed plan. Mr. Dubay stated that the dumpster pad is not porous pavement; that is a solid pad. Mr. Dubay stated that the plan will also go before TRC and the dumpster and items can be discussed at that time.

Miscellaneous items:

- 1- Bond discussion with town Finance Dept.

Mr. Daniel Popovici-Muller, the Finance Director, addressed the Board. Mr. Popovici-Muller stated that the money cannot be paid from the current use funds and the \$6.2 million is not

currently in the bank. Mr. Popovici-Muller just wanted to clarify that because not all voters are informed on this. Mr. Popovici-Muller stated that one important decision for the Board to make is whether or not they are going to secure the funds first or figure out which property they might acquire first. Mr. Popovici-Muller then mentioned the bond bank as a cost-effective borrowing strategy. Yet, there is not incentive to pay the loan back early when using a bond bank. Also, the bonds are only written twice a year, July and January. The town will likely not be ready for the July date for the funds to be wired in August according to Mr. Popovici-Muller. Mr. Popovici-Muller stated that the bond application is about a 3-month process. Mr. Popovici-Muller stated that local banks can also be great partners but sometimes, the interest rates can be slightly higher. Mr. Popovici-Muller stated that he does not have the expertise to figure out and forecast what revenue might support these bonds. Mr. Popovici-Muller also discussed the recent change in interest rates from the federal government and how that might impact the bond. Mr. Popovici-Muller stated that this is all informative and no decisions needed to be made at this time.

Mr. McFarland asked if the borrowing could be allocated across several institutions or situations, for example, could they borrow from several institutions. Mr. Popovici-Muller stated that there are many options available. Mr. Popovici-Muller does not have a cash flow forecast of current use funds and that is part of the challenge.

Chairman Curto stated that they do not plan on spending the \$6.2 million right away and they would like to create a tax-free environment for residents. Chairman Curto stated that there are quite a few grants available currently. Chairman Curto asked about the intact of current use funds for last year. Mr. Popovici-Muller stated that they took in about \$720,000 in current use funds. Mr. Popovici-Muller stated it can be very challenging to figure out and project current use funds. The Board discussed the current price of land and the need to negotiate the price of these properties and go through the necessary process to purchase the property. Chairman Curto stated that the bond does not have an expiration date. Mr. Popovici-Muller stated that being physically responsible is both important and appreciated. The Board and Mr. Popovici-Muller discussed development in general and how that impacts the schools in the town. Chairman Curto discussed current use lands and how best to manage those moving forward. Mr. Popovici-Muller suggested that this Board might want to figure out its lending schedule as the next step. Mr. Popovici-Muller and Chairman Curto discussed if reimbursing the current funds is a strategy would make sense; this would be a question for town counsel. Chairman Curto asked about the invoice for Clyde Pond and if a motion was necessary; Mr. Popovici-Muller stated that it would be helpful to do it as soon as possible. Mr. Popovici-Muller explained that there was a need for a brief loan because taxes were collected later this year because of a computer update. Chairman Curto and Mr. Popovici-Muller discussed that there is enough money so that the Clyde Pond loan can be repaid for the next 5 years.

A motion was made by Ms. Feldberg to approve the loan repayment to the town's general fund in the amount of \$185,700 from the Conservation Land Special Fund for the 2022 Clyde Pond payment. Seconded by Mr. McFarland. Vote 4-0. Motion passes.

Mr. Karl Dubay addressed the Board. Mr. Dubay stated that there was an inventory of open space done about 12 years ago and it is available on the town's website. This is labelled Open Space Report on the town's website; it is from 2010. Mr. Dubay discussed leveraging the funds to make sure they were being utilized in the best way possible. Chairman Curto stated that Paul Gagnon on the Pelham Conservation Commission has offered him a lot of guidance about how best to acquire these conservation lands.

- 2- Derek Monson, Gage land trail discussion

This will be a discussion for another meeting.

- 3- Letter of intent for land acquisition/ mailer

Chairman Curto discussed the idea of sending a mailer to residents to see if residents might be interested in putting their land into conservation.

Clyde Pond/ Ashton Park Updates:

Chairman Curto discussed Ashton Park. Chairman Curto stated that there is a man-made dam in the area and it might flood Castle Hill. Chairman Curto has communicated with Mr. Wayne Morris and Mr. Dennis Senibaldi on this issues. The dam is on conservation property according to Mr. Senibaldi. The dam is not a beaver issue.

Deer Leap/ Moeckel Pond Updates:

- 1- Vandalism Incident discussion

Chairman Curto stated that kids were playing in the area and the fence posts were being hit with rocks. The camera in the area did not catch the vandalism because it was out of batteries. Ms. Dianne Fallon from the Friends of Moeckel Pond are aware of the situation and is would like to work with the Conservation Commission to install security cameras in that area. Mr. McFarland is willing to look into acquire more trail cameras for certain sites in town, particularly some of the parking lots. Chairman Curto also stated he is in communication with the Friends of Moeckel Pond for the proposal for the stone wall.

- 2- Surveillance cameras

See above discussion

Fosters Pond/ Greenway Updates:

- 1- Bridge estimate

Chairman Curto stated that he had an estimate for the proposed bridge work. The proposal is for a 28 feet long by 4-foot-wide bridge with hard rail. The estimate is for \$3,836. The second bridge would run along the fence and it would be 36 feet long and the estimate is for \$4,932. Ms. Feldberg believes that not much more will need to be done at Foster's Pond at this time once these two are complete. The Board discussed the handrails and if they were necessary.

A motion was made by Ms. Feldberg to approve the estimate from M and D Power Services in the amount of \$4,932 for bridge repair work at Foster's Pond. Seconded by Ms. Skinner. Vote 4-0.

A motion was made by Ms. Feldberg to approve the estimate from M and D Power Services in the amount of \$3,836 for bridge repair work on a second bridge at Foster's Pond. Seconded by Ms. Skinner. Vote 4-0.

Rt. 28/Melvaine Forest Updates:

- 1- Bridge estimate

Chairman Curto stated that there is no estimate available for this work.

PB:

Case 2002-09 –Minor Site Plan, 2 Winter Street, (Parcel 19-B-912); Zone- Rural District

The applicants and owners, Robert and Pamela Lundquist, are submitting a Minor Site Plan application, pursuant to Site Plan Regulations Sections 303 and 602 to establish a new parking area on the premises to accommodate overnight parking of motor homes/recreational vehicles associated with agritourism activities per RSA 674:32-b(II).

Chairman Curto stated that the applicant is looking to utilize part of their property for overnight RV parking. The Board discussed what the applicant might be using for the surface, if they might be putting down gravel or if they were utilizing the existing conditions.

A motion was made by Ms. Feldberg to adjourn at 8:50pm. Seconded by Ms. Skinner. Vote 4-0. Motion passes.

Respectfully submitted by Anitra Lincicum