

# DURHAM CONSERVATION COMMISSION

## Minutes of Meeting

June 9, 2005

Meeting called to order at 7:04 pm

Members present: Dwight Baldwin, Beryl Harper, Jim Hellen, Duane Hyde, Richard Ozenich, Peter Smith

Excused Absence: Cynthia Belowski, Wendy Fogg, George Thomas

Public Attendees: (12)

Chairman, Dwight Baldwin, introduced Richard Ozenich, the Planning Board's new representative to the DCC.

### **1. New Business/Presentations**

#### **a. Management of Beards Pond**

Harold Hocker gave a brief overview of the history of Beards Pond and stated that the homeowners whose properties abut Beards Pond would like: 1. the DCC to appoint a subcommittee to work with the Beards Pond group to provide advice on how to manage the pond - 2. a legal opinion from the town as to who owns the land under the pond (Mr. Hocker stated that the DCC gave a verbal legal opinion on 10/14/98 that the abutters own the land on the bottom of the pond.) Several abutters stated that their property deeds include land to the original Beards Creek, -3. to know what is the legal water level? Harold Hocker will phone Mike Lynch to see if Durham or NHDOT recently installed a flash board at the dam that raised the water level about one foot.

#### **b. Gene A. Auty Property 32 Colony Cove Road, Durham**

Adele Fiorillo, NH Soil Consultants, Inc., and Roberta Woodburn, Woodburn and Company, presented the following plan for the above property:

- remove an existing cottage (within the tidal buffer zone)
- move on existing garage (currently outside the tidal buffer zone) to the current location of the cottage
- build a new deck, connecting the garage to the existing residence
- rebuild a retaining wall to stabilize the upland bank
- replace existing septic

The Standard Dredge and Fill Application was signed by the Durham deputy town clerk on 5/19/05. The application has to be amended (to include replacing the septic tank.)

Discussion re: pervious vs. impervious surface, sea wall construction, set-backs

c. Richard Horan Property 14 Riverview Road, Durham

Roberta Woodburn, Woodburn and Company, presented a plan that included:

- removal of 7 large trees (property is approximately 75% wooded)
- replace grass along river with low growth native bushes (25 foot buffer)
- replace existing lawn with new lawn (within 75' zone)

Peter Smith stated he would be against the removal of any large, live trees

DCC plans a site visit 6/14/05 at 5:00pm

d. Assessment of Oyster River Volunteer Monitoring Data

Tom Lee, Oyster River Watershed Association (ORWA), gave a power point presentation that summarized the 2001, 2002, and 2003 data recorded at 14 sample sites. The Oyster River Watershed covers 6 towns. Twenty four variables were measured. Funding comes from grants and UNH. The following practical application of the study was mentioned: a very poor water quality was noted at one sampling site, the problem was traced to the Durham Industrial Park, Durham engineer notified and problem was resolved. Brian Gallagher, ORWA, also discussed issues and answered questions.

**2. Minutes for May 12, 2005 meeting**

Approved with minor corrections. J. Hellen moved, B. Harper, seconded

**3. Ongoing Business**

a. Wetlands applications

No report

b. Mill Pond

No report

c. Land Protection Working Group

- Duane Hyde reported he is working with the town of Durham, the Farm and Ranchland Protection Program (FRPP), the Society for the Protection of New Hampshire Forests (SPNHF) and the Nature Conservancy for a conservation easement on the 66 +/- acre Emery Farm in Durham.
- Durham would be responsible for about 2/3 of the purchase price
- Duane hopes to bring this proposal to the DCC in 2-3 months

d. Town Land – Use/Trails Subcommittee

Beryl Harper reported she attended the DPR meeting where the subcommittee's final report was endorsed except for the W. Arthur Grant Circle. DPR will send a letter of endorsement to the Durham Town Council. The report will be on the Council's agenda for their 7/11 meeting

e. Wetland Issues – No report

**4. Board and Committee Reports**

a. Town Council – No report

b. Planning Board

Richard Ozenich reported on the progress of the proposed Irving gas station on the Smitty property. No environmental problems to date.

- c. Oyster River Watershed Association and Lamprey river Advisory Committee – no report

**5. Other Business**

- a. Monitoring land under conservation easement with the DCC – no report

**6. Administrative**

- a. Correspondence – not discussed
- b. Next meeting – July 14, '05

**7. Adjournment** – Meeting adjourned at 9:55 pm

B. Harper moved, J. Hellen seconded