

## DURHAM CONSERVATION COMMISSION

### Minutes to Meeting

June 14, 2007

The Durham Conservation Commission met and conducted a 6pm site walk of the property shown on Tax Map 10, Lot 7-0, located at the corner of Bagdad Road and Canney Road, and in the Residential B Zoning District. The purpose of the site walk was to evaluate the conservation subdivision application submitted by Joseph Caldarola, Portsmouth, New Hampshire, for the subdivision of one (1) lot into nine (9) lots. Joe Caldarola was joined by Rubin Hull, his project engineer.

Following the site walk, the regular DCC meeting was called to order by chairperson Cynthia Belowski at 7:15 p.m.

Present: Cynthia Belowski, Beryl Harper, Jim Hellen, George Thomas, Julian Smith, Peter Smith, Robin Vranicar

Excused absence: Dwight Baldwin, Duane Hyde

Unexcused absence: Richard Ozenich

Public attendees: Beth Olshansky, Robin Mower, William Hall, Joe Caldarola (Smithfield Construction Company, Inc.), Reuben Hull (engineer for Mr. Caldarola's Bagdad Rd. and Canney Re. Project).

#### 1. New Business/Presentations

- a. A lengthy discussion was held to determine what recommendations the DCC will make to the Planning Board regarding the conservation subdivision application submitted by Mr. Caldarola. C. Belowski acknowledged that the DCC was not included at the beginning of the approval process. She read the pertinent new regulations from the "Design Standards of the Town Subdivision Regulations" that apply to this application. Mr. Caldarola explained how he developed his plan following the four steps as outlined in the updated regulations. Discussion followed about the common open area configuration, secondary open space, natural resources to be protected (large oak trees on Canney Road, wetlands, large granite outcroppings, broken glacial erratics) lot sizes, buffer zone along Bagdad Road, the possibility of reducing the number of lots from 9 to 8, and primary open space.

Durham resident Beth Olshansky spoke about her concerns related to Mr. Caldarola's application: the buffer zone along Bagdad Road, were regulations and ordinances followed, saving trees and large outcroppings, the possibility of moving lot lines to increase the size of the smallest lot, and how to avoid a "cookie cutter" look by eliminating the narrow common areas between house lots that go out to the buffer zone along Bagdad Road. (See the attached copy Ms Olshansky's letter to the Durham Planning Board dated May 15, 2007).

Durham resident Robin Mower spoke briefly in support of Ms. Olshanky's position.

It was agreed that the DCC would send a letter to the PB listing its concerns relative to Mr. Caldarona's project. The concerns would include: protecting the oak tress along Canney Road, moving the proposed road to leave the large granite outcropping, the broken glacial erratics, and protecting the wetlands. Also, the PB should look for creative ways to reconfigure the lots to minimize building on somewhat poorly drained soil and steep slopes. The DCC will strongly request that it be consulted and updated prior to any final decisions.

2. Acceptance of minutes of May 10, 2007

- a. 5/10/07 minutes were accepted with minor changes
- b. Minutes to Special Meeting of 6/5/07 were accepted with no changes

3. Ongoing Business

- a. Wetland applications – none received
- b. Mill Pond – no report
- c. Land Protection Working Group – no report
- d. Town Land-Use/Trails Subcommittee
  - G. Thomas and B. Harper reported the remainder of the Longmarsh Grant money, \$3,500 will be spent on one kiosk, 500 trail markers, and 100 boundary markers by the end of June, 2007.
- e. Town owned land/conservation easements
  - It was decided to postpone any discussion on this until the DCC decides what it will work on next year
- e. Mill Plaza Planning Committee
  - J. Smith reported the Mill Plaza Study Committee (MPSC) meets twice a month. He walked College Brook with G. Thomas and D. Baldwin. The MPSC had a well attended public site walk of the brook several weeks ago.

4. Board and Committee Reports

- a. Town Council
  - J. Smith reported the TC agreed to sell the Durham Business Park to Chinburg Builders. The public will have access to the water from Route 4.
- b. Planning Board
  - P. Smith attended the PB meeting and read the letter D. Hyde wrote to the PB re: the recent changes in the WCO and SPO Overlay Districts and how they affect the Good Forestry buffer requirements. No final decision was made on this topic by the PB.
- c. Lamprey River Advisory Committee
  - C. Belowski stated the LRAC had an update from the NH Fish and Game on the proposed nature-like fish passage at Wiswall Dam. Town engineer D. Cedarhom presented plans for a water management plan for Durham.

5. Other Business

- a. Discussion and comments re updated policy for acquiring legal interest in Conservation land - -- C. Belowski reminded the DCC members that we all need to be more aware of these regulations, determine our role, and follow them.
- b. New responsibilities placed on the DCC --- C. Belowski raised concerns re: more responsibilities given to DCC and questioned whether we can meet all our responsibilities. She will ask Todd Selig for a professional secretary to take DCC minutes. She also stated the ZBA should ask the DCC for input on issues. P. Smith suggested there should be a “town advocate” at ZBA meetings who is not a member of ZBA. C. Belowski reported that Patsy Collins, Edgewood Road extension, is asking that “somewhat poorly drained soil” on her property be included in the calculation of useable area. T. Selig will be asked to make sure the DCC is involved early in the process.
- c. Annual report to the TC --- DCC members complimented C. Belowski on her draft of this report. Discussion followed on listing goals for next year. It was agreed the goals list should be short and include a statement to strive for better communications with all town boards, committees and commissions.
- d. Discussion and comments re: Stewardship plan for 99 Madbury Rd. C. Belowski will respond to Jim Campbell stating specific concerns with the deed restrictions relative to the open space.
- e. DCC comments on the LRAC management plan – no report
- f. Wagon Hill Farm – The trail subcommittee walked WHF and made a list of materials needed to build 3 bog bridges (20’, 30’, 40’). It was decided not to proceed until the Longmarsh Grant was completed.
- g. Response to letter regarding alleged Shoreland violation: Landowners have not responded as requested in a letter dated March 30, 2007 from the Town Code Enforcement Officer. The DCC will ask the Town Code Enforcement Officer to send a second letter to the landowner stating that they must respond within 10 days or legal action will be taken.
- h. Letter from J. Carroll re Durham’s agricultural soils: the DCC will try to get a map of Durham showing the different types of soil in town. Professor John Carroll will be invited to attend the DCC August meeting to discuss his concerns with the TC establishing a TIF District along Route 108 near Stone Quarry Drive.
- i. Schedule time for file clean-up ----No date was set

6. Administrative ---Next meeting. July 12, 2007

7. Adjournment – Meeting adjourned at 9:58 p.m.

Submitted: Jim Hellen & Cynthia Belowski