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Durham Conservation Commission
Meeting Minutes of Thursday July 10, 2008
Durham Town Office – Council Chambers
7:00 PM

Regular Members Present: Cynthia Belowski, Duane Hyde, Cathy Leach, George Thomas, Beryl Harper, Stephen Roberts

Alternate Members Present: Robin Mower, Peter Smith

Regular Members Excused: Dwight Baldwin

Alternate Members Unexcused: Robin Vranicar

1) Call the meeting to order and acknowledge absentees and those with voting authority.

Chair Cynthia Belowski called the meeting to order at 7:10 pm. Peter Smith will vote in place of regular member Dwight Baldwin.

2) Public Hearing: In accordance with State of New Hampshire RSA 36-A:5 II, the Durham Conservation Commission will conduct a public hearing relative to the expenditure of \$25,212.72 from the Conservation Account to make up the shortfall in expected grant funding from the NH Department of Environmental Services Water Supply Land Grants Program for the purchase of a conservation easement on the Fogg property located on the corner of Mill and Packers Falls Road.

Duane Hyde moved to open the Public Hearing, this was seconded by Stephen Roberts and approved unanimously.

Cynthia Belowski asked for public comments. There were none.

Duane Hyde moved to close the Public Hearing, this was seconded by Stephen Roberts and approved unanimously.

Duane Hyde moved to approve the expenditure of \$25,212.72 from the Conservation Account to make up the shortfall in expected funding from the NH Department of Environmental Services Water Supply Land Grants Program. This was seconded by Peter Smith and approved unanimously.

3) Acceptance of minutes of June 12 and June 26

The Commission discussed correcting non-substantive errors in the minutes prior to meeting in order to expedite the approval of minutes at meetings. The consensus of the

1 members was to forward non-substantive errors to the chair whom will then collect and
2 forward these to the secretary.

3
4 a) June 12th minutes: Corrections were offered by members which included the addition
5 of the term “maintaining private septic systems” on page one after the phrase “....green
6 spaces, applying natural fertilizers” under 2) New Business/Presentation a). Also a
7 correction on page two of the location of Mill Road project to be written as, “....from the
8 Tecce property, across the river and abutting Route 155A.” Also on page 2 the addition
9 of “....Jack introduced Chris Kane, his consultant, a Conservation Biologist.” Also on
10 page three under 4) Other Business a) “....appraisal was needed in order to meet the
11 timing requirement of the grant....” Also on page five under 6) Board and Committee
12 Reports c) ZBA change wording to read “....Duane noted that the Commission needs to
13 decide if providing technical comment on zoning variances is within the Commission’s
14 pervue, and if the Commission want to provide such comments.” Other minor spelling
15 errors were corrected.

16
17 *Beryl Haper moved to accept the June 12th 2008 minutes as amended. This was seconded*
18 *by Duane Hyde and approved unanimously.*

19
20 b) June 26th minutes: Page 3 line one should read, “....understanding the hydrology of
21 the aquifer.” Also on page 3, last line of first paragraph should read “...demonstrates a
22 different course of action should be taken.” On page 4, the first paragraph should read
23 “Stephen mentioned that the current aquifer overlay zoning ordinance provided great
24 protection to the aquifer. This protection does not apply to areas just outside the aquifer
25 zone and this needs to be addressed.” Other minor spelling errors were corrected.

26
27 *Beryl Harper moved to accept the June 26, 2008 minutes as amended. This was*
28 *seconded by Stephen Roberts and approved unanimously.*

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30 Note: Cathy Leach, Duane Hyde and George Thomas abstained as they were not present
31 at this meeting.

32 33 **4) Ongoing Business**

34
35 a) Wetlands Applications – George Thomas reported that he had sent comments to
36 the DES from the Commission’s site walk regarding the Nadeau dock. He noted
37 there was a new application from James Adams at 401 Bay Road for a dock filed.
38 He said the application includes a dock, a 20 ft pier and 36 ft ramp and that
39 Pickering is the engineering firm for this project. Beryl suggested a site walk. A
40 tentative date of July 22nd at 9 am was set. George will confirm and email
41 members.

42
43 b) Land Protection Working Group – Duane Hyde reported that there was a closing
44 of a conservation easement by the USDA and RCS through the Wetlands Reserve
45 Program on the Kelsey property (114 acres in Durham – additional acreage in
46 Lee).

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2
3 c) Town Owned Land/Conservation Easements – Cynthia Belowski reported that a
4 meeting of the subcommittee was held to discuss which town groups will be the
5 lead on different town properties. It was the consensus of the group that there are
6 7 properties that need new or updated management plans. Cynthia, along with
7 Duane is working on an RFP to hire a consultant to do the management plans.
8 Cynthia noted that Dwight Baldwin had reported to her that the plaque for the
9 Merrick property would be ready by fall and was interested in having a
10 celebration of this land. The Commission suggested a site walk and celebration at
11 the property in the fall after the plaque is installed a date of October 5th 3-4:30
12 was set. Duane also suggested doing a winter hike on the Langley property. The
13 members also noted that there will be a Roselawn farm site walk on November 1st
14 9-11 am. Cathy Lynch suggested that postcards with these dates and times be
15 printed up to hand out at Durham Day on September 14th 12:30-4:30.
16
17 d) Mill Pond – Cynthia reported she had spoken with Mike Lynch, who informed her
18 a structural engineer will be looking at the dam and submitting a report in
19 September. She noted that Mike Lynch felt this should give the Town more
20 information on the current condition of the dam and the life expectancy of the
21 dam. The Commission discussed the pros and cons of dredging and dam removal.
22
23 e) Jackson's Landing – Cynthia Belowski reported that Mike Lynch has received all
24 needed approvals and will present the plan to Dorrie Wiggins of the DES.
25

26 **5) Board and Committee Reports**

27

- 28 a) Town Council – Cathy Leach reported on the status of the zoning change request
29 from RB to ORLI. She noted that the issue was on the agenda at the lat Town
30 Council meeting and that there was not much public comment regarding it. The
31 item will be placed on the July 21st meeting agenda. The Commission discussed
32 the legislative procedure of moving forward from the 1st reading to a public
33 hearing, to closing the public hearing and then proceeding with discussion among
34 council members. Cathy also reported that the Town Administrator is in the
35 process of assigning town groups to town goals to assist in moving these goals
36 forward. She said that he requested input on assigning the Conservation
37 Commission to the goal of expanding recreational opportunities. It was the
38 consensus of the group that the Commission's input on this goal should be limited
39 to walking trails and that other recreational opportunities would fall under the
40 Parks and Recreation Committee's duties. Cathy suggested adding the
41 Conservation Commission to the goal of creating a vision for the Town. The
42 Commission discussed this and how it would pertain to conservation. It was the
43 consensus of the Commission that their input on this would be pertinent in
44 providing suggestions for which areas of town would be appropriate for
45 conservation and which areas would be appropriate for development.
46

- 1 b) Planning Board – Stephen Roberts reported there was a request for a waiver of
2 section 903 site plan regulation of storm water at 12 Jenkins Court. This request
3 was denied by the Planning Board. He noted the Planning Board also deliberated
4 on the conservation subdivision submitted by Joseph Caldoralla. Stephen said
5 there have been significant changes to the proposal, especially with regard to
6 storm water drainage. He said the Planning Board is still in the process of
7 gathering more information and he will share this with the Conservation
8 Commission when it is known. Cynthia suggested having Stephen watch this
9 project for the Commission and keep them updated. Stephen also reported that
10 Jim Campbell is having Karen Edwards learn the software program GRANIT.
11 Cynthia Belowski distributed maps derived from this program for the members to
12 review. The Commission discussed the status of these maps, as well as other
13 town maps depicting developable land and land that should be protected.
14
- 15 c) Zoning Board of Adjustments – The Commission reviewed their goal of being
16 more familiar with what items are being brought before the ZBA and their
17 actions. The members discussed Robin Mower reviewing the ZBA packets and
18 reporting to the Commission. Duane suggested, monitoring the actions of the
19 ZBA, if a pattern arises that raises concern about variances being allowed that
20 impact resources, the Commission could then work with the ZBA through training
21 and/or workshops to help them become more informed about conservation issues
22 and impacts on natural resources. The members discussed the pros and cons of
23 this approach. It was the consensus of the members to have Robin continue
24 reviewing the ZBA packets and proceed from there.
25
- 26 d) Lamprey River Advisory Committee – no report this month
27

28 **6) Other Business**

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- 30 a) Sophie Lane open space stewardship plan – Cynthia Belowski reported that the
31 stewardship plan for Sophie Lane references the Conservation Commission's
32 regulations which states what can and can't be done. The Homeowner's
33 Association will need to file a report to the Town annually and an ecologist will
34 need to be on site every other year to file a report. She noted the plan also
35 references that the Town will be overseeing the Association to ensure that all
36 requirements are met. It was noted that the Code Enforcement officer would be
37 responsible for taking action, if requirements are not fulfilled by the Association.
38
- 39 b) Display board for Town Office Lobby – Cynthia suggested a display board in the
40 lobby would be a useful tool to highlight Commission projects. She reported that
41 the Land Protection Working Group has some money that they are considering
42 allocating to the Commission to use to buy a display board. The members
43 discussed the difficulty in finding an appropriate location for the board in the
44 Town Hall lobby. The members also discussed what to include on the board.
45 Some suggestions were photos from site visits, the Scenic Durham newsletter,
46 information regarding the new Shoreland Protection ordinance.

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2 c) Durham Day – September 14, 2008 12:30 to 4:30 – Cynthia suggested the
3 Commission host a nature walk to discuss the Shoreland Protection Act. Duane
4 said he would check with the Land Protection Working Group to see if there was
5 a volunteer to lead the nature walk. Robin suggested displaying the Oyster poster
6 at Durham Day and perhaps some oyster shells. Duane suggested a display he
7 had seen of a tank filled with water from the bay alongside a tank filled with
8 water from the bay with oysters in it. This display showed the great filtering
9 features of the oysters. Duane will check into this. Cynthia suggested asking the
10 drivers of the scenic boat tours if they would like to have a speaker on their boats
11 to speak to issues regarding the bay.
12
13 d) Scenic Durham Newsletter on the CC website – Cynthia reported that Malin Clyde
14 from the Land Protection Working Group asked if the newsletter could be posted
15 on the Conservation Commission website. Robin suggested that Cynthia write to
16 the Town Administrator and the manager of the Town website regarding this.
17

18 7) Administrative

- 19
20 a) Correspondence – the NH Fish and Game will be doing Purple Loose Strife
21 removal with herbicides on the Gauty and Ferrell track at the corner of
22 Longmarsh and Route 108.
23 i) Oyster River Culvert Analysis Project Meeting – Cynthia reported that the NH
24 Estuaries Project will have a “kick-off” meeting. She noted this project is to see if
25 culverts can handle extreme storm events, and make an inventory of what can and
26 can’t handle these events. Cynthia said that the Oyster River was chosen for this
27 pilot project, showing where culverts are located, do an analysis based on size,
28 slope, water peak flow, how well they can handle the water peak flow, and then
29 prioritize culverts in terms of which should be addressed first. The meeting will
30 be on Thursday July 17, 6:30-8:00 at the Durham Police building. You may
31 RSVP to Derek.sowers@unh.edu if you wish to attend.
32
33 b) Next regular meeting of the Durham Conservation Commission will be held on
34 August 14, 2008 at 7 PM
35

36 8) Adjournment --

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38 *Duane moved to adjourn at 9:40 pm. This was seconded by Beryl Harper and approved*
39 *unanimously.*