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DURHAM CONSERVATION COMMISSION
Meeting Minutes of Thursday March 13, 2008
Durham Town Office – Council Chambers
7:00 PM

Regular Members Present: Cynthia Belowski, Julian Smith, George Thomas, Beryl Harper, Stephen Roberts, Jim Hellen

Alternate Members Present: Robin Vranicar, Dwight Baldwin

Regular Members Excused: Duane Hyde

Alternate Members Excused: Peter Smith

Public Attendees: Robin Mower, Mike Lynch (Director, Public Works), Jennifer Rowland, Colleen Kent

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

Chair Cynthia Belowski called the meeting to order at 7:07 pm. Dwight Baldwin will vote in place of Duane Hyde this evening.

Cynthia Belowski suggested amending the agenda to add the review of the February 28, 2008 meeting minutes under Item 3.

Julian Smith moved to accept the agenda as amended. This was seconded by Jim Hellen and approved unanimously.

2) New Business/Presentation

a) Mike Lynch, DPW, to present plans for improvements to Jackson's Landing – Mike Lynch distributed copies of "Master Plan Construction Estimates" to the members. He noted that a plan for this project has been presented to the Town Council twice and that a public hearing has been held as well. He said that concerns brought up from those meetings have been addressed and incorporated into the new plan. Cynthia Belowski asked if there had been any discussion regarding the use of asphalt versus a pervious surface. Mike Lynch noted that the area is not well suited for pervious surfaces due to the water tables being too close to the surface and the steep slope of the area. Dwight inquired if the issue of erosion between the peninsula and the UNH dock has been addressed. Mike responded that the area will be excavated and a concrete footing will be poured to address the erosion. Dwight also asked if the removal of phragmites from the area will occur. Mike responded that once the wetlands permitting process is completed the Town will be informed which method to use for the

1 removal of the phragmites and what it should be replaced with. Mike discussed with the
2 Commission the construction estimates, noting that the project will go out to bid. He
3 reported that the estimated total for the project is \$322,099. Payment for this project will
4 come from an NRCS grant of \$257,672 and a Trails grant of \$10,632, as well as a \$250
5 donation from the Cadmus Group. This brings the balance of the project to \$53,545. Mike
6 reported that the Commission has allocated conservation funds over the past two years in the
7 amount of \$127,000. He said that the Council has approved the use of \$53,545 from these
8 funds for the balance of the Jackson's Landing project and that work should begin this
9 summer. Dwight commented that the contribution of the LUCT funds for this project was
10 noted at the Town Council meeting.

11
12 *The Commission wishes to express their appreciation to Mike Lynch and the subcommittee*
13 *for their work throughout the project planning process and for bringing the project to the*
14 *Commission and the Town Council.*

15
16 b) Mike Lynch, DPW, to present options for improvements to Mill Pond -- Mike presented
17 a photo representation of the Mill Pond area. He reported that the proposal is to dredge
18 11,000 cubic yards of material out of two areas on either side of the peninsula. He noted that
19 the Town has received permit approval to proceed with this work. Mike said that cost
20 estimates for the project are \$250,000 for excavation and material removal to Bennett Road
21 and an additional \$25,000 for shoreland restoration, bringing the total of the project to
22 \$275,000. He reported that he has been discussing with the NRCS and Sue Hoey possible
23 funding sources, noting the concern is that as presented, this is not a wetlands restoration
24 project. The Commission inquired about the removal of the dam, noting that if the dam was
25 removed, the project would be a wetlands restoration project. Mike responded that the dam
26 will be evaluated by Stevens Associates, a structural engineering firm, this summer. He said,
27 after the evaluation, there will be more information on which to base a decision regarding the
28 dam. Mike noted that the dam is located in the Historic District and does have historic
29 significance. He said that if funding is available through the NRCS, the grant would be in
30 the amount of \$206,250 with a Town match needed of \$68,750. Mike asked the Commission
31 to consider using some of the allocated LUCT funds for the Town match portion.

32
33 The Commission thanked Mike Lynch for both presentations.

34
35 c) Dawn Genes, Lamprey River Watershed Association – Streamwalk Project – Dawn
36 reported to the Commission that the Lamprey River Watershed Association has received a
37 grant from the DES to do an inventory of the entire length of the Lamprey River. She noted
38 they are recruiting volunteers for this effort and will be having a training session in early
39 May and possibly a second session in late May/early June. Dawn explained that volunteers
40 will sign up for segments of the river (2-3 hour time periods). She said the volunteers will be
41 taking note of where there might be severely eroding banks that will need restoration,
42 invasive species to be identified for later removal, excessive amounts of trash, general
43 information about canopy cover, etc. Dawn said that the data will be collected throughout
44 the summer. Cynthia suggested the "Friday Updates" as a good way to solicit volunteers
45 from town. Dawn will email Cynthia a paragraph regarding the project. Cynthia will then
46 forward it to Jen Berry in the Town Hall for inclusion in the "Friday Updates".

1
2 **3) Acceptance of February Minutes –**
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4 a) February 14, 2008 –
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6 *Jim Hellen moved to accept the minutes as written. This was seconded by Julian Smith and*
7 *approved unanimously.*
8

9 b) February 28, 2008 – Julian Smith noted under “Also attending” the correction of the
10 spelling of the name “Keefe”. On page 2, item J, Julian noted the correction of the spelling
11 of the word “Pettee”. Also on page 2, item K, Julian suggested turning this statement into
12 two sentences “....get approval from.” “We also.....”. Dwight suggested a clarification to
13 item D: “All new lots within the large 250 ft zone, including those over 5 acres are also
14 subject to NH DES approval.”
15

16 *Julian Smith moved to accept the minutes as amended. This was seconded by Dwight*
17 *Baldwin and approved unanimously.*
18

19 **4) Ongoing Business**
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21 a) Wetlands Applications – George Thomas reported that there were no new wetlands
22 applications. He noted that he will email the DES with the Commission’s positive comments
23 regarding the Jackson’s Landing project.
24

25 b) Land Protection Working Group – Duane Hyde was not present to report. Cynthia noted
26 that the Roselawn Farm project is still in process and waiting for the federal government
27 regarding the tax issues involved.
28

29 c) Town Owned Land/Conservation Easements – Cynthia Belowski reported that Duane had
30 emailed Commission members the list of town owned properties and easements for
31 consideration of who would be able to monitor which property. Beryl noted that Duane had
32 intended to, but has not yet sent, a monitoring check list to all Commission members. She
33 requested that this check list be sent to all members. The Commission discussed the list that
34 prioritizes these properties and decided to use this list to decide which properties are the most
35 in need of monitoring. The Commission also decided to form a subcommittee to deal with
36 issues regarding town owned land and conservation easements. The subcommittee will
37 consist of Cynthia Belowski, Beryl Harper, George Thomas and Dwight Baldwin.
38

39 Julian Smith reported that the Town Council has accepted the Milne property which abuts the
40 town owned property on Mill Pond Road. He later amended this to say, the Town Council
41 will hold a public hearing on a resolution to accept Margery Milne’s bequest of land
42 overlooking the Mill Pond on Monday March 17th. Julian reported that this property is in
43 need of a work session to clean up the land. Cynthia said that the subcommittee would
44 discuss this issue.
45

1 Cynthia reported that the Land Protection Working Group has received funding to publish a
2 newsletter. She said they would also like to offer site walks on two of the properties that
3 have been protected and asked the Commission to cohost these walks and assist with
4 completing the newsletter. The two properties they would like to use for the site-walks are:
5 the Langley wood lot and Emery Farm. Cynthia noted that possible dates for the walks
6 would be May 4th, June 1st or June 8th 3-4:30 pm. She suggested the newsletter be distributed
7 by Mid April and also to submit a paragraph regarding the walks to the “Friday Updates”.
8 Cynthia solicited volunteers to assist with contacting land owners to formalize dates,
9 participate in preview walks, submit information to “Friday Updates”, and organize light
10 refreshments for the site walks. Beryl and Dwight volunteered their assistance and Julian
11 said he would be involved in the preview walks and site-walks.

12 13 **5) Board and Committee Reports**

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15 a) Town Council – Julian Smith reported that he had emailed Town Council Chair, Neil
16 Niman, to receive input regarding the Conservation Commission’s meeting with the Town
17 Council on April 21st. He noted that the Chair had responded that he would like to see a
18 plan in writing from the Commission before they meet with the Town Council.

19
20 b) Planning Board – Stephen Roberts reported that the Caldarola project has been postponed
21 for review until the March 26th meeting. He also noted that there will be a public hearing on
22 the application from John Farrell regarding 48 Bagdad Road.

23
24 c) Mill Plaza Planning Committee -- Julian Smith said that the study committee is in the
25 process of wrapping up its charge and sending a report to the Council.

26
27 d) Lamprey River Advisory Committee – Cynthia Belowski reported that the Spruce Hole
28 recharge concept and study was discussed. She said there is some concern over the impact to
29 the natural bog. The Commission discussed the possible affects to the bog and its
30 designation as a natural landmark.

31
32 Cynthia also noted that the NH Division of Historic Resources has decided that the Wiswall
33 Bridge needs further review because it is a historic site. She said that the Lamprey River
34 Advisory Committee does not want the center pier to be used and/or maintained. Cynthia
35 reported that they feel this would be costly and nonfunctional.

36 37 **6) Other Business**

38
39 a) Preparation for meeting with the Town Council – Cynthia said that she feels the outline
40 prepared by the Commission and sent to the Council is viewed by the Council Chair as being
41 inadequate. She referred to an email from the Town Administrator on this topic which states
42 that the Council is looking for a plan in writing from the Commission before their meeting
43 which discusses two topics: 1) the disposition of the LUCT funds and 2) revision of the
44 policy to acquire conservation land. Cynthia suggested that the Council would like to see a
45 plan for how the Durham Conservation Commission plans to utilize present and future funds.
46 Beryl noted that the Council is specifically looking for how dollars will be spent. Stephen

1 suggested that the outline be turned into a list of points with a body and then a conclusion.
2 He noted that the emphasis needs to be made so that it cannot be mistaken. George
3 suggested preparing a list of projects and how much they will cost per year for the next five
4 years. Cynthia noted that this should include conservation land purchases. Dwight said that
5 Duane would be able to estimate the cost of management of lands. The Commission decided
6 that an additional meeting would be needed to write a plan. The members will meet on
7 Thursday April 3rd at 7:00 pm. The four major projects to be discussed and included in the
8 plan will be: 1) Jacksons's Landing (\$53,545), 2) Mill Pond (\$68,750), 3) Partnering on
9 purchase of land/easements (such as College Brook), 4) Stewardship, maintenance and land
10 management (to include management plan, implementation of plans, restoration, clearing of
11 land, educational kiosks, improvement to parking). The Commission asked Julian to report
12 to the Town Council that the Commission is working on flushing out the details on how the
13 funds will be expended. Julian requested that Cynthia and/or Dwight send him an email
14 stating this. Cynthia and Dwight will meet with Mike Lynch before the April 3rd meeting to
15 discuss equipment needs and costs. Cynthia will contact Duane regarding land protection
16 information and dollars.

17
18 b) Goals for coming year – This was not discussed at this meeting.
19
20

21 **7) Administrative**

22
23 a) Correspondence -- Cynthia noted that this is Jim Hellen's last meeting. The Commission
24 thanked Jim for his service to the Commission!
25

26 b) Next regular meeting is scheduled for Thursday April 10, 2008 at 7 pm
27

28 c) A special meeting will be held on April 3, 2008 at 7 pm to discuss the preparation of
29 written materials to be presented to the Town Council.
30

31 **8) Adjournment –**

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33 *Julian Smith moved to adjourn at 10:15 pm. This was seconded by Jim Hellen and approved*
34 *unanimously.*
35

36 The March 13th, 2008 meeting of the Durham Conservation Commission adjourned at 10:15
37 pm.
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41 Respectfully submitted by,
42
43
44

45 Sue Lucius
46 Durham Conservation Commission Recording Secretary