

*Approved - September 10, 2009*

**DURHAM CONSERVATION COMMISSION**

**Meeting Minutes of August 13, 2009**

**Durham Town Office – Council Chambers**

**7:00 PM**

**Regular Members Present:** Jamie Houle, Beryl Harper, Jerry Needell, Stephen Roberts

**Alternate Members Present:** Ann Welsh, Peter Smith, Stephen Burns

**Members not present:** Larry Harris, George Thomas, Dwight Baldwin

**Alternate Members not present:** all present

**Public Attendees:** none

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

Chair Houle called the meeting to order at 7:05 pm and designated Ann Welsh, Peter Smith and Stephen Burns as voting members for the evening to replace absent members, Larry Harris, George Thomas and Dwight Baldwin.

Chair Houle proposed to amend the agenda by adding: “line item D – Review Fiscal 2010 expenditure request” to New/Old Business.

*Peter Smith Moved to accept the proposed amendment to the agenda. This was Seconded by Beryl Harper and APPROVED unanimously.*

**2) Presentations:** none at this meeting

**3) Acceptance of minutes of July 9th Meeting**

Jamie Houle asked to have page 1 line 35, corrected to read: “...and creates a discharge...”

*Stephen Roberts Moved to accept the minutes as amended. This was Seconded by Jerry Needell and APPROVED unanimously.*

\*Note: Peter Smith, Ann Welsh and Beryl Harper abstained from voting, as they were not present at the July meeting.

**4) New and Old Business**

- a) Report/discussion of new DPB subcommittee work regarding ORLI zoning updates and advanced water resource protection needs – Houle

Chair Houle noted that the subcommittee met and decided to form two subgroups. He reported one group will review the site plan review regulations particularly with respect to storm water management (this

subgroup consists of Jamie Houle, David Cedarholm, and Richard Kelley), and the second subgroup will review and summarize existing ordinances and codes with respect to water resource protection for the Town of Durham and compare other up to date regulations for water resource protection in surrounding towns in the coastal watershed (this subgroup consists of Stephen Roberts, Dwight Baldwin and Robin Mower).

b) Revision to the Conservation landing page for the Town website item – Houle  
Chair Houle reported that the webpage as yet does not reflect the material that has been submitted. The members suggested asking for an update status. Jamie Houle will follow up.

c) Discussion of Durham day activities and displays -Houle

Chairman Houle said Nicole Moore had sent an announcement stating that Durham Day would take place on Sunday September 20<sup>th</sup> 1-4 pm. Beryl Harper suggested repeating what was to be presented at Durham Day in 2008, which was rained out. She said a lot of work had been done on the display board, which is being housed in the Town Hall.

Peter Smith suggested repeating the Oyster Display by Ray Konisky that had been planned for last year. Jamie Houle will email Ray regarding the display. It was decided that Beryl Harper will contact Malin Clyde about providing nature walks, as planned last year.

Peter Smith will not be able to participate in Durham Day, as he will be out of town and therefore will not be volunteering to captain one of the boat rides.

The members discussed having the maps updated to include new 2009 conservation land that had been acquired. Jamie Houle will phone Dan Camara of Strafford Regional Planning, to see if this is feasible.

Chair Houle suggested that the September meeting be used to coordinate volunteer shifts at Durham Day.

d) Fiscal year expenditure request – needs to be submitted by August 10<sup>th</sup>.

Chairman Houle reported that a fiscal year expenditure request for the 2010 budget is due to the Town Offices by August 10<sup>th</sup>. He explained that he reviewed the 2009 budget for the Conservation Commission and is planning on requesting the same \$3584 that the Commission was allocated in the 2009 budget.

Chairman Houle noted the 2009 budget was allocated in the following manner:

\$2400 for secretary,  
\$184for social security and medicare payments  
\$1000 for dues and miscellaneous items

He reported there is \$1700 unexpended in the budget for 2009 as of 8/13/09. Chair Houle said a large portion of that is for the secretary salary. He will speak with Gayle in the Town Office regarding the budget.

## **5) Ongoing Business**

a) Wetlands Applications- George Thomas had no applications to report at this time.  
Jamie Houle reported that the expedited permit the Commission signed in July for the Jackson's Laboratory was accepted by DES.

b) Land Protection Activities: Houle

Discuss conservation opportunity for the Colasante Property: Jamie Houle said the Town is in consultation with the Garvey Group and there is some disagreement about the appraisal of the land. He explained the specific property that the Town discussed buying has no access road, no right of way to access, is cut off from development, has steep grades and wetlands. Jamie Houle said the Town feels it should be a low value land, however, The Garvey Group feels it should be appraised at a higher value. The members discussed the disparity and possible approaches to the issue, as well as the conservation value of the land and other ways to protect the area without purchasing it. Ann Welsh volunteered to phone Greg Caparossi for recommendation of appraisers.

- i) Trust for Public Land - Jamie Houle reported meetings are being held and asked if anyone from the Commission would be attending the meetings. Ann Welsh will be attending. He said they are in the process of trying to find a suitable parcel of land for the land swap. Jamie explained that this project involves UNH finding some developable land (around A lot) and swapping that for the continuous parcel of land that TPL has identified they would like to preserve. He said TPL would then raise funds to cover the difference in the value. Jamie noted that finding a suitable parcel has been difficult.

He reported that Dave Garvey (the developer) has informed the stake holders and contacted Jim Campbell to make them aware of a meeting with Capstone Companies (a student housing developer) to discuss locating a large student housing project at the Sprucewood site. Jamie said it is TPL's stance that the group can explore other options.

Stephen Roberts noted the Sprucewood site location has issues as far as the Planning Board is concerned and he is not sure a student housing project there is feasible. He explained that the Planning Board would do its own due diligence as to what goes in there and how it goes in there.

Peter Smith asked for more detail regarding the land swap being used as matching funds. Jamie noted that it is his understanding that if UNH swaps land near campus for the Garvey Land, UNH will be required to put an easement on the land and the easement will have enough value that it can be used as the matching funds. Ann Welsh noted that UNH will receive payment for the easement and that payment is the incentive for UNH in this project.

c) Town Owned Land/Conservation Easements:

- i) PREP CTAP project – Beryl Harper reported that Ellen Schneider has been walking properties. She noted that the latest walk was of Wagon Hill with Mike Lynch and Steve Eisenhower (of UNH) looking at logging possibilities for the north side of Route 4. Beryl Harper explained that Mike Lynch has been given a directive to check out the possibility of logging in Town. She reported that a wetlands person walked the area and evaluated the wetlands. Beryl summarized that Ellen is working on the pieces of property one by one and bringing appropriate people and agencies in as warranted.
- ii) Chairman Houle reported that the Commission has been invited to attend a site walk of the proposed Thompson Conservation Easement (August 17<sup>th</sup> at 8 am). He will send out a message to the members with the location of the starting point of the site walk.
- iii) Chairman Houle reported that the Lamprey River Advisory Commission has a land protection subcommittee and would like to explore having the Conservation Commission as a partner. He explained that they are considering obtaining conservation easements on some properties

in Durham. Stephen Burns, the representative to the Lamprey River Advisory Committee will investigate and report back to the Commission.

- d) Jackson's Landing – Dwight Baldwin was not present at this meeting to report.

## **6) Board and Committee Reports**

- a) Town Council – Jerry Needell reported the Council had a lengthy discussion regarding the potential development of municipal facilities. He noted the Fire department is hiring a consultant to help them evaluate and choose a future site for a fire station. Jerry Needell reported the areas of focus being; downtown (fraternity house on Main Street), 7 acres adjacent to the The Pines, Stone Quarry Drive, and B lot.

He reported that there was a brief discussion regarding the widening of bike lanes along Route 108. He noted that the widening would encroach a bit on Mill Pond property and there will be a strip of land taken by eminent domain by the State to build the lanes.

- b) Planning Board - Stephen Roberts reported that there was a request for a variance for The Seacoast Repertory Company being made for their use of The Mill Pond Center. He noted that the ZBA approved the variance request.

He also reported that the Pearly Lane site visit had a continuing public hearing.

- c) Zoning Board of Adjustments – Ann Welsh reported there were two variances brought before the board and both were denied.
- d) Lamprey River Advisory Committee – Stephen Burns reported there had been no regular meeting last month and therefore had no report. He will follow up on the Land Protection Subcommittee, reporting to them that the Conservation Commission is a willing partner.

## **7) Other Business – Members were encouraged to attend the VIP Great Bay Estuaries Tour**

## **8) Administrative**

- a) Correspondence- Chair Houle reported receiving the following correspondence”
  - Dept of Resources and Economic Development sent a notice regarding the NH Division of Lands and Forests project on NH Fish and Game property “Baudette Tract”
  - Dept of Resources and Economic Development sent a notice regarding the Fish & Game “Palmer Tract” being part of a wildlife improvement project.
  - A notice that the State of the Estuaries Conference is October 16<sup>th</sup> – members may signup at [prep.unh.edu](http://prep.unh.edu)
  - NH Assoc of Natural Resource Scientist – newsletter and invitation for public sector membership was received.
  - Confirmation from DES that the minimum impact expedited permit for Jackson lab was accepted.
- b) Next regular meeting will be held on September 10, 2009 at 7:00 pm.

## **9) Adjournment**

*Peter Smith Moved to adjourn the August 13, 2009 meeting of the Durham Conservation Commission at 8:48 pm. This was Seconded by Ann Welsh and APPROVED unanimously.*

Respectfully submitted by,

Sue Lucius, Secretary to Durham Conservation Commission.

**October 16, 2009**