

These minutes were approved at the October 1, 2009, meeting.

DURHAM HISTORIC DISTRICT HERITAGE COMMISSION
Sept 3, 2009
DURHAM TOWN HALL -COUNCIL CHAMBERS 7:00 PM

MEMBERS PRESENT: Chair Nick Isaak; Vice Chair Crawford Mills; Secretary Andrea Bodo
Town Council Rep Peter Stanhope, Leslie Schwartz

MEMBERS ABSENT: Eric Ingelfinger and Planning Board Rep Richard Ozenich

OTHERS PRESENT: none

I. Chairman Isaak called the meeting to order at 7:05 pm.

II. Approval of Minutes – July 2, 2009

Motion by: Crawford Mills and seconded by Leslie Schwartz

III. New Business

A. Application for a Certificate of Approval submitted by Marcia Carsey, Three Chimneys Inn LLC, to rebuild the railing located over the screen porch in the front of the building was withdrawn by applicant. They will repair the existing structure with the original material.

B. 7.27.09 Andrea received an email from Rep Carol Shea Porter's Office re the Oyster River Dam and possible funding. Robert C. Moller, Legislative Director in the Office of Congresswoman Carol Shea-Porter (NH-01) 1330 Longworth House Office Building, Washington DC 20515 Ph 202-225-5456 Fx 202-225-5822. Photos of the dam and all the relevant history was sent to his office. They are interested in helping the Town find funding. He said monies have been put into the State and he felt the DAM meets the criteria in several categories. He felt that the Economic Stimulus, Energy, Education, Historic Preservation would be a few categories the dam would fall into. Andrea spoke with Todd Selig who contacted his office. Mr. Moller is on vacation but they will be in contact. He also asked where we were in the LCHIP process and Andrea contacted Amy Dixon who sent him an email **SEE ATTACHED DOCUMENT** about the eligibility for the Town of Durham. He would like to help with that. Senator Amanda Merrill said she would be happy to work with HDC in applying for the grant since she is familiar with the process. The workshop will be in Concord on Sept 10 and Nick Isaak plans to attend.

C. **AN AFTERNOON WALK AROUND THE HISTORIC DISTRICT** is scheduled for Sept 13 at 3p.m. It will start at the Durham Historical Museum. The Museum will be open from 2-3p before hand. Andrea has made all the necessary arrangements with those involved.

Speakers will be Nick Isaak for the overview of the architecture in the district.

Museum – president Dick Lord will speak. He has 4 people that will assist with the Museum

Henry Smith, Julian Smith, Karen Edwards, Susan Reid MacLennan will help pass out SCHEDULE

Community Church – public will be greeted by Mary Westfall and Doug Wheeler, historian for the Church

Red Tower – Mike Behrendt, Chief of Planning for Rochester will speak about the structure and Hamilton Smith

Smith Family Chapel – Jean Olson will speak. Doug and Becky Karo, Karen Edwards, Janet Mackie will help.

Oyster River Dam – Andrea Bodo will speak

Winborn Adams House – Steve Burns

James Paul House – Sharon Griffin will speak for Leslie and David Schwartz

Genl Sullivan House - Doug MacLennan

3 Chimneys – Karen Meyer

cookout at 3 Chimneys

40 people have signed up thus far

Andrea spoke with Pastor Mary Westfall and the Community Church would like to contribute \$100 and be co sponsors. Nick Isaak said that the money in the HDC acct would cover the cost of the cookout at 3 Chimneys. The Commission discussed strategy for the event and will coordinate as needed at the event.

Wiswall Falls Historic District and John Hatch Memorial Park

An email from Sharon Meeker, temporary chair was shared with the Commission. Andrea Bodo is serving as HDC rep to this newly established Committee that was mandated by a FEMA Memorandum of Agreement pending the Town Council's appointment of such Committee. A meeting has already taken place to establish criteria for mitigation of the Wiswall Bridge, the dam, fishway, and John Hatch Memorial Park. The next mtg will be Sept 16 at 1:30p in the Durham Police Station with Nadine Peterson from NHDHR and Peter Michaud from National Register as guest speakers. Joyce McKay from DOT and Curt MacKail, who is working on a web based presentation of this historic site for LRAC will be there. Dave Cedarholm is to update the progress of the bridge. They plan to discuss what technicians are needed to plan and execute the exhibit, to further plan park and make suggestions for other interpretative pieces. They plan to explore ways for the Durham Historical Association, HDC LRAC and the Town can work together on these projects.

IV. OLD BUSINESS

DAM REMOVALS IN NH

Crawford Mills discussed researching damns that have been removed to see the outcomes. Andrea received information from Deborah Loiselle NHDES DAM BUREAU on dams that have been removed. **SEE ATTACHED DOCUMENT** .Members were given attached info on the status of dams removed in NH.

EMPOUNDMENT MAINTENANCE

Andrea followed up with various groups in NH and most impoundments have chemicals added such as "probiotic". Meredith NH hires a diver for \$50000 to go down and hand pull the weeds. Andrea researched with Adele Fiore at GZA Newmarket (formerly NH Soils, that has worked with the Town before). Adele said that they had worked with the Town before and helped them obtain a permit for dredging. They wished we had acted upon this because the longer we wait, the more difficult it will be to make an argument against River Restoration for environmental reasons.

Awaiting core sampling and bathymetric studies of the Dam and the Pond per Mike Lynch.

Leslie Schwartz moved to adjourn the meeting, Crawford Mills seconded the motion
The mtg was adjourned at 8:10p

Next regular meeting of the HDC is October 1, 2009

Respectfully submitted,
Andrea Bodo
Secretary HDC/Heritage Commission

7.29.2009 EMAIL FROM AMY DIXON TO ROB MOLLER

Dear Mr. Moller:

Andrea Bodo of the Durham Historic District/Heritage Commission asked me to be in touch with you regarding the Oyster River Dam. Ms. Bodo registered the project with our organization, the NH Land & Community Heritage Investment Program (LCHIP), earlier this year in anticipation of our next grant round. In case you are not familiar with LCHIP, we were created by the NH Legislature to provide matching grants to NH's municipalities and non-profits for the permanent protection of the state's most valuable natural, historic, and cultural resources.

On behalf of the Town of Durham, Ms. Bodo sent us the following information about the dam:

This is the historic Oyster River Dam on the Mill Pond on projected Scenic Byway - Rte 108 Newmarket Rd in Durham. It was built in 1913 and will be 100 yrs old soon!

This is the earliest Ambursen dam that is still intact (out of 7) identified in NH. The dam needs repairs (DES) and we are interested in putting in a small hydropower system to power 10-12 houses i.e. Town Hall, Library.

The estimated project cost is \$1.3 million, and Ms. Bodo has indicated that the town would apply to LCHIP for \$500,000.

The dam is eligible for both the State and National Registers of Historic Places.

LCHIP recently announced that our next grant round opens September 1, 2009. Eligible applicants, such as the Town of Durham, will be welcome to complete a grant application and to attend a mandatory grant writing workshop to be held on September 10, 2009. Grant awards are anticipated to be made in mid-January 2010.

If you have any questions about LCHIP or our potential role in the rehabilitation of this dam, please do not hesitate to contact me.

Sincerely,

Amy S. Dixon
Historic Resource Specialist
NH Land and Community Heritage Investment Program (LCHIP)
13 West Street, Suite 3
Concord, NH 03301
p: 603-224-4113 f: 603-224-5112
www.lchip.org

7.16.2009 EMAIL FROM DEB LOISELLE, DAM BUREAU answering questions for the HDC

I offer the following information to you and members of the Durham Heritage Commission as it pertains to the questions outlined in your July 16, 2009 email:

How many dams in NH have been removed?

Since the inception of the NHDES Dam Removal and River Restoration Program in 2001, ten (10) dams have been removed. As such the NHDES River Restoration Coordinator, NH River Restoration Task Force, and other interested individuals have been engaged with these noted projects. Please note that this number does not include dams that were removed as a result of an emergency situation as a result of a public safety concern and only includes those removals in which the owner was a willing participant and was proactive in the removal process. For additional information relative to these completed dam removal projects in New Hampshire, please refer to the following web link: <http://des.nh.gov/organization/divisions/water/dam/damremoval/projects.htm>. You will note that only nine (9) dams are listed as "completed dam removal projects", however, the website has not been updated to reflect the removal of the most recent dam (Black Brook/Maxwell Pond Dam) which was removed this winter. It is currently noted as "planned" on the website.

For 2009, two dams are scheduled to be removed this summer/fall and consist of the Winnicut River Dam located on the Winnicut River in Greenland and the Homestead Woolen Mill Dam located on the Ashuelot River in Swanzey.

2. Were feasibility studies done on all of them, and was the recommendation REOVAL?

No, Feasibility Studies were not completed on all of the projects, and no the recommendation was not always dam removal

Feasibility Studies (FS) are not required, however, they are recommended in many instances. Even though a FS many not be recommended, much of the same information is gathered but not contained in a single document. FS tend not to be recommended when the dam owner has determined that dam removal is their preferred alternative, the dam is small in size, the dam is in a remote location, the majority of issues and resources are understood and impacts are negligible, and/or public support. During the first few years of the Dam Removal and River Restoration Program, most of the dam removal projects did not enter into a FS. As the Program has grown over the years and the issues and regulations more apparent, most dam removal projects (potential or definitive) are entering into FS. The majority of projects I have dealt with have completed a FS.

Essentially there are two types of Feasibility Study: 1.) Feasibility of a dam removal 2.) Feasibility of alternatives (i.e. dam removal, fish passage). A FS specific to a dam removal is a document that essentially determines if dam removal is prudent, feasible and cost effective after all the information is gathered. It is for those owners who are serious about the dam removal option as the selected alternative of choice. A FS is recommended in those instances in which the project is large, controversial, and/or has a lack of information. Or perhaps there is cursory information on a particular issue but more research is needed to understand the full impact. For example, a dam owner wishes to remove their dam but there is little to no information on the sediment quality, historic resources, impacts to infrastructure, etc. This document provides the dam owner, project partners, resource agencies, and the public with an understanding of the resources and the impacts, and determines if any of the impacts need to or can be mitigated. Typically a summary is done which evaluates all of the issues and the pros and cons associated with each as a result of dam removal.

A Feasibility Study can also evaluate alternatives as a result of the intended goal(s). For the **Homestead Woolen Mill Dam**, the owner (private) wanted to remove the dam but the Town was very concerned with the result of dam removal to an upstream historic covered bridge. The Town also wanted an opportunity to decide whether or not to take over ownership of this dam. NHDES, dam owner, Town and many other project partners (including many resource agencies) commissioned a FS that entailed a review of a variety of alternatives while considering three goals: 1.) Attain dam safety, whether through dam repair or removal 2.) Provide fish passage, whether through dam removal or installation of an effective fish passage, and 3.) Ensure stability of the Thompson Covered Bridge, regardless of the outcome. The FS evaluated a variety of alternatives in keeping with the goals, and considered the resource impacts as a result of each alternative. Unfortunately this FS has been inadvertently removed from the website. I would be happy to forward you an electronic version of the FS if you are interested. For the **Winnicut River Dam and fish ladder**, the owner (NHF&G) wanted to evaluate alternatives to restore native diadromous and resident fish species via improved fish passage, and to improve the overall function of the Winnicut River. The FS for this dam is largely based on the fact that it was prepared in mind with including all the components of an Environmental Study which would meet the National Environmental Protection Act (NEPA). This FS can be found at: http://des.nh.gov/organization/divisions/water/wmb/coastal/restoration/projects/winnicut_feasibility.htm. For the **Merrimack Village Dam**, the owner (private) wished to remove the dam but the Town wanted to know more about the implications of removal and to consider taking over ownership. As a result, a FS was completed. This is probably the least cumbersome of the three examples noted. This FS is also not available current on the website, but I would be happy to forward you an electronic version if you are interested.

In summary, FS are tools for individuals to determine if dam removal is prudent and feasible. It is extremely helpful as all information is contained in a single document for all to refer to and allows individuals to make informed decisions.

Following is a summary on whether a FS was completed or not, and if a particular project moved forward with removal:

- ☐ **McGolderick Dam** – No FS. Dam removed
- ☐ **Winchester Dam** – No FS. Dam removed
- ☐ **Bearcamp River Dam** – No FS. Dam removed
- ☐ **Bellamy River Dam** – No FS. Dam removed
- ☐ **West Henniker Dam** – No FS. Dam removed
- ☐ **Champlain Farm Pond Dam and Champlain Dam** – NO FS, however, an environmental study was completed in conjunction with the Rochester Airport improvement project. The dams were removed as mitigation for wetland impacts resultant of the work associated with the airport improvements. Both dams were removed.
- ☐ **Pearl Lake Brook Dam** – No FS. This was a town-owned dam and received support from the officials (including the historic commission) and the public. It was also a small dam located in a remote and pristine area. Dam removed.
- ☐ **Merrimack Village Dam** – FS completed. The Town was offered an opportunity to take ownership of the dam but after reading the FS and discussing it at public forums, they determined not to take over ownership. Dam removed.
- ☐ **Maxwell Pond/Black Brook Dam** – No FS. Dam removed.
- ☐ **Winnicut River Dam** – FS completed. Dam to be removed this summer/fall
- ☐ **Homestead Woolen Mill Dam** – FS completed. The Town was offered an opportunity to take ownership of the dam but after reading the FS and discussing it at public forums, voted not to take over ownership. The dam is scheduled to be removed this summer/fall.
- ☐ **Wiswall Dam** – An Environmental Assessment (EA) was completed which evaluated a variety of alternatives (including dam removal) and originally the preferred alternative selected was a nature-like bypass, however, due to an issue with property acquisition in order to construct this bypass, the project will now entail the construction of a denial ladder.
- ☐ **Smith River Dam** – No FS. The owner was considering removal but later determined to retain it.

I also think it is important to note that there are discussions that occur with the dam owners, dam safety engineers, consultants and/or others in which the dam removal option is considered and ultimately the owner decides not to move forward with this option. These discussions are not readily apparent because they are fairly short lived. The dams noted on the Program webpage are only those which are under serious consideration for dam removal, or are moving forward with dam removal. The NHDES Dam Bureau receives on average per year 30-35 applications for permits to construct or reconstruct a dam.

3. Do you have before and after pictures of them?

Yes, please refer to the attachments. I have provided before and after photos for the following dam removal projects:

- ☐ McGolderick Dam
- ☐ Winchester Dam
- ☐ Bellamy River Dam
- ☐ Champlain Farm Pond Dam and Champlain Dam (*note: These before and after photos will be forthcoming under separate email*)
- ☐ Pearl Lake Brook Dam
- ☐ Merrimack Village Dam
- ☐ Black Brook/Maxwell Pond Dam

The above projects were selected because before and after photos were already documented or projects that were recently completed.

4. What have been the outcomes of these removals?

The outcomes have been favorable and positive, and all of the dam owners I have worked with over the past 4 ½ years have been very pleased with the outcome. For the projects that have occurred prior to 2004, I have visited a few and visually they look good. Adjacent to the banks of the previous site of the Winchester Dam, the Town has constructed a gazebo (see attached photo). You will also note an interpretive sign which was one of the stipulations of the historic Section 106 MOA. I have heard that that fishing has improved at the sites of the previous McGolderick Dam, Winchester Dam and Henniker Dam. Although I do not have actual fish survey data for these project areas, I could inquire with NHF&G to obtain any data they have in the area if you would like.

NHF&G has seen favorable results as far as smelt in the Bellamy River at the site of the previous Bellamy River Dam. A fish community presentation by Cheri Patterson in 2005 can be viewed at: <http://www.vhb.com/bellamy/electrofisch.Bellamy.Pres.pdf>. Following removal, the habitat for smelt was greatly improved and eggs were deposited in areas near and above where the dam previously resided. For the most up to date information, I would recommend contacting Cheri directly.

For the Merrimack Village Dam and Maxwell Pond/Black Brook Dam removal projects pre-removal monitoring has been completed, and post-removal monitoring is being completed this summer/fall or next summer/fall. The monitoring includes the following parameters: 1.) fish 2.) sediment 3.) macroinvertebrates 4.) vegetation 5.) water quality 6.) sediment. I would be happy to share the information with you once the data is available. Boston College has been working on the Merrimack Village Dam removal monitoring and they do have data on the sediment movement currently available. I have heard that there is great trout fishing in the area of the previous impoundment of the Merrimack Village Dam. In addition, as the sediment moved boulders and cobbles became exposed which resulted in additional quality habitat for aquatic species – this I have witnessed firsthand. The Maxwell Pond/Black Brook impoundment was listed on the 303(d) list as a result of low dissolved oxygen (DO). Even just after 5 months post-removal, the DO levels have improved.

I personally have not heard or received any negative feedback about the individual dam removal projects that have been completed to date once they have been removed. I do hear concerns during the process as an owner is deciding whether or not to remove a dam, but I have only heard positive feedback from individuals once a project has been completed. I can only express to you what I have heard and/or seen.

I hope this information is helpful to you and the members of the Durham Heritage Commission. Please feel free to contact me if you have additional questions or would like further information. My contact information is noted below. I hope you are enjoying the summer.

Deb

Deborah S. Loiselle River Restoration Coordinator

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<http://des.nh.gov/organization/divisions/water/dam/damremoval/index.htm>