

These minutes were approved at the September 19, 2022 meeting.

DURHAM CONSERVATION COMMISSION
Monday, May 23, 2022
DURHAM TOWN HALL, COUNCIL CHAMBERS
7:00 p.m.

MEMBERS PRESENT: Jake Kritzer (Chair), James Bubar (Planning Board Rep),
Roanne Robbins, Neil Slepian, Carden Welsh (Town Council
Rep.)

MEMBERS ABSENT: John Nachilly (Vice Chair) and Erin Hardie Hale

ALSO PRESENT: Town Planner Michael Behrendt, Land Stewardship
Coordinator Tom Brightman and Minute Taker Lucie Bryar

I. Call to Order and II. Land Acknowledgement Statement

Chair Kritzer called the meeting to order at 7:00 p.m. and read the Land
Acknowledgement Statement.

III. Roll Call

Roll call attendance was taken. The Chair noted there's a vacancy on the
Commission for an alternate. Anyone interested is invited to apply.

IV. Approval of Agenda

*Mr. Slepian MOVED to approve the agenda as submitted; SECONDED by Mr.
Welsh, APPROVED unanimously, 5-0, Motion carries.*

V. Public Comments

There were none this evening.

VI. Land Stewardship. Tom Brightman, Land Stewardship Coordinator. Funding request
for \$1,200 to mow the Oyster River trails.

Mr. Brightman is requesting \$1200 in funds from the Conservation Fund to cover the
cost of mowing trails at Oyster River and Thompson Forest preserves. He said John
Nachilly volunteers his time to mow, but is reimbursed for rental of equipment and
fuel.

With the increase in the cost of gas, Commission members discussed if the amount was reasonable. They've allocated \$1200 each year.

After discussion, Mr. Welsh MOVED to approve up to \$1300 from the Conservation Fund to mow the Oyster River Trails; SECONDED by Mr. Slepian, APPROVED unanimously 5-0, Motion carries.

VII. Climate Action Plan. Presentation by Cathy Fletcher on the draft Durham Climate Action Plan.

Commission members had received a copy of Ms. Fletcher's presentation in advance. Ms. Fletcher has worked as a Sustainability Fellow for the Town since last June and is moving on to a new position next month.

She noted in January 2021, Durham joined the Global Covenants of Mayors for Climate and Energy. This is a group of local governments pledging to reduce and limit greenhouse gas emissions; prepare for climate change and track progress.

As part of the Covenant, Durham has to achieve certain milestones, including:

- Complete a greenhouse gas inventory (Completed)
- Create a target of how much emissions will be reduced (Completed)
- Complete a Risk and Vulnerability Assessment (ongoing)
- Create Goals for Reducing Risks (ongoing)
- Create a Climate Action Plan (ongoing)

Ms. Fletcher explained the Climate Action Plan (CAP), which has both short and long-term goals. It will be updated every two years and has to have the capacity to complete actions within two years.

She's here this evening seeking feedback from the Commission on the draft plan.

The Plan was created using available information from the 2015 Master Plan; the 2019 Greenhouse Gas Inventory and the 2018 Hazard & Mitigation Plan.

Ms. Fletcher then presented different components of the Plan, starting with the supporting documents, i.e., the 2015 Master Plan, Greenhouse Gas Inventory, etc.

Commission members asked a number of questions during her presentation, including:

- ✓ Are emissions from the built environment primarily from heating?

Ms. Fletcher replied she believes it's from heating, cooking and other electricity uses.

- ✓ How was carbon capture by forests calculated and how was the effects of tree removal factored?
An online platform based on satellite images was used to make the calculations, taking into account the type of trees and their location. It's based on land use changes over a specific period of time.

Ms. Fletcher said the Town has set a goal to reduce carbon emissions to zero by 2050, but this won't occur in a straight-line path.

She showed the Risk & Vulnerability Assessment (which is still being updated) and said this assessment was led by the Strafford Regional Planning Commission. There was discussion about some of the vulnerabilities, including earthquakes -- which is designated as low risk, but some believe to be higher.

Ms. Fletcher shared Durham's proposed Climate Action Plan, which has five broad focus areas: Buildings, Transportation, Energy Supply, Solid Waste and Resource Consumption. She then delved into the Town's 12 goals and specific actions targeted for 2030.

Commission members provided feedback, including:

- Some questioned how a goal to increase workforce housing would affect climate change. There was consensus that smaller, newer housing could be more efficient, but the reference to "workforce" is unnecessary. Also some larger homes, if they accommodate multi-generations or have home offices that reduce commuting – could mitigate climate change.
- Re: Introducing a community bike sharing program: Mr. Bubar said this seems unlikely to be financially viable because there's only one town center. Where are residents biking to? He's concerned that the Town or UNH would end up subsidizing the program.
Ms. Fletcher said the Town is already partnering with UNH to establish a community bike share program.
- Re: providing option of 100% renewable energy for all residents by 2024: Commission members discussed Durham's recently updated solar ordinance. In answer to a question from Mr. Kritzer, Mr. Welsh said the Town won't be providing incentives for solar use since the cost of any incentives would ultimately lead to higher property taxes for all residents. Ms. Robbins mentioned the option for community solar gardens.

Mr. Bubar raised the issue of waste disposal at the “end of life” of solar panels. What is the life cycle cost of solar energy?

- Re: Natural Resources: Chair Kritzer said much more could be added to this section. He would like to see something about dam removal and river restoration since this impacts flood resilience and greenhouse gas emissions. Also, he believes the risk and vulnerability of inland flooding should be addressed in the plan in more detail.

Mr. Bubar asked about the costs to individual homeowners for many of the proposed actions (insulation/solar/electric vehicles, etc.). Are they reasonable? There was also discussion of through traffic in Durham – how many vehicles pass through and contribute to emissions. How can the town control or mitigate for outside traffic?

Ms. Fletcher outlined next steps for completion of the Climate Action Plan. A new Sustainability Fellow starting in June will continue to collect feedback. There’s also an online community survey. The goal is to get approval and adoption by Town Council by August or September 2022.

Chair Kritzer said he would like the Conservation Commission to review the final CAP draft, reflecting revisions made from their feedback, before it goes to Town Council. The timeline seems tight. It was agreed the Commission will make it known they wish to review the Plan again.

The Chair thanked Ms. Fletcher for her presentation and work.

VIII. Newmarket Conservation Commission. Discussion about potential collaboration with the Newmarket Conservation Commission.

Chair Kritzer said Ellen (Snyder) and Bart (McDonough) are both now working for the town of Newmarket and have reached out about the possibility of collaborating on projects. Before he meets with them, he’d like ideas from members about what could be done collaboratively.

Mr. Welsh said there’s been talk about a connecting trail between Durham and Newmarket, outlined in Mr. Nachilly’s Greenways Plan. He also mentioned the potential for a bridge crossing over the Lamprey River, though the cost would be high.

Other ideas mentioned were collaborating or information sharing on pesticides and invasives. Mr. Brightman said a lot of invasives move down river corridors so might affect both communities.

It was agreed that any discussion should focus on each town's priorities and issues to see if there is any alignment. Mr. Slepian suggested starting with small achievable goals.

IX. UNH Open Space. Follow up on discussion at the last meeting with Steve Eisenhaure, UNH Land Use Coordinator.

The Chair invited any comments from members about last month's discussion with Mr. Eisenhaure.

Mr. Welsh said Mr. Nachilly should be invited to prepare a specific trail or project proposal to present to UNH.

Mr. Brightman shared that he attended the UNH Woodlands Committee meeting today and he believes they are open to having a conversation about interconnected trails and hearing from Mr. Nachilly and others on the Commission.

X. WCOD and SPOD Criteria. Discussion about possible recommended changes in the four criteria for conditional uses in the wetland and shoreland overlay districts.

The Chair asked Mr. Behrendt about the process to make any changes to the criteria. Mr. Behrendt said the Commission could come up with a proposal for the Planning Board and if the PB agrees, they would then hold a public hearing. The Planning Board could also reject a proposal or make changes to it.

Chair Kritzer said the application for Mill Plaza raised a lot of process questions for him. The Commission found the application didn't meet criteria one and therefore declined to comment on the other criteria. He's unclear if the Planning Board needs input on all four criteria.

Mr. Behrendt said the Conservation Commission can choose to comment on one or more of the criteria and can provide feedback in any format they choose.

Mr. Kritzer questioned if the public has a clear understanding of how the process works. There was consensus that the ordinance could be improved.

Mr. Bubar, who serves on the Planning Board, said sometimes the PB seems to be "checking a box" on Conservation Commission feedback, but not necessarily giving it their full consideration. It might be helpful for the PB to give their reasons if they choose not to accept Conservation Commission's recommendations.

Mr. Behrendt had drafted some proposed changes to the ordinance for the Commission's consideration. For criteria #1, which currently states...there is no alternative outside the SPOD that is reasonably practical..." he proposes: There is no alternative location on the parcel that A.) has less of an impact on natural resources and B.) is reasonable and practical.

Action Item: After discussion, it was agreed that Town Planner Michael Behrendt will work on some draft changes and bring them back for consideration at the June meeting.

XI. Review of Minutes: April 25, 2022 -- TABLED

Commissioners hadn't received an advance copy of the minutes.

XII. Other Business

Mr. Welsh reported that Town Council approved their goals for the year. It's the understanding that the work of Town Commissions and Committees will follow those goals to some extent.

The Council identified six core values: Transparency; Integrity, Respect, Excellence, Resilience and Justice. He gave a brief explanation of how each applies to Town business and decision-making.

Town Council goals of relevance to the Conservation Commission include:

- Pursue long-term environmental sustainability and resiliency
- Work with the Global Covenant of Mayors
- Increase composting options in Town
- Work on Durham's carbon footprint
- Support bicycle and pedestrian connectivity
- Increase access to public transportation
- Work toward removal of the Mill Pond Dam
- Work to improve the health of Great Bay
- Continue cooperative and collaborative efforts with UNH

Mr. Welsh spoke about the deteriorating condition of Great Bay and said the Commission can have an impact when they address projects on the Oyster River. He also noted the Town Council recommends that Committees and Commissions seek to work collaboratively and resist the urge to work in silos.

Durham Day

In other business, Ms. Robbins asked if the Commission would like to participate in Durham Day on June 4th. She sees it as an opportunity to interact with the community and possibly get some feedback.

Chair Kritzer attended the Alewife Festival in Exeter recently and said the Conservation Commission there was using interactive materials provided by NH DES.

Action Item: After discussion, it was agreed that the Chair will reach out to NH DES to ask for available interactive models and toolkits (on watersheds and other topics). A number of members said they would be available for volunteer shifts at the table on June 4th. Final details will be coordinated by email.

Action on Land Acknowledgement Statement

Following discussion at a prior meeting about how to make the Land Acknowledgement Statement more actionable, Chair Kritzer reached out to some indigenous people and officials in the region and discussed a few options.

His idea to invite indigenous representatives to serve on the Commission – either voting or non-voting doesn't seem viable. They would have to be residents of Durham to serve in voting positions and many said they already have too many demands on their time.

The indigenous people he consulted asked if the Town would consider formally designating indigenous foraging rights on the Town's open space. They said it wouldn't involve hunting, fishing, or disturbing endangered species.

There was brief discussion on what this would entail: if individuals were found to be foraging, how would they be identified as indigenous? Are there currently town ordinances prohibiting the removal of some species?

Consensus was reached to invite representatives from the indigenous community to attend a meeting or have further discussion with them about what would be involved in foraging.

XIII. Roundtable. Update from Conservation Commission members

There were no updates this evening.

XIV. Adjournment:

Mr. Welsh MOVED to adjourn the meeting at 9:40 p.m.; SECONDED by Mr. Slepian, APPROVED unanimously, 5-0.

Respectfully submitted,
Lucie Bryar, Minute Taker
Durham Conservation Commission

Note: These written minutes are intended only as a general summary of the meeting. For more complete information, please refer to the DCAT22 On Demand videotape of the entire proceedings on the town of Durham website.