

These minutes were approved at the January 30, 2023 meeting.

DURHAM CONSERVATION COMMISSION
Monday, November 28, 2022
DURHAM TOWN HALL, COUNCIL CHAMBERS
7:00 p.m.

MEMBERS PRESENT: John Nachilly (Vice Chair), James Bubar (Planning Board Rep), Erin Hardie Hale (attending on zoom), Roanne Robbins, Neil Slepian, Dwight Trueblood, Carden Welsh (Town Council Rep)

MEMBERS ABSENT: Jake Kritzer (Chair)

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

I. Call to Order

Vice-Chair John Nachilly called the meeting to order at 7:03 p.m. and welcomed new Commission member Dwight Trueblood. He also said Nick Lanzer is present this evening as a potential new member to observe the process.

II. Land Acknowledgement Statement

The Acting Chair read the Land Acknowledgement Statement.

III. Roll Call

Roll call attendance was taken.

IV. Approval of Agenda

V. Public Comments: There were no public comments.

VI. Land Stewardship.

Mr. Brightman gave an update on potential funding for brontosaurus work at Thompson Forest. Instead of the full 7 acres, the Land Stewardship Committee now recommends mowing 4 acres for early successional habitat and allowing the rest to revert to forest. This is due to the lack of success with the New England Cottontail project, as well as the potential for U.S. Fish & Wildlife to fund the lesser amount.

Mr. Brightman said rabbits bred in captivity are limited and will only be added to priority properties; It's unlikely Thompson Forest will be a priority.

Mr. Nachilly has offered to mow the whole 7-acre meadow this fall and early next spring to get invasives under control before switching to mowing half the meadow in subsequent years.

Mr. Bubar MOVED to authorize expenditure of up to \$2,000 from the Conservation Fund to cover the cost of John Nachilly mowing the large meadow at Thompson Forest Preserve in late 2022/early 2023; SECONDED by Mr. Slepian, APPROVED 6-0, Motion carries.

Mr. Nachilly recused himself from the vote.

Mr. Brightman updated the Commission on Eagle Scout projects:

- Isabel Jenkins has installed wood duck boxes at Long Marsh and there's now a small sign on the kiosk highlighting this.
- Deems Brant is working on the bridge at Longmarsh but has been delayed by another bone fracture. He's committed to finishing the project.

In other matters, Mr. Brightman said he just confirmed with Town Administrator Todd Selig that Sarah Callaghan will replace him as Land Stewardship Coordinator when he leaves the position later this month.

He highly recommends Ms. Callaghan who has a wildlife background, as well as a lot of experience with easements and ecology work.

Commission members joined in thanking Mr. Brightman for the excellent work he's done on behalf of the Town and noted he will be missed.

VII. Climate Action Mitigation Plan. Discussion with Rafidah Rahman, UNH Sustainability Fellow.

Ms. Rahman is the newest Sustainability Fellow for the town of Durham. She gave a presentation on the Town's Climate Action Mitigation Plan (*See D-CAT from time marker 24:21 to 35:46*). Tonight she shared changes made to the Plan based on feedback from the community and town officials and also outlined next steps.

Ms. Rahman said Durham joined the Global Covenant of Mayors for Climate and Energy (GCoM) in January 2021– which requires the town to meet a number of milestones.

After the Climate Action Plan is completed, Durham will need to continue to report to GCoM every two years, with the goal being to keep the Plan actionable and useful.

Durham has five focus areas: Buildings, Transportation, Energy Supply, Solid Waste and Resource Consumption and Natural Resources. There are 12 goals to reach its 2030 targets and 22 actions to reach those goals.

Following Ms. Rahman’s presentation, discussion ensued with Town Administrator Todd Selig taking part. Topics mentioned included:

- The benefits of the solar array in Lee that powers Durham’s town buildings;
- How to account for/reduce emissions from traffic driving through Durham;
- How adding more workforce housing could hurt emissions goals;
- What can the Town do to incentivize individual actions toward meeting Town goals;
- How the Town and UNH can work collaboratively to reach emissions goals.
- Potential loans to taxpayers to support costs of renewable resources.
- Durham’s involvement in Community Power Coalition of NH to buy power at reduced rates;
- Efforts of the Integrated Waste Management Advisory Committee to reduce what goes to the landfill and decrease methane emissions.

VIII. WCOD and SPOD. Discussion about possible changes to the Wetland Conservation Overlay District and Shoreland Protection Overlay District Ordinance for Conditional Use Permits.

Vice Chair Nachilly gave a recap of the topic since this is a continuing discussion from the previous meeting. Members agreed they struggle with the ordinance as written, particularly Criteria 1 for a Conditional Use Permit. The consensus is that Criteria 1 doesn’t allow them to look at other potential options (ostensibly with less environmental impact) outside of the WCOD and SPOD when reviewing applications.

Prior to tonight’s meeting, Commission members had received copies of ordinances from other surrounding cities and towns for review and comparison.

There was discussion about how to approach a revision of the ordinance, i.e., should members examine the entire ordinance now or only Criteria 1? Some expressed revising the entire ordinance would be a lengthy process and implied they would like clarification on Criteria 1 sooner.

Lengthy discussion ensued about which environmental values are important to consider; and how they should be valued when reviewing an application; members also discussed the wording “reasonably practical” in the criteria. Some members offered suggestions about how to revise the wording for Criteria 1.

Action Item 1: Town Planner Michael Behrendt will draft a revision to Criteria 1 for the next meeting, based on tonight's discussion. He may also recommend minimal changes to other areas of the ordinance.

Action Item 2: A Sub-Committee of the Commission was formed to look more extensively at the entire ordinance. Members will include Sally Needell (former Conservation Commission Chair); Neil Slepian and Dwight Trueblood. It will be a formal Sub-Committee with posted agendas and minutes.

IX. 2023 Conservation Commission Schedule. Review of proposed 2023 schedule.

Mr. Behrendt distributed a list of proposed meeting dates. The September date (on Yom Kippur) and the December date (on Christmas) will need to be re-scheduled. Members agreed to leave them as "To be determined" for now and re-schedule if there is pressing business as the dates get closer.

X. Review of Minutes: October 24, 2022

Mr. Welsh MOVED to approve the minutes as submitted; SECONDED by Mr. Slepian; APPROVED 4-0-3, with three members abstaining, Motion carries.

XI. Other Business

XII. Roundtable. Updates from Conservation Commission members.

Reporting on Town Council, Mr. Welsh said taxes will increase this year due to inflation. The Town is in good fiscal condition, based on last year's auditor report and this year's numbers to date.

He mentioned that solar arrays powering town buildings are saving the town 12 cents per kilowatt hour. A new solar ordinance is still in process, with a public hearing expected sometime in January.

Reporting on the Planning Board, Mr. Bubar said he hasn't yet read the new proposed housing ordinance in detail to see if it would have any environmental impact.

Mr. Behrendt added the new housing ordinance proposes extensive changes to residential activity in Durham – including increasing housing density; reducing lot sizes and making it easier to develop multi-family homes, among other changes.

He encouraged everyone to look at the proposed ordinance (posted online) and consider attending a public hearing. There's a hearing December 7th, which may continue to December 14th. Since there is no time for the Conservation Commission to study the

123 proposal and offer comments – he encouraged individual members to offer comments as
124 private citizens.

125 In other matters, the Conservation Commission will not meet in December, unless an
126 application requiring timely review is received.

127 ***With no further business, Mr. Bubar MOVED to adjourn at 9:14 p.m., SECONDED by***
128 ***Mr. Welsh, Motion carries.***

129 Respectfully submitted,
130 Lucie Bryar, Minute Taker
131 Durham Conservation Commission

132 NOTE: Please submit minor corrections to the draft minutes to Lucie Bryar at
133 ldbryar@gmail.com. All other changes should be brought up during review of minutes at
134 the meeting.

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