

These minutes were approved at the March 27, 2023 meeting.

DURHAM CONSERVATION COMMISSION
Monday, January 30, 2023
DURHAM TOWN HALL, COUNCIL CHAMBERS
7:00 p.m.

MEMBERS PRESENT: Jake Kritzer (Chair); Erin Hardie Hale, Nicholas Lanzer (alternate), Neil Slepian, Dwight Trueblood (alternate) and Carden Welsh (Town Council Rep)

MEMBERS ABSENT: John Nachilly (Vice Chair); James Bubar (Planning Board Rep) and Roanne Robbins

ALSO PRESENT: Town Planner Michael Behrendt; Land Stewardship Coordinator Sara Callaghan

I. Call to Order & II. Land Acknowledgement Statement

Chair Jake Kritzer called the meeting to order at 7:02 p.m. and read the Land Acknowledgement Statement as adopted by the Town.

III. Roll Call

Roll call attendance was taken. Alternates Nick Lanzer and Dwight Trueblood were seated as voting members this evening.

IV. Approval of Agenda

Mr. Welsh MOVED to approve the agenda as submitted; SECONDED by Mr. Trueblood; APPROVED unanimously, 6-0, Motion carries.

V. Public Comments: There were no public comments.

VI. Eversource – Bennett Road. Eversource Energy. Permitted Use B application to place a new pole and anchor in the Wetland Conservation Overlay District to serve the Packer’s Fall Substation on Bennett Road. William McCloy, Wetland Scientist, Normandeau Associations, agent. Map 224, Lot 66. Rural District.

Bill McCloy came forward to speak on behalf of Eversource; Kurt Nelson from Eversource was also present. Mr. McCloy said the application is for one utility pole and guy anchor in a WCOD buffer, adjacent to the Packer’s Falls Sub-Station.

The project won't impact any wetlands directly and Eversource believes it meets the three criteria and permit standards.

Mr. Slepian asked why a new pole is needed and Mr. Nelson said it has to do with an existing run; line engineers have recommended a stub pole near the gravel parking area. No tree clearing is required. Work is going to be done manually and no major vehicle access is necessary.

The three criteria for Permitted Use B, as summarized in the application, were reviewed.

Ms. Hale MOVED to approve the application for Permitted Use B as presented; SECONDED by Mr. Slepian; APPROVED unanimously, 6-0, Motion carries.

VII. Land Stewardship. Sara Callaghan, Land Stewardship Coordinator

The Chair welcomed the Town's new Land Stewardship Coordinator, Sara Callaghan. She shared her background in land easement and her work with the NH Society for the Protection of NH Forests and Strafford Rivers Conservancy.

Ms. Callaghan is in the process of transitioning into her new role and getting familiar with all the properties and establishing priorities. She said one goal is to keep volunteers engaged. She believes town-owned lands should be stewarded by the community and she would like to help educate citizens about how to steward their own properties.

In answer to questions from the Commission, Ms. Callaghan said she's spent time so far with the Stewarding Our Land Working Group, which is currently focused on high-use properties like Wagon Hill and the Oyster River Forest.

She also mentioned the Draft Management Plan for the Pike Conservation Property, which the town is in the process of acquiring. It's unclear at this point if the Conservation Commission will be asked to review and sign off on the plan.

Mr. Welsh raised an issue for future consideration. He said on an easement walk with SELT at Amber Acres (near the UNH fields), he noticed there are large divots where there appears to be runoff into the Oyster River from the farm. He's not an expert but questioned if this might be polluting the river.

Ms. Callaghan replied this might not be under her purview to investigate, but she said often NRCS [Natural Resources Conservation Service?] requires a fertilizer plan. Mr. Welsh will make an inquiry with NRCS.

VIII. WCOD and SPOD. Update from the Wetland and Shoreland Committee about updates to the WCOD and SPOD sections of the Zoning Ordinance.

Mr. Slepian and Mr. Trueblood are serving on the Committee along with others from the town including Sally Needell, Emily Friedrichs, and Paul Rasmussen. A review of the WCOD and SPOD ordinances was primarily prompted by the Commission's struggles to interpret Criteria One when reviewing applications for the WCOD and SPOD.

Mr. Slepian said he missed the last meeting, but two meetings ago the Committee reviewed all terminology and concluded there are many similarities between the WCOD and SPOD; the Committee believes the two should be merged into one to streamline the ordinance.

Mr. Trueblood added there was much discussion about buffers. The group is consulting many professional resources about the science behind buffer widths, including a NOAA-funded project called Buffers on the Bay.

Later he added that he looks at buffers from a functional perspective and considers if increasing them is defensible. What is the Town trying to achieve – primarily to reduce pollution or increase wildlife habitat?

A question arose regarding wildlife corridors. Some on the Committee asked about adding a wildlife corridor overlay that wouldn't be tied to wetlands. Mr. Trueblood added fifty percent of Durham's land is forested and NH GRANIT offers useful overlay maps. He asked if Commission members would find this useful.

The Chair said adding a wildlife corridor overlay would expand the Commission's role beyond wetlands.

Mr. Welsh commented this gets into "mission creep," in his opinion, and would significantly increase the time it would take to revise the ordinance. He would like to see the Commission stick to specific changes that are supportable now.

Ms. Hale said even if the ordinance language doesn't reflect it, the Commission can discuss wildlife corridors in its deliberations. The Chair agreed there's nothing to prevent them from doing so.

It was generally agreed Commission members aren't in favor of expanding the Committee's work to look into establishing a wildlife corridor overlay at this time.

IX. Natural Resources Master Plan. Discussion of recommended actions in the Master Plan. Mr. Behrendt said the Town adopted new Master Plan in 2015, which was extensive.

Town Planner Michael Behrendt said Strafford Regional Planning Commission served as a consultant for the project. He's encouraging the Commission to review those portions pertaining to conservation and to perhaps identify priorities and actions worth undertaking.

Commenting on the goal to protect drinking water, Mr. Welsh (Town Council Rep) said Durham's water is currently being polluted by the town of Epping. This is due to a new wastewater treatment plant in Epping on the Lamprey River that isn't working properly. It could take up to five years to resolve. He said Durham can't take water out of the Lamprey during the winter months now but needs to rely on its aquifer.

The Chair asked about earlier work started to integrate Durham's water system plans so that proposals are looked at as a whole. He cited removal of the dam as one example. Mr. Behrendt said he'll contact the Lamprey and Oyster River Advisory Committees to see if they are working on this.

There was brief discussion about reducing nitrogen in Great Bay, which PREP is working on. Members agreed it would be helpful as they continue to review the Master Plan to hear from groups working on relevant conservation issues.

The Conservation part of the Master Plan encompasses 22 pages. The Commission agreed to review it in small sections at subsequent meetings, when time allows. There was discussion about setting up a google doc or similar file where members could input ideas in between meetings for later public discussion. Mr. Behrendt will talk to the Town's Management Information Systems staff about it.

X. Review of Minutes: November 28, 2022.

Mr. Welsh MOVED to accept the minutes as presented with a spelling correction of Mr. Lanzer's name; SECONDED by Ms. Hale, APPROVED, 5-0-1, with Mr. Kritzer abstaining since he wasn't present at the meeting. Motion carries.

XI. Other Business

Ms. Hale asked the two newest members if they could briefly introduce themselves and give their backgrounds.

Nick Lanzer said he's a longtime Durham resident, working as a professional forester for Moreno Forestry in Strafford. He earned three degrees from UNH, two in forestry and land management. He's worked for Southeast Land Trust and has worked extensively with conservation commissions in the region.

Dwight Trueblood has lived in Durham 20-plus years and worked for the Office for Coastal Management at NOAA for 29 years. He has degrees in oceanography, marine science and a PhD in environmental science.

XII. Roundtable. Updates from Conservation Commission members.

Mr. Welsh said Town Council passed the budget which was up 2.3 percent. There was an attempt to keep it flat, but inflation had an impact. New student development in Town previously added a lot to the tax base, but there's not currently a lot of new development proposed.

The Chair said the Commission has an open alternate seat. Anyone interested should put their name forward.

Chair Kritzer also said he'd be contemplating stepping down from the Commission due to his family responsibilities and work travel. His current term is up in a year. He's decided instead to fill out his term, but step back as Chair. He invited interested members to consider putting their names forward for the Chair position.

XIII. Adjournment

With no further business, Mr. Welsh MOVED to adjourn at 9:27 p.m., SECONDED by Mr. Trueblood, APPROVED unanimously, Motion carries.

Respectfully submitted,

Lucie Bryar, Minute Taker
Durham Conservation Commission

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

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.