



TOWN OF DURHAM
15 NEWMARKET ROAD
DURHAM, NH 03824-2898
Tel: 603/868-5571
Fax: 603/868-5572

AGENDA ITEM: **# 7B**

DATE: May 20, 2013

COUNCIL COMMUNICATION

INITIATED BY: Durham Conservation Commission

AGENDA ITEM: RESOLUTION #2013-13 RENAMING THE TOWN-OWNED PROPERTY HERETOFORE KNOWN AS THE SPRUCEWOOD FOREST TO THE "OYSTER RIVER FOREST"

CC PREPARED BY: Diana Carroll, Councilor
Robin Mower, Councilor

PRESENTED BY: Diana Carroll

AGENDA DESCRIPTION:

On November 5, 2012, the Town of Durham accepted fee title to a 172+ / - acre property located along Mill and Packers Falls Roads known as Sprucewood Forest (Tax Map 13, Lots 14-2 and 6-3), subject to an easement owned by the U.S. Natural Resources Conservation Service, via a unanimous vote of the Town Council. In a public hearing held preliminary to that vote a member of the Conservation Commission suggested that the property be renamed the "Oyster River Forest." The vote's motion also reflected the fact that the property has indeed sometimes been known by that name. More importantly the property includes significant frontage along the Oyster River, protection of which was a key argument for the Town's acceptance of legal interest in the property. Also the name Sprucewood Forest is similar to and thus could be confused with Spruce Woods, a retirement facility, and Spruce Hole.

On May 9, 2013, the Durham Conservation Commission unanimously voted to recommend to the Council that the property be renamed. (Note that the Natural Resources Conservation Service (NRCS), the easement holder, will continue to refer to this property as the Sprucewood Forest but has no objection to the Town's using a different name. An email to Councilor Mower from Jeremy Lougee, the manager of the NRCS easement program for the property, includes the statement: "...it's fine to rename the property however you see fit! No need for NRCS approval there, but just as a heads up, our internal files at NRCS will always refer to these properties as "Sprucewoods" and "Tecce.")

LEGAL AUTHORITY:

N/A

LEGAL OPINION:

N/A

FINANCIAL DETAILS:

N/A

SUGGESTED ACTION OR RECOMMENDATIONS:

Hold brief discussion if desired and adopt the name change.

MOTION:

The Durham Town Council does hereby approve Resolution #2013-13 renaming the Town-owned property heretofore known as Sprucewood Forest to the “Oyster River Forest” and affirms that this property shall henceforth be referred to as the “Oyster River Forest” in Town communications and other documents.



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RESOLUTION #2013-13 OF DURHAM, NEW HAMPSHIRE

RENAMING THE TOWN-OWNED PROPERTY HERETOFORE KNOWN AS THE SPRUCEWOOD FOREST TO THE "OYSTER RIVER FOREST"

WHEREAS, on November 5, 2012, the Town of Durham accepted fee title to a 172+ / - acre property located along Mill and Packers Falls Roads known as Sprucewood Forest (Tax Map 13, Lots 14-2 and 6-3), subject to an easement owned by the U.S. Natural Resources Conservation Service, via a unanimous vote of the Town Council; and

WHEREAS, in a public hearing held preliminary to the above-referenced vote a member of the Conservation Commission suggested that the property be renamed the "Oyster River Forest." The vote's motion also reflected the fact that the property has indeed sometimes been known by that name; and

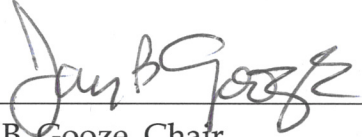
WHEREAS, more importantly, the property includes significant frontage along the Oyster River, protection of which was a key argument for the Town's acceptance of legal interest in the property. Additionally, the name Sprucewood Forest is similar to and thus could be confused with Spruce Woods, a retirement facility, and Spruce Hole; and

WHEREAS, on May 9, 2013, the Durham Conservation Commission unanimously voted to recommend to the Council that the property be renamed; and

WHEREAS, the easement holder, the Natural Resources Conservation Service (NRCS), will continue to refer to this property as the Sprucewood Forest but has no objection to the Town's using a different name as indicated in an email dated April 9, 2013 to Councilor Mower from Jeremy Lougee, the manager of the NRCS easement program for the property, in which he states "*...it's fine to rename the property however you see fit!*",

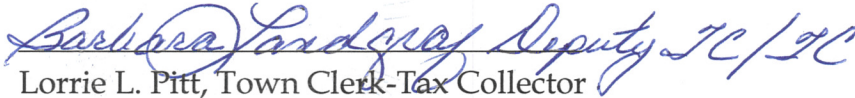
NOW, THEREFORE BE IT RESOLVED that the Durham Town Council, the governing body of the Town of Durham, New Hampshire does hereby approve Resolution #2013-13 renaming the Town-owned Sprucewood Forest property to the "Oyster River Forest" and affirms that this property shall henceforth be referred to as the "Oyster River Forest" in Town communications and other documents.

PASSED AND ADOPTED this 20th day of May 20, 2013 by a majority
vote of the Durham Town Council with Nine (9) affirmative votes, Zero (0)
negative votes, and Zero (0) abstentions.



Jay B. Gooze, Chair
Durham Town Council

ATTEST:



Lorrie L. Pitt, Town Clerk-Tax Collector