

9-December-2020

Dear Conservation Commission members

The Church Hill site walk at noon on Wednesday, 2-December-2020 was well attended by Commission members, Town Council members, and the general public. It also revealed how devastating to the existing natural environment the plan to install a parking lot on that Church Hill site would be. Essentially the existing urban forest would be almost completely removed, the current steeply sloped site would be filled in, a massive retaining wall would be constructed to hold back the filled area, and the filled area itself would be paved over.

The American poet Robert Frost wrote: "Something there is that doesn't love a wall," and something was certainly evident from the audible reactions of shock by many of the people on the site walk while we were standing at the base of the proposed wall. We were told that the top of the proposed retaining wall was marked by two colored ribbons 25 feet above us, but many people, myself included, did not see the ribbons at first since we couldn't imagine looking that high into the forest canopy!

Because of the massive amount of fill required by this project, an "Alteration of Terrain" (AoT) permit will be required from the the New Hampshire Department of Environmental Services (NHDES). Both the Conservation Commission and the Planning Board should require that they see and approve the AoT application BEFORE it is submitted, to ensure that it accurately describes the destructiveness of this project.

Members of both the Conservation Commission and the Planning Board should also be aware that all the land being altered by this project lies completely within the Oyster River Designated River Corridor. To Quote from the NHDES website: "The Designated River corridor is defined as the river and the land area located within a distance of 1,320 feet (1/4 mile) of the normal high water mark or to the landward extent of the 100 year floodplain of a designated river as designated by the Federal Emergency Management Agency (FEMA), whichever distance is larger." Details can be found by navigating from the website:

<https://nhdes.maps.arcgis.com/apps/webappviewer/index.html?id=d3869f998e614d81925481ac71c3903e>

This corridor was established under the auspices of the New Hampshire Rivers Management and Protection Program (RMPP) as part of RSA 483 to

protect certain rivers (called "Designated Rivers") for their outstanding natural and cultural resources. As part of such a designation, a volunteer "Local River Management Advisory Committee" (LAC) is formed to develop and implement a River Management Plan that coordinates activities affecting the river on a regional basis. As part of an AoT permit application process, the applicant must indicate whether the project falls within a Designated River corridor. If within a corridor, the LAC for that river must be notified of the project as well.

Zooming in on the map at the URL given above makes clear that all the lots included in this Church Hill project fall completely within the Oyster River Designated River corridor, and therefore the Oyster River LAC must be notified of the project. See the Oyster River LAC web site at URL <http://oysterriverlac.org/oysterriver.html> for details on the Oyster River Corridor Management Plan from 2014, various documents, and maps. The Oyster River LAC is chaired by Eric Fiegenbaum of Madbury, and has local members from the towns of Barrington, Lee, Madbury, and Durham. The Durham members are Michael Sullivan, Jim Hornbeck, and Stephen Burns. I would therefore urge the Conservation Commission to contact Mr. Fiegenbaum and the Durham LAC members for insights on this proposal.

Finally, this project directly contradicts the Durham Master Plan Goal to "Reduce the trend of continued loss of forestland and other natural areas, and increase the quantity and quality of existing forest cover in developed areas." For all these reasons, as well as the many other objections cited in letters from other Durham residents to the Conservation Commission and the Planning Board, I would urge the Conservation Commission to recommend to the Planning Board that they NOT approve this proposal. I would also personally urge the Planning Board to NOT approve this proposal.

Thank you for your consideration.

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