

Durham Conservation Commission

Monday, June 10, 2024

***Durham Police Station**

DRAFT Minutes

Conservation Commission members present:

Dwight Trueblood, *Chair*

Erin Hardie Hale, *Vice Chair*

Richard Kelley, Planning Board Rep. (arrived at 7:15 pm)

Nick Lanzer

John Nachilly

Neil Slepian

Jacob Cragg, alternate

Anne Lightbody, alternate

Steve Moyer, alternate

Others present:

Sara Callaghan, Land Stewardship Coordinator

James Bubar, Town Council member

Em Friedrichs, Town Council member (arrived at 8:05 pm)

Michael Behrendt, Town Planner

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- I. **Call to Order.** The meeting was called to order at 7:05 pm.
 - II. **Land Acknowledgment Statement.** The statement was read.
 - III. **Roll Call and Seating of Alternates.** The new alternates were introduced.
 - IV. **Approval of Agenda.** Richard moved and Erin seconded approving the agenda. The motion carried 7-0.
 - V. **Public Comments.** There were none.
 - VI. **Land Stewardship Update.** Sara Callaghan, Land Stewardship Coordinator. Sara talked about work days. There is a grant for Doe Farm through the Strafford Regional Planning Commission Coastal Grant Program. They submitted a grant request for the wetland crossings at Longmarsh. They will work on improvements in August and September. She may seek money from the Conservation Fund.

They are keeping the White Trail open through West Foos Farm including an easement on private land. Private land cannot be posted. Steve Eisenhaure at UNH

has been involved. People don't want stragglers on their property. John said they have posted boundaries of easements.

Sara said the trail crosses a wetland which is an issue. They would like to get updates to the UNH map. There are concerns about how the wetland is represented on the UNH map.

There are volunteer work days. Milne Sanctuary, College Brook, Mill Pond. They have invasive species. There is a service Day with 5th graders pulling garlic mustard.

Michael told about Revolution 1774.

VII. **Jackson Laboratories – Proposed Building Addition.** 85 Adams Point Road.

Courtesy presentation from UNH Jackson Laboratories. David Burrack of the Jackson Laboratories, and Dennis Morin and another person from Tighe and Bon explained the project. The lab has been there for 50 years. It was envisioned for professors to go to.

They don't have good facilities now for working on boats and there are other practical constraints, like not having a high bay work area nor a good meeting room, along with ADA issues. They lease 1-1/2 acres from NH Fish and Game. There is no drainage treatment now. All of the improvements will be to previously disturbed areas. The old dock will be renovated. There will be 10-14 moorings. There are also problems with shore erosion. They will redo the pipe that goes under the marsh. One reason that marshes degrade is having shade over them.

They will need wetland and shoreland permits from the state. They hope to break ground some time between July 20 and August 20. There is a little less than a year of construction. They are adding about 8,000 square feet of impervious surface. They will install a rain garden to capture the runoff. They are not using permeable pavement. The ground is too wet. There might be some ledge also. But they don't expect any blasting. The propane tank will be moved back from the shore. John said it should be up near the diesel tank. There is a gate that might need to be moved.

James Bubar asked about disaster containment near the diesel tanks. There are a few leach fields on the west side. They will raise one of the leach fields. There is about 20 feet of elevation. There is concern about crab habitat there. The runoff should be decreased.

VIII. **Wetland and Shoreland Overlay District – Zoning Amendment.** Discussion with Neil Slepian and Dwight Trueblood about proposed new Wetland and Shoreland Overlay District (WSOD) to replace the current Wetland Conservation Overlay District (WCOD) and Shoreland Protection Overlay District (WPOD).

Neil introduced the topic. Jame Bubar raised concerns about the width of the buffer. Michael said the 330-foot buffer is not likely to be approved. James said people could file for abatements on their property taxes. This could their views. Michael said it would be a challenging process to adopt the ordinance as written. Richard said some buffers are more important than others. He said many houses off Route 4 would be entirely in the buffer. This could be an undue burden having to go through conditional use for some projects.

Erin asked how much of an increase in the buffer would be acceptable. Nick said that not all sites near the shoreland would be affected the same. It depends on slope, elevation and other factors. Dwight said that sea level rise is one of the factors but also filtering sediments, dealing with warming water runoff, and nutrient loading.

Nick asked if this could be tiered based on slope and elevation. James Bubar said soils could be considered also.

Neil asked how much the commission should consider politics in evaluating the proposal. Richard said the commission is looking at the issue from the perspective of natural resources. Dwight said the integrity of the commission requires provided the best information that it can. John said the commission should take an environmental approach.

Em Friedrichs said the shoreland protection overlay district is 250 feet wide. The state statute covers land 200 feet wide along the Lamprey and Oyster Rivers. It is based on what Great Bay can handle.

Dwight asked each person for their input on this question. There was discussion about the idea from Nick to adapt the zone to specific sites and tiers. Dwight said we should get more information on what other towns are doing and more information relating to the proposed 330-foot buffer. He said we can move forward with the rest of the ordinance.

The sense of the commission was that everything on pages 1-5 was good. The commission will discuss the 330 foot buffer more.

- IX. **Review of Minutes:** February 26, 2024, March 25, 2024, and April 29, 2024 . Richard moved and Erin seconded approving the February minutes as written. The motion carried 4-0-2 with John and Erin abstaining. Richard moved and Neil seconded approving the March minutes as written except for fixing the spelling of NOAA. The motion carried 5-0-1 with John abstaining. Richard moved and Nick seconded approving the April minutes as written. The motion carried 4-0-2 with John and Richard abstaining.
- X. **Other Business.** Erin and Jacob talked about helping out on Durham Day Neil walked the Pike property with Sara and said it was very nice. There ar beautifl fields and forest. John suggested that it be tied in to the Thompson property because there is parking at the Thompson property.
- Consideration of Invasive Plant list in Site Plan Regulations. There was discussion about revising the plant list. The discussion will continue at an upcoming meeting.
- XI. **Roundtable.** Updates from Conservation Commission members. There were no additional comments.
- XII. **Adjournment.** The meeting adjourned at 9:30 pm.

Respectfully submitted,

Michael Behrendt