

From: Michael Behrendt

Sent: Monday, May 22, 2023 3:23 PM

Subject: Garrison Avenue - ATO - tree protection, photographs, wetland, buffer email from Robin Mower

To the Planning Board and Conservation Commission,
For your information from Robin Mower below.

Michael Behrendt

Durham Town Planner

8 Newmarket Road

Durham, NH 03824

(603) 868-8064

From: RobinM <melodyofharpists@gmail.com>

Sent: Friday, May 19, 2023 10:35 AM

To: Michael Behrendt <mbehrendt@ci.durham.nh.us>

Subject: 18 Garrison Alpha Tau Omega | tree protection, photographs, wetland, buffer

Greetings, Michael --

Please forward this email to the Planning Board and the Conservation Commission. Thank you.

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Regarding your Planner's Review for this application, I believe that the prior amendment was approved at the June NINTH (not 29th) meeting in 2021. See [minutes](#), pages 2 and 3. It would be appropriate to note that date at the May 24th meeting so it gets into the legal record.

I also note the Conservation Commission's recommendation for the original application (which you conveyed by email on April 28, 2020):

*The Conservation Commission reviewed the ATO conditional use application and voted to convey to the Planning Board its belief that the four

specific criteria are met provided the applicant provides periodic reports to the Town satisfactorily demonstrating that the necessary ongoing maintenance of the porous pavement is carried out. The commission also recommends that before and after photographs of parts of the site pertinent to the conditional use are provided by the applicant. The commission also recommends that the two Norway Maple trees in front of the building remain.*

Of the above recommendations, the Notice of Decision includes the periodic reporting on the porous pavement as well as retention of the Norway maples.

Comments for the review of the current request for an extension

Durham's track record for protecting mature trees during construction, including for the Madbury Commons project, has not been stellar. The resulting losses have a community impact, altering aesthetic character and removing shade/passive cooling, among other ecosystem benefits.

Thus, I ask that the Board **please revisit the Conservation Commission's recommendation for *before and after* photographs.** Unless I have missed it, that recommendation is not included in the Notice. This is a low-cost request that will serve the record, particularly should there be any tree damage, which may not manifest for a few years.

Note the Durham zoning ordinance's **definition of damage** (under *landscaping*):

Damage - Includes any intentional or negligent act which will cause vegetation to decline and die within a period of five (5) years, including but not limited to such damage inflicted upon the root system by the operation of heavy machinery, the change of the natural grade above the root system or around the trunk of a tree and damages from injury or from fire inflicted on vegetation which results in or permits infection or pest infestation.

Finally, I appreciate that the Board included in the original Notice of Decision the following *term*:

39) Wetland, buffer, and invasive species. The ATO site contains a wetland, a wetland buffer, certain invasive species, and other environmental resources and challenges. The Town of Durham encourages Alpha Tau Omega and its members to embrace the special character of this site and to work regularly to preserve and enhance these resources, including the removal of invasive species.

Thank you.

Regards,

-- Robin

Robin Mower
Durham, NH

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