

**NEW DURHAM CONSERVATION COMMISSION  
MINUTES  
31 MAY 2016**

**Present:** Commission members Ron Gehl (Chair), Curtis Richard (Vice Chair), Mark Sullivan, Bob Craycraft (Alternate), Bill Malay (Alternate)

**Others Present:** Videographer Brian Nelson, Heather Freeman

Chair Gehl called the meeting to order at 7:12 pm and designated Mr. Craycraft and Mr. Malay to sit in as voting members.

**Review of Minutes**

Commission members reviewed the minutes of 29 March 2016.

**Mr. Richard made a motion to approve the minutes of 29 March 2016 as prepared. Mr. Craycraft seconded the motion. The motion was approved with three affirmative votes (Craycraft, Gehl, Richard) and two abstentions (Malay, Sullivan).**

Commission members reviewed minutes from 30 April 2016.

**Mr. Craycraft made a motion to approve the minutes as prepared. Mr. Richard seconded the motion. The motion was approved with three affirmative votes (Craycraft, Gehl, Richard) and two abstentions (Malay, Sullivan).**

**Wetlands Permit By Notification – Erin Hendrick, Trustee - Map 118/Lot 45 - 325 Merrymeeting Road**

Commission members reviewed a Wetlands Permit By Notification for Erin Hendrick, Trustee for property located at 325 Merrymeeting Road, Map 118 Lot 45. The application is to allow for the repair of an existing concrete retaining wall. Repairs will be conducted during annual lake drawdown in October or November. Repairs will include patching cracks and repair to the footing in two locations to maintain the wall's integrity. Less than 10 cubic yards of beach sand will be added above the high water line. Commission members wondered who prepared this application. Mr. Sullivan, as president of Merrymeeting Lake Association, commented that drawdown this fall will be one foot lower than usual to allow residents to make these types of repairs. Chair Gehl and Mr. Sullivan voiced concern about the plans for adding beach sand and wants to be sure that the property remains at status quo and that the existing beach will only be replenished and larger quantities of sand will not be added. Chair Gehl understands that applicants must confirm completion of beach sand replenishment with NH DES within 10 days of completion. Commission members discussed whether the application was complete due to lack of detail including missing a to-scale plan indicating location of high water and a map of the property.

**Mr. Malay made a motion to approve the Wetlands Permit By Notification for Erin Hendrick, Trustee for property located at 325 Merrymeeting Road, Map 118 Lot 45. Motion failed due to lack of second.**

**Mr. Craycraft made a motion to defer the DES process and not sign the Wetlands Permit By Notification for Erin Hendrick, Trustee for property located at 325 Merrymeeting Road, Map 118 Lot 45. Mr. Sullivan seconded the motion. The motion was approved unanimously.**

### **Master Plan – Natural Resources Section**

Commission members discussed the pending update to the entire Master Plan, including the Natural Resources section. Mr. Craycraft presented a brief history of the Master Plan and explained that it is intended to be a 10 to 20 year plan with periodic updates. The current Master Plan has not seen updates since 2008. In addition to any content revisions, the format of the document will be updated. Planning Board is seeking input from the Conservation Commission on the Natural Resources section. The anticipated schedule will see the Master Plan reviewed this summer through fall to produce a Draft Master Plan by the end of the year. Chair Gehl added that the town did not have a Natural Resources Inventory (NRI) at the time of the 2008 update to the Master Plan. Commission members agreed to divide the current Natural Resources section of the Master Plan into pieces for each member to review and will also review the NRI to make suggestions, edits, or additions to the Master Plan.

### **Penny Lane Woodlot Update**

Commission members discussed an application to the Planning Board to remove the Woodlot Status on a 38-acre lot located on Penny Lane. This lot was considered non-buildable at the time of the 1998 subdivision in the area and contains Jones Pond, areas of steep slopes, and areas of natural resources. During a recent Planning Board meeting, the lot was found to have much disturbance already. Mr. Craycraft noted that the disturbances are not within the Shoreland Protection Area. The applicant received a driveway permit from the State but does not appear to have received an Alteration of Terrain permit or approval by the Planning Board or Zoning Board. Mr. Craycraft asked the board if they had any comments or suggestions concerning any impact on natural resources. Chair Gehl reviewed some qualifications for permissible disturbances from the New Durham Stormwater Ordinance. Commission members wondered if the lot is a suitable building lot based on current regulations and commented that the applicant needs to prove that current regulations are followed. Commission members asked Mr. Craycraft to keep the board up-to-date on this lot.

### **Review of Mail**

Commission members reviewed the mail. The Commission received the Moose Mountains Regional Greenways (MMRG) newsletter and the Southeast Land Trust (SELT) newsletter. The Commission received minutes from the 17 May 2016 Planning Board meeting regarding the Penny Lane Woodlot.

### **Widowmaker Farm Property**

Chair Gehl updated the Commission on the status of the Widowmaker Farm Property, located at 81 Meaderboro Road. The property owners are seeking a conservation easement with the help of

Moose Mountains Regional Greenways (MMRG). Chair Gehl stated that he had provided a letter of support to MMRG. Chair Gehl also stated that the project may be eligible for funding due to it being located in the Merrimack River Watershed. The property owners are currently working to develop the Easement language.

### **New Hampshire Lakes Association's Lakes Congress**

Mr. Sullivan stated he will be attending New Hampshire Lakes Association's Lakes Congress event on June 3.

### **Regulations Enforcement**

Mr. Sullivan stated that he has noticed a lot within the Shoreland Protection Area where extensive paving has occurred, possibly without proper permissions from the Town or State. He asked what can be done about potential violations. Chair Gehl stated that the Code Enforcement Officer is responsible for enforcing local regulations and that Shoreland Permit violations can be reported to NH DES.

### **Public Input**

Heather Freeman, resident at 175 Berry Road – Ms. Freeman stated her concern regarding the Penny Lane lot and also questioned if enforcement would require the applicant to fix the damage already done.

**At 8:20pm, Mr. Craycraft made a motion to adjourn the meeting. Mr. Richard seconded the motion. The motion was unanimously approved.**

Respectfully submitted,

Curtis Richard  
Vice Chairman