

Durham Conservation Commission

October 18, 2023; 6:30 – 8:00 pm; Town Office

DCC Attendees: Roberta Brezinski, Jess Costa, Mike Friendly, Sam Cuccaro

Guest Attendees: George Thebarga and John Talbot

Meeting notes from September were approved.

Roberta update on meeting with Town Manager and Chief Tripp for CRP

- Discussed what fire department is pursuing for grants
- Jerry and Chief agree signage for communication would be beneficial
- Fire station used as warming and cooling station, could use furniture, TV
- IPAWS incident phone recognition
- Resolution – Select Board will review and sign off at November 14th meeting,
- Nov 8th need resolution language and proposed projects to Jerry

Roberta update on Tax Credits and Efficiency Maine Presentation by Sam Saltonstall

- Roberta's friend Sam would like to show presentation to Durham before Thanksgiving,
- To get the word out could email the CRP community event attendees
- Roberta to check on Eureka availability and timing
- IT capabilities (HDMI connection): could put on the youtube channel
- Avoid November 15th since select board meeting about housing

Discussion of Draft Solar ordinance

- Perhaps make the Draft ordinance available for town review (maybe on town website)
- Community meeting around mid-November (avoid Nov 15 planning board meeting about the affordable housing) and November 14 is select board meeting we need to present CRP at)
- After community meeting will send out a survey
- By the end of January will need everything for the Town report
- Second optional public meeting early February to be ready for April Town Meeting
- George took CC's Topsham ordinance-based draft and reformatted into land use ordinance format (all Town land ordinances to be in one document)
- Code officer will need to review the project size language:
 - Medium-scale = projects btw 2,000 and 20,000 sq. feet – code officer approves under safety standards
 - Over 20,000 sq ft = requires conditional use permit and goes to planning board for site plan review
- How to define the area included in square footage of a project (i.e., include inverters, access roads); not to include inverters for small projects
- Review fees – town attorney if fee not mentioned in ordinance; Select Board has authority to establish review fees; Article 18, section q. indicates review fees
 - State imposing a fee that should be used locally, requires review of projects by the state
- Restricted herbicide use – No broadcasting herbicides (spot treatment only for invasives)

George overview on using Beginning with Habitat (BwH) Developed Areas Maps to allow some development in Resource Protection

- Expansions of homes up to 30% in resource protection through Board of Appeals already exists, some landowners want to expand beyond this
- BwH recently adjusted mapped developed areas with new aerial footage
- Proposing to use BwH developed areas maps to allow some development in homes in Resource Protection (this will contain extent of development and standardize process) people may want to be able to expand beyond the BwH mapped developed area
- Does DCC want to present this concept at public meetings? To check with Joe regarding the concept
- If don't adopt this concept, landowners would have to go to Board of Appeals
- DCC to provide George and John feedback on this concept by November 1

DCC continued conversation about mitigation fees

- Would we need a new town meeting/committee/ordinance for developing a mechanism for mitigation fees?
- Select Board would need to delegate where money goes
- If requiring mitigation fees for solar, why not gravel pits, or other development?
- Per acre fee for mitigation, check what other towns did, Readfield?
- Application fees must be based on cost to Town to process application
- Language in ordinance to keep foot in the door for potential mitigation fees
- Review Topham's land use ordinance
- DCC would like to revisit the following during a Phase 2 solar ordinance:

Upper size, maximum limit; Restrict clearing of large forest parcels; mitigation fees; decommissioning and revegetation standards

Meeting adjourned at 8 pm. November meeting will be November 29.