

CONCORD CONSERVATION COMMISSION  
REGULAR MEETING  
MINUTES - DRAFT  
September 13, 2017, 7:00 p.m.  
Second Floor Conference Room, City Hall, 41 Green Street

Members present at the meeting included: Kristine Tardiff (Chair), Jim Owers (Vice Chair), Councilor Mark Coen, Jeff Lewis, Rick Chormann, Jr., Katherine Healy, and Tracey Boisvert. Assistant City Planner Beth Fenstermacher, and Administrative Specialist Lisa Fellows-Weaver were also present. Jan McClure (alternate), and Stefan Matlage (alternate) arrived later in the meeting.

**1. Minutes**

*August 9, 2017*

A motion was made by Mr. Chormann, and seconded by Mr. Lewis, to approve the August 9, 2017, minutes. The motion passed unanimously.

**2. GZA Environmental on behalf of Eversource Energy, requesting a Conditional Use Permit for wetland buffer disturbance for the replacement of a pole off Mountain Road/Hoit Road**

Jennifer Grawin and Lindsey White from GZA Environmental were present along with Kurt Nelson and Kevin Clough from Eversource. An overview of the proposal was provided. Ms. Grawin explained that the project is to replace a pole off Mountain Road and Hoit Road along with routine maintenance of the right of way for access. There is one structure to be replaced within the wetland buffer. She explained the sediment and erosion control measures that will be installed. Wood matting will be used to ensure that they are not compacting the wetland buffer; all mats will be removed when the work is completed. There are temporary wetland impacts to the buffer for the access and permanent impacts along the edge of the buffer for the pole replacement.

A brief discussion was held regarding the timing of the project. Mr. Clough explained the day to day timeframe and felt that the project would take about five days and be completed by mid-October.

The Commission had no comments or concerns relative to the Conditional Use Permit for wetland buffer disturbance.

**3. Tim Blagden, Concord – Lake Sunapee Rail Trail**

Tim Blagden was present along with Fred Nystrom from the Concord-Lake Sunapee Rail Trail (CLSRT). Mr. Blagden provided an overview of two parcels that are owned by Pan-Am, located off N. State Street. Mr. Blagden suggested that the City purchase these two parcels as the City already owns areas along the corridor. He stated that this is a great area for a rail trail to be built. Pictures were shown of the overall conditions within the corridor. Some areas are accessible; there are some encroachments into the northern parcel by abutters, but there are no structures encroaching. He added that this segment of the trail would be 1.25 miles long.

Discussion ensued regarding the parcels. The Commission felt that there is some conservation value with the southerly parcel which is located between the Pierce Manse and Smoke Stack Center; however, the encroachments on the northerly parcel, located between the Smokestack Center and N. State Street, are of concern. Mr. Owers commented that the Commission should consider the northerly parcel as this is the opportunity to look at the entire area. It was suggested that the encroachments may be a legal matter.

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Grant opportunities were mentioned from various entities of the State. A discussion was held regarding the possibility of the Conservation Commission funding the project and the CLSRT maintaining the trail and doing all the work related to the encroachments. Mr. Blagden stated that he will follow up with his Board. Mr. Blagden stated that these trails would be built and maintained by CLSRT. Commission members asked if CLSRT would still build and maintain the trail even if it was only done in small segments. Mr. Blagden replied that they would, and they want to start in small segments to gather more support to help with the larger goal of connecting to Newbury.

Councilor Coen mentioned the Merrimack River Greenway Trail (MRGT) with regard to the vicinity of that trail. Discussion ensued regarding the Commission's interest and involvement in the MRGT planning.

The Commission agreed to schedule a site walk with the contact person from Pan-Am and Mr. Blagden to revisit the northern parcel and walk the southern parcel not covered during the previous visit.

**4. Discussion of proposed Street Tree and Trails Subcommittee structuring**

Ms. Tardiff stated that a work session was held to discuss the reformatting and structure of the trail subcommittee. She stated that the Street Tree documents are also being worked on for a future discussion, and the Trails subcommittee will continue discussion at their October meeting.

**5. NHDES items**

**Wetlands Permit Application, Merrimack River Greenway Trail, Phase 1 Terrill Park, Old Turnpike Road.**

Ms. Fenstermacher explained that the proposal is for a multi-use trail and boardwalk to be installed beginning at Terrill Park and continuing north to a scenic vista along the Merrimack River. No land is being crossed at this time. The total impact is proposed to be 835 sq. ft.

The Commission reviewed the application and did not have any comments or concerns.

**6. Reports**

***a. Trails Committee***

Ms. Fenstermacher provided an overview of the Trails Committee meeting. She stated that there have been numerous acts of vandalism in the Bachelder Mill and Broken Ground trails with trees being cut, structures painted, and fires. She stated that Concord Police Department is involved, and cameras have been ordered in hopes of getting some answers.

***b. Upper Merrimack River Local Advisory Committee***

Ms. Fenstermacher stated that this item is on the next agenda for Council to reappoint Mr. Chormann as a member for the UMLAC.

***c. Contoocook and North Branch Rivers Local Advisory Committee*** - Nothing to report.

***d. Forestry*** - A copy of the monthly forestry report was distributed for review.

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*e. Street Trees* - Previously addressed.

**7. City Council/Planning Board**

*a. Council Referral – 51 Antrim Road*

Ms. Fenstermacher stated that a City Council referral has been received from an applicant requesting to waive the provisions of prior covenants to prohibit certain uses. After the discussion, the Commission agreed to not support the request due to the fact of the potential impacts to the aquifer, and although the current owner may use best management practices, there is no guarantee what future owners will do. Other items noted were that there is no real hardship shown, there has been no attempt to locate the business elsewhere, and the applicant is not the owner of the property. The Commission is concerned that even one spill would impact the area greatly and may have consequences to the quality of the aquifer as all water flows in that direction.

*b. Presentation at the October 10<sup>th</sup> City Council Meeting*

Ms. Fenstermacher stated that she and Ms. Tardiff will present the Open Space Plan to Council at the October 10 meeting. She added that the Planning Board adopted the Open Space Plan as an addendum to the Master Plan. The Planning Board was very pleased with the outcome of the project.

**8. City Open Space**

*a. Morono Park – update on sewer access road construction*

Ms. Fenstermacher reported that the EPA has mandated that the access to the sewer mains going through Morono Park be cleared and maintained. This extended road can be used as a new trail to connect N. State St. and Clark Street to the Morono Park trails. She added that a wetland permit application will be submitted, which will include a proposal to bury invasive species on site.

*b. Richards Community Forest – Access off Victorian Lane*

Ms. Fenstermacher explained that there is currently an access easement to the Richards Community Forest off of Victorian Lane through private property. The property owner at 45 Victorian Lane has concerns that people are using his property, thinking they have reached the City property. He is requesting to relocate the City's access closer to the property line so that he can put up a gate and sign directing people to the correct location. An aerial photo was reviewed showing the proposed gate location. She explained that a logger can remove trees, which will cover the cost of building the new access drive. Ms. Fenstermacher noted that this is not currently an official trail of the City; however, the Richards family would like to have these trails formalized. In addition, a family member has the right to remove 10 cords of wood each year, and he needs continued access to the site and there is no other access due to wetlands and streams. She added that the 45 Victorian Lane owner would give the City a right of way access easement.

A brief discussion was held and the Commission was supportive of relocating the access.

*c. Sanborn Road*

Ms. Fenstermacher explained encroachments onto City property at a residence on Sanborn Road. Letters have been sent to the property owner and additional trees have since been cleared. The property has now

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planted apple trees in this encroachment. She added that the City Solicitor will now be addressing this matter. It was suggested that a letter be sent to the property owner's mortgage company.

**9. Follow-up/On-going Items:**

*a. Country Hill Estates*

Ms. Fenstermacher updated the Commission on this project. She stated that NCRS drew up a plan and that the project may qualify for a Wetland Reserve Easement (WRE). Ms. Fenstermacher explained that Mr. Holden confirmed the City Surveyor's analysis regarding the frontage; there was further discussion that the frontage may limit future development. Ms. McClure explained NRCS will pay for the easement and the City will buy the underline fee. Ms. McClure stated that this is a good project and added that an appraisal would be needed.

Ms. McClure and Ms. Fenstermacher will continue to work on this item.

*b. Currier Road*

Ms. Fenstermacher will be setting up a site visit.

*c. Mountain/Sewalls Fall Road Property*

Ms. Fenstermacher stated that she did send a letter to the property owner and has not received any response.

*d. Conservation Easement Standard Templates: Agriculture/Forestry, Riparian/Wildlife, and SPNHF revised*

Ms. Fenstermacher will check to see if these are a project for a legal intern to do and provide a presentation to the Commission.

**10. Other Business**

*a. Stewardship Fees*

Ms. Fenstermacher reported that the Planning Board did not support the Commission's recommendation to require the subdivision and in-fee land transfer and voted to amend the decision allowing Eversource to grant in easement to the City along with monetary contributions. The stewardship fee in the amount of \$7,500 has been received and a new Trust Fund will be set up for these funds. The Commission agreed that guidelines will need to be established for stewardship fees with a purpose for monitoring, reporting, surveying, enforcement, etc. As a follow up to the Farmwood Easement, Commission members indicated that a Baseline report should be completed.

*b. NHACC Annual Meeting & Conference – November 4<sup>th</sup>*

Members expressed an interest in attending and will email their choices to staff for registering.

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*c. Promoting Local Agriculture – partner with NHACC*

Mr. Owers explained that he has been contacted to partner with NHACC to help Concord provide funds to promote local agriculture. A discussion was held regarding the lands that are already leased to area farmers. Commission members felt that this maybe an opportunity for a future study of options for the best use of land. Mr. Owers will follow up with NHACC.

*d. Haller*

Ms. Fenstermacher stated that the Haller project should be closing by the end of October.

**There being no further business, Mr. Coen made a motion, second by Mr. Lewis to adjourn. The motion passed unanimously at 9:45 p.m.**

Respectfully submitted,  
Lisa Fellows-Weaver  
Administrative Specialist