CITY OF CONCORD

New Hampshire's Main Street™

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Beth Fenstermacher, Assistant City Planner, on behalf of the Conservation Commission

DATE: June 21, 2022

SUBJECT: License Agreement for Mowing City Conservation Land

Recommendation

Accept this report, authorizing the City Manager to enter into a license agreement with Jason Cross of 90 Sanborn Road for the purpose of mowing a portion of the abutting City owned conservation land at 84 Sanborn Road.

Background

The Warren Richards Community Forest is a city-owned conservation property located at 84 Sanborn Road, which is encumbered with a conservation easement held by the Society for the Protection of NH Forests (Forest Society). During an annual monitoring visit by the Forest Society, it was noted that the abutting property owner, Mr. Cross, had mown a portion of the Richards Forest property. Mr. Cross indicated that the area was mown by the prior property owner, and he not realize it was a concern for the City. He requested to continue mowing the City property to control ticks near his property line and control invasive bittersweet plants from entering his land. The Conservation Commission and Forest Society met with Mr. Cross in December 2019 to discuss the encroachment. The agreement was drafted in 2020; however, the matter was put on hold during the pandemic.

Discussion

The Forest Society determined that the mowing does not pose negative impacts to the value of the conservation area, as long as he does not mow into the wetland area. The Conservation Commission supported the continuation of mowing, with the condition that Mr. Cross enter into a license agreement with the City, and that he only mow within the agreed upon area (Exhibit A of the agreement). The Commission further recommended that the agreement only run with Mr. Cross, not any future land owners. The Forest Society monitors the property on an annual basis, and will be able to confirm whether Mr. Cross is complying with the agreement.

BAF