

CONCORD CONSERVATION COMMISSION
REGULAR MEETING
MINUTES

December 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, Tracey Boisvert, Chris Kane, Stefan Mattlage (alternate). Assistant City Planner Beth Fenstermacher, and Administrative Specialist Lisa Fellows-Weaver were also present. Jan McClure (alternate) arrived later in the meeting.

1. Minutes

November 8, 2017

A motion was made by Mr. Lewis, and seconded by Mr. Coen, to approve the November 8, 2017, minutes, as written. The motion passed unanimously.

2. Public Hearing

a. Acceptance of an approximately 4 acre parcel of land currently owned by Donald L. Horne, located off Reserve Place

Ms. Fenstermacher stated that Mr. Horne is donating the land to the City for the purpose of preserving and protecting the conservation values of the property.

Ms. Tardiff opened the public hearing at 7:06 PM. With no comments or concerns from the public, the public hearing was closed at 7:07 PM.

A motion was made by Mr. Mattlage, and seconded by Mr. Owers, to accept the 4 acre parcel of land owned by Mr. Donald Horne, off of Reserve Place, and to move the item forward to Council. The motion passed unanimously.

3. City Council/Planning Board

a. FPAC – Discussion regarding revisions to the Conservation Open Space Plan Update

Heather Shank, City Planner, met with the Commission and provided an overview of the meeting with the Fiscal Policy Advisory Committee (FPAC) from November 20. She explained that Council referred the Open Space Plan to FPAC for review and comment relative to potential financial impacts. The report was discussed and concerns were raised with the primary concern being that the recommendations were policy statements or could be perceived as such in the future; policy is adopted by the City Council, and the Commission does not set policy. Recommendations that came out of the FPAC meeting include renaming the document to remove “City of Concord”; adding a preface from the Commission explaining the purpose of the document; and, considering rewording the recommendations section to clarify the intent of the recommendations as action items for the Commission, not the City Council.

Discussions ensued as to what the intent of the document is and how it was written; it is a study for the Commission to use and it is a valuable document with tools and inventories for the Commission. Members feel that the document is exactly what it was intended to be, but recognized that the recommendation section could be renamed to clarify the intent.

Ms. Tardiff stated that she is working to draft a preface to the document and will bring the requested revisions back to FPAC for further review.

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b. Form Base Code

Ms. Shank provided a brief update on the progress of the Form Base Code (FBC). A kick off meeting will be held in February. Interviews with staff, committee members, etc. are being set up. She asked for Commission members to volunteer to be part of the interviews. Ms. Shank indicated that she will come back to the January meeting to give a presentation about the process.

9. Follow-up/On-going Items:

Pan Am Appraisal

Tim Blagden was present from the Concord-Lake Sunapee Rail Trail (CLSRT).

Ms. Fenstermacher stated that after discussion at last month's meeting she requested a revised appraisal estimate eliminating the northern parcel and utilizing a revised protocol recommended by Ms. Tardiff. The appraisal cost proposal came in at \$6,500. Discussion ensued as to foregoing the appraisal and looking at the assessed value of the property. Additional discussion was held regarding the potential title defects and the amount of encroachments.

Ms. Fenstermacher and Mr. Owers will contact the Pan Am representative to discuss options.

In addition, regarding a segment of the proposed rail trail between Fisherville Road and Carter Hill Road, Mr. Blagden stated that he is working directly with the Wolcotts and Roy Deoss for proposed trail easements. He stated that the next step is to finalize the easements for the private property and work with the City regarding an easement or a license agreement where the trail travels over City land.

4. Briar Hydro Associates, Notice of Intent to Seek a Subsequent FERC License for the Penacook Lower Falls Hydroelectric Project

Ms. Fenstermacher stated that this is a license renewal for the dam in Penacook and this is the opportunity for the Commission to express any concerns or to intervene. The information was reviewed. Members had no comments or concerns.

5. NHDOT Route 3 - Resurfacing Project

The information was reviewed. This is a resurfacing project only and no widening or culverts are proposed. Members had no comments or concerns.

6. NHDES Items – nothing new to report

7. Reports

a. Trails Subcommittee – Structure

Ms. Fenstermacher provided an overview of the Trails Committee meeting. She mentioned that the monthly hikes have been very successful and the Trails Subcommittee will continue to offer monthly hikes throughout the winter months. Ms. Fenstermacher stated that this was one of the goals set in January, and it should be

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considered a success.

Ms. Fenstermacher stated that the Concord Public Library will be co-hosting a hike with the Trails Committee that coincides with a hiking book for the Concord Reads program in February.

Ms. Fenstermacher stated that AARP will be getting involved with a program called Concord Walks. This program will focus on the trail system. A presentation will be done along with four different hikes in May-June.

Mr. Owers spoke to unauthorized use of the Winant Trail, damage to private property, and trespassing. He stated that the private property in this area has now been posted. This led to a discussion about which trails should be left open and the need for trail agreements. Additional discussion ensued regarding the rogue construction and use of trails. One suggestion offered was to engage the trails committee to be working to prevent trespassing issues or close off the trails, and to work with other trail user groups to spread the word about illegal trail building. It was suggested that an article be written for the NHMBA newsletter. The trails committee needs to steward the City trails and conservation land properly. Mr. Owers and Mr. Klemarzyk will be walking the Winant Park boundary in the vicinity of the area posted No Trespassing. Mr. Owers will contact the private property owner should he want to attend.

A brief discussion was held regarding the role and structure of the subcommittee, it was decided that a separate work session would be scheduled for December 28th at 4 p.m.

- b. Upper Merrimack River Local Advisory Committee* - Nothing to report
- 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.

Ms. Fenstermacher stated that the timber sale has begun at Via Tranquilla.

e. Street Trees

Councilor Coen mentioned that the street tree fund is becoming a hot topic.

f. Budget

Ms. Fenstermacher provided the trust fund report for review. A request was made for the budget report to be provided for next month, and to include a budget update as a regular agenda item.

8. City Open Space

a. Conservation Project Spreadsheet and Map

Ms. Fenstermacher provided an excel spreadsheet that depicts the Conservation Commission's land projects. Mr. Lewis stated he will spearhead this project and will update it accordingly.

b. Easement Monitoring Update

Ms. Fenstermacher stated that Sam Durfee will be coming to the January or February meeting and will update the Commission of his progress for 2017.

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9. Follow-up/On-going Items:

a. Pan Am Appraisal – Previously addressed

b. Hardy Property – Appraisal

Ms. Fenstermacher stated that per the request of the Commission at last month's meeting, she has received a letter of intent relative to the Hardy parcel, Hot Hole Pond Rd.

Mr. Owers made a motion to move forward and obtain an appraisal for the Hardy property on Hot Hole Pond Rd. Seconded by Ms. Boisvert. The motion passed unanimously.

c. Haller Properties – Closing

Ms. Fenstermacher stated that the closing is scheduled for December 20.

d. Richards Community Forest Encroachments

Ms. Fenstermacher updated the Commission on the driveway encroachment on Richards Community Forest off Sanborn Road. She stated that the driveway has been removed from City property. There is a code enforcement issue relative to a zoning requirement to set the driveway back 5' from the property line.

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

This item was continued to next month.

10. Other Business

a. Promoting local agriculture – partner with NHACC

Mr. Owers stated that he will follow up and update the Commission next month.

b. Reappointments to Commission – Ms. Tardiff, Ms. Boisvert, and Mr. Owers

All members indicated that they are interested in being reappointed to the Commission.

c. Non-public discussions

There was a discussion about what property acquisition information should be discussed under non-public session. Ms. Fenstermacher will invite Deputy City Solicitor Danielle Pacik to the next meeting for a refresher.

There being no further business, Mr. Owers made a motion, second by Ms. Boisvert to adjourn. The motion passed unanimously at 9:55 p.m.

Respectfully submitted,
Lisa Fellows-Weaver
Administrative Specialist