

CONCORD CONSERVATION COMMISSION

SPECIAL MEETING MINUTES

March 26, 2024, 8:30 a.m.

City Hall, 2nd Fl Conference Rm, 41 Green St

Attendees: Chair Kristine Tardiff, Vice-Chair Jeff Lewis, Members Emily Landry, Rick Chormann, Alternate Allison McGregor, Councilor Michele Horne, Mark Coen, and Alternate Jim Owers

Absent: Katherine Healy

Staff: AnneMarie Skinner, Assistant City Planner/Acting City Planner
Krista Tremblay, Administrative Specialist II

Public: Ron Klemarczyk

1. Call to Order

The meeting was called to order by Chair Tardiff at 8:31 a.m.

2. Country Hill Estates

Chair Tardiff stated there are a few things the Conservation Commission needs to start discussing for Country Hill Estates, including establishing a new name rather than the name of the subdivision. The Conservation Commission committed to City Council that they would establish a management plan for the site. There is the separate layer of the litigation with the Woodards that bought property with a trail license up the old Dimond Rd and when that license was revoked they lost the connection. There was also litigation with the Woodards over the discontinuation of the old District Five Rd. When the Conservation Commission bought this property, they were of the understanding that ownership extended to the centerline of the discontinued District Five Rd. There was disagreement over the property line that resulted in litigation and a settlement agreement. As part of the settlement agreement, the Conservation Commission has agreed to do certain things including installing a gate, installing signs, and creating a northerly bypass.

Mr. Owers stated the bypass will only go past the disputed land and back to District Five Rd.

Chair Tardiff stated there are wetlands.

Mr. Owers stated the idea was to get back on at least the northern half from the centerline north of District Five Rd because they do not own that land.

Chair Tardiff stated the settlement agreement does not state where the bypass will come back to.

Mr. Owers stated they should start the bypass and go north and it is a matter of how far north they go before they come back in.

Chair Tardiff stated the Conservation Commission needs to figure out the bypass, and go through the normal Trail Subcommittee new trail process. Chair Tardiff noted the City shall, through the Conservation Commission using the trail planning procedures, establish a formal city trail northerly of the

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stone wall along the northerly line of the discontinued section of the District Five Rd to create an effective bypass of that discontinued section abutting the Woodard property in order to provide access to City-owned land.

Mr. Lewis asked about the timeframe.

Chair Tardiff noted that the settlement agreement does not establish a timeframe, but it is something that the Conservation Commission needs to move forward on.

Mr. Lewis asked if the purpose of this trail is to keep the corridor of that road open?

Chair Tardiff answered yes, and that the Conservation Commission is the advocate to go back to the Trails Subcommittee to go through the process.

Ms. Skinner informed Chair Tardiff that she is on the Trails Subcommittee agenda for the April 10, 2024 meeting for this very topic.

Chair Tardiff said she will discuss with the Trails Subcommittee about the settlement agreement and the location of the bypass.

Mr. Owers suggested a site visit.

Mr. Chormann stated he has not been to the property.

Mr. Lewis asked about the purpose of such a site visit.

Mr. Owers expressed that it would be helpful to see the property before discussing it.

Chair Tardiff explained that it would assist in determining the overall management plan for the property.

Chair Tardiff asked Mr. Klemarczyk if the timber harvest log yard would facilitate the bypass?

Mr. Klemarczyk showed the location of log yard.

Ms. McGregor asked where Mr. Klemarczyk plans on cutting?

Mr. Klemarczyk stated the harvest would be in stand three and the vista. The beech trees there are poor quality.

Mr. Owers stated it seems to him there is a consensus that they will not be using the old section District Five Rd north of the Ross\Woodard properties and need to go north of that wetland. Mr. Owers noted

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what they need to do is give the Trails Subcommittee the guidance that the Conservation Commission would like for them to design a trail that would come back to the District Five Rd at a location on the City-owned property.

Chair Tardiff said the decision to log Country Hill Estates or not needed to be made by the Conservation Commission.

Mr. Owers stated you really cannot appreciate the property until you get to the northern section where the developers were going to put the club house.

Mr. Klemarczyk stated he proposed the timber sale in Country Hill Estates, but it does not mean it has to get done this year.

Chair Tardiff asked if he was looking to do it this year what is his deadline?

Mr. Klemarczyk stated it is next fiscal year and he cannot start anything until July 1, 2024. They would go out to bid in mid to late August.

Mr. Owers asked if they agreed to tell the Trails Subcommittee to do the bypass?

Chair Tardiff stated yes, they will work with the Trails Subcommittee on the bypass.

Mr. Lewis stated there needs to be resolution of the West End Farm Trail before there are any other talks about trails on that property.

Mr. Klemarczyk stated this section would never be a part again of the West End Farm Trail.

Chair Tardiff stated the discussion with the Trails Subcommittee in April will be limited to the bypass and starting that process. Chair Tardiff stated once the snow melts they will schedule a field trip to the property.

Mr. Owers suggested late April would be nice.

3. Conservation Land Matrix

Chair Tardiff put together a draft of definitions and passed around to the group.

Ms. Landry stated she thinks her draft and that of Chair Tardiff's draft have the same categories, but with different names. Ms. Landry noted the idea is to combine the land categorization document and the matrix.

Chair Tardiff confirmed that those two documents will work together.

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Ms. Landry was not sure if they wanted to add the two documents officially to the open space plan.

Chair Tardiff stated that is one of the questions before the Conservation Commission.

Ms. Landry stated this document is not finalized. Today the Conservation Commission can discuss how they want and where they want these documents to live. Ms. Landry stated that the bylaws suggest the Conservation Commission inventory the conservation properties. Ms. Landry asked if they have one list of all of the conservation properties?

Ms. Skinner answered yes, it was emailed to the Conservation Commission.

Ms. Landry stated some of the properties on that list did not match up with conservation properties on the matrix.

Chair Tardiff stated she thought the Conservation Commission was looking mostly at the fee-owned properties that were conservation. Chair Tardiff stated the list sent by Ms. Skinner has all the city-owned conservation properties. Chair Tardiff noted when they met the last time one of the things discussed was the categories. As they went through the use categories that were put together in previous meetings those categories included wildlife preserves, forestry, recreation, limited recreation, and the question was how are those categories being defined? One of the tasks was to go back and establish definitions of the categories and that Ms. Landry put together draft definitions.

Ms. Landry stated when she was looking at the matrix trying to do a primary and secondary use category for each property she had a hard time figuring out what that actually means. Ms. Landry stated in one category there could be multiple different impacts, so she thought of having impact goals. Does the Conservation Commission want a low impact? For wildlife property, the property is left alone with some management for wildlife habitat. Moderate impact would allow patch cuts. Ms. Landry summarized with two questions: what are we managing this property for and how much impact are we going to have on the property?

Mr. Chormann stated it is the use and the intensity of use.

Chair Tardiff stated as she started to think about it she went back to the open space plan and why the Conservation Commission was created. Chair Tardiff reminded the group to be mindful of the purpose of the Conservation Commission when setting goals. Look at the natural resources the Conservation Commission is charged with protecting and build that into the categories for each property. Chair Tardiff stated the thing they were all struggling with was how are they defining the preserve category as that was the original goal of these discussions. Does the Conservation Commission want to take some of these conservation lands within the City that are all under that conservation land umbrella and add a preserve designation as layer of protection Chair Tardiff wanted to identify the characteristics they were looking at

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originally when identifying something as a preserve and uses allowed under establishing a property as a preserve. Chair Tardiff noted that each property is different.

Ms. McGregor asked if river or stream frontage include Penacook Lake and Turkey Pond and not just rivers or streams?

Chair Tardiff stated yes. Chair Tardiff stated on the allowable uses the thinking was if a property is designated as preserve it would be a more limited use or no impact. Chair Tardiff noted the list she put together was intended to be broader instead of strictly no impact. Some of the areas designated as preserves will still have some limited use and if it was bought with grant money the area needs to have public access allowed. In the matrix it is noted that even a preserved property might need trees removed for safety issues or in managing the spread of invasive species. One thing to discuss would be timber cuts and she put in limited timber cuts will be allowed to create flexibility. Some of the properties for preserves are big enough they may leave a large block of it alone and maybe a trail will pass on one side.

Mr. Chormann asked if there are any properties that do not require public access? Mr. Chormann stated he would like to carve out a category that has no use, strictly wildland, no timber activity or trail development. Mr. Chormann stated some of these parcels you would not want to put a trail there. Why not carve that out as a category in its own right? People can walk there but there is not a trail.

Ms. Landry stated that is why she came up with the use category and then the impacts.

Mr. Chormann stated there are some parcels that could be designated as wildlands and that requires an intent to preserve them untrammelled in perpetuity. If they are making allowances for things that are contrary to that designation then they are basically precluding them ever becoming wildlands. Mr. Chormann would like to see at least a couple parcels that would fit into that category of wildland for future potential official designation as such.

Mr. Lewis stated he felt a managed trail and a trail are the same thing. Mr. Lewis noted he liked the term managed trail. He would just specify that those two terms are the same. If it is going to be designated as a natural resource and a wildlife preserve, unless it will be a separate wildland, there are no trails unless there is a special exception. It will be open for passive recreation for the public. There would be no need to do limited harvesting if there were no managed trails.

Mr. Owers asked about lands they do intend to have for open public use? For example, Winant is very heavily used. Would you designate that?

Chair Tardiff stated that would fall into another category.

Ms. Landry stated going through this there are 6 categories and there could be 25 categories. Ms. Landry noted in the document she came up with she tried to clarify there are all these use categories and she likes the use definitions. Each property will have a primary focus use category and some properties might have

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a secondary use category. The categories should not shove a property into a defined box. It is more meant to guide management and not really set it in stone. There are things that might come up in the future.

Ms. McGregor asked if this is set in stone or if this is guidance for them to use?

Chair Tardiff stated she thinks it is intended to be guidance.

Mr. Owers stated looking at it as a primary and secondary use is the way to go.

Ms. Landry asked if there should be a primary, secondary, and another type of category for intensity?

Chair Tardiff stated it is defined intended use and use no impact or low impact.

Mr. Owers stated at the end of all of this he would like to see a matrix and a map saying this is what we are doing and how these properties should be categorized.

Ms. Landry stated it would be neat to see visually what properties they have for each category.

Mr. Owers stated they cannot have too many categories.

Ms. Landry stated they should designate some lots to this no impact nature and wildlife reserve. A future discussion would be do they seek additional legal restrictions. If the Conservation Commission designates it now and 15 years down the line that designation has changed it re-sets.

Chair Tardiff stated the first step is the definition, categorization, identifying those parcels they want to put in that category.

Mr. Owers stated the tax maps do not necessarily line up with the natural resources. Mr. Owers stated you could designate part of a parcel for one use and another part for another use.

Chair Tardiff suggested maybe they trying to do too much in all these other category definitions: watershed, wildlife, and forestry. Chair Tardiff stated a lot of that comes out of the open space plan because they have that and do not need to recreate. In terms of wildland and preserve definitions is another layer that will be applied to specific properties the Conservation Commission selects. They will keep the matrix as all of it is useful because it becomes an added inventory of all the Conservation Commission properties. They should periodically look at them and identify those that have the preserve or wildland definition.

Ms. McGregor asked about the different colors and what is their purpose?

Ms. Landry stated she organized the color by impact: green is no impact, yellow is low to moderate

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impact which is agriculture or heavy use recreation, and blue which is water shed.

Ms. Landry asked where do they see this going and what are the next steps?

Chair Tardiff stated as next steps do they want to refocus on the preserve and wildland definition and build that out? Do they need to have the other categories? Or, do they work off the matrix and are those self-defined by the open space plan?

Ms. Landry stated she thinks it is important to have a guide in terms of what they are managing each property for. She does like the idea of having all of those management use categories. It is a good idea to take it slow because they could be using this as a reference in the future. Ms. Landry noted maybe the next step is to focus on the first use category and then pick out the properties.

Chair Tardiff stated improve the definition.

Chair Tardiff stated they will have to do as a separate meeting.

Ms. Landry and Councilor Horne departed the meeting at 9:30 a.m.

Chair Tardiff will work with Ms. Landry to discuss language and circle back to the Conservation Commission.

Adjournment

Chair Tardiff moved, seconded by Mr. Owers, to adjourn the meeting at 10:13 a.m. All in favor. The motion passed unanimously.

Respectfully Submitted,

Krista Tremblay

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Administrative Specialist II