

CONCORD CONSERVATION COMMISSION

REGULAR MEETING MINUTES

October 9, 2024, 7:00 p.m.

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

Attendees: Rick Chormann, Mark Coen, Katherine Healy, Councilor Michele Horne, Tracey Lesser, Vice-Chair Jeff Lewis, and Alternate Jim Owers

Absent: Emily Landry, Alternate Allison McGregor, and Chair Kristine Tardiff

Staff: AnneMarie Skinner, City Planner
Alec Bass, Assistant City Planner – Community Planning
Krista Tremblay, Administrative Specialist II

Public: Ron Klemarczyk (Forest Resources Consultant)
Kim Harrington (Granite Engineering)
Jeff Merritt (Granite Engineering)

1. Call to Order

The meeting was called to order by Vice-Chair Lewis at 7:00 p.m.

2. Minutes – Approve meeting minutes from September 11, 2024

Mr. Chormann moved, Ms. Healy seconded, to adopt the minutes with one edit of agenda item 3(a) to reflect Exhibit A. All in favor. Motion passed unanimously.

3. New Business

- a. Conditional use permit request for use in the Aquifer Protection District Community Water Systems Protection Area for Pitco Frialator, LLC, at 15 Integra Dr (2021-34)

Kim Harrington (Granite Engineering) and Jeff Merritt (Granite Engineering) presented the application. Ms. Harrington stated the project is located at the end of Integra Drive on an undeveloped parcel of about 54 acres. The project went before the Planning Board in 2021 with a recommendation to approve from the Conservation Commission. The client needed to work on financing for the project and received extensions for the site plan approval, but did not request any extensions for the conditional use permit approval. They are here tonight to seek support for the conditional use permit for the expansion of the impervious surfaces. Ms. Harrington stated since the last Conservation Commission they have received approval for the Alteration of Terrain permit and Planning approval for the site plan. Ms. Harrington stated PITCO is a company that produces water cookers and frialators that are supplied to restaurants. There are four existing PITCO locations – Bow, Pembroke, and Concord. The intent for the project is to combine all of the current locations at one site at 15 Integra Drive. The proposed building is 356,000 square feet with a 400-space parking lot to the northwest. The storm water is located to the west and south of the proposed building. Ms. Harrington stated the parcel has sandy well-drained soil.

Mr. Bass stated the recommendation from 2021 was to approve as submitted with the condition that sumps be added to the catch basins.

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Vice-Chair Lewis stated this is pretty straightforward and asked why they cannot get an extension.

Ms. Skinner stated conditional use permits are good for two years and you can request an extension. However, in this case they let the conditional use permit expire.

Mr. Chormann asked if there is a sense of the total impervious area within the aquifer protection district? What is the percentage of the protected area?

Mr. Bass stated we do not have that information.

Ms. Skinner stated it was determined to be a development of regional impact and a letter was sent to Pembroke and the Central New Hampshire Regional Planning Commission.

Mr. Bass has received their comments and their comments matched what they had provided before.

Mr. Owers made a motion to recommend approval as submitted. Ms. Healy seconded. All in favor. The motion passed unanimously.

4. Non-public session for consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present, in accordance with RSA 91-A:3, II(l)

The Conservation Commission entered into non-public session at 7:10 p.m. and exited at 8:09 p.m. The Conservation Commission unanimously voted to seal the non-public minutes.

Vice-Chair Lewis made a motion to direct staff to proceed as discussed in the non-public session. Mr. Owers seconded. All in favor. The motion passed unanimously.

5. New Business (continued)

- b. Comment on culvert work letter, dated September 6, 2024

Ms. Skinner stated the Department of Transportation sent a letter, linked to agenda, about culvert work, to all City staff to offer a chance to provide feedback. Some of the questions are related to environmental and Conservation Commission issues. If the Conservation Commission has any feedback she will include in the response. Ms. Skinner stated the questions specific to the Conservation Commission are questions three, nine and ten.

Mr. Chormann stated there is nothing for wildlife concerns based on the roads.

Vice-Chair Lewis stated the Conservation Commission has no comments to include in the response.

- c. Consider request from Richard Murray to place or use blinds/stands on City-owned property

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Ms. Skinner stated there is an application to place and use a game camera on private land and a separate one to use blind stands on private land.

Mr. Owers said he not crazy about deer stands near trails.

Ms. Healy asked where these sites are in relation to the trails?

Ms. Skinner stated she did not know.

Mr. Chormann asked if there is a precedent for this request?

Ms. Skinner noted the language on the application from the State of New Hampshire Fish and Game.

The Conservation Commission discussed how there is not enough information on the location of the proposed stand, how close to the trails the stand would be, if this is setting a precedent for future applications, and if there should be guidelines for signing such an application.

Ms. Skinner read from the blinds/stands application the following: “VI. A portable or temporary tree stand or observation blind that does not violate paragraph I or II may be erected on the land of another from April 25 to June 1 and from August 1 to December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by June 1, unless allowed by permission from the property owner or designee.” Ms. Skinner surmised that the applicant wishes to leave the temporary blind up year-round, rather than removing as required, thus the application.

Ms. Skinner noted that game cameras on municipally-owned property are allowed without owner permission, per state statute.

The Conservation Commission opted not to sign any of the applications.

6. Reports

a. Trails Subcommittee update – Kris Tardiff and Jeff Lewis

Vice-Chair Lewis attend the Trails Subcommittee meeting and shared the following:

- Matt Bowser from NEMBA attended and shared the Broken Ground trail is completed. They are having a soft opening. They would like to come up with a name for the trail. They are discussing a trail day and having some educational signage to focus on the geology of the area. They proposed a name for the trail and would like Conservation Commission approval so they can move forward with the signs. The name they came up with is Ghost Pipe, which is a plant that exists by the trail.

Mr. Owers made a motion to adopt the Trails Subcommittee recommendation for the trail name Ghost

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Pipe. Mr. Chormann seconded. All in favor. The motion passed unanimously.

- Vice-Chair Lewis stated that Mr. Klemarczyk provided a forestry update, which is in the agenda link for this meeting. Mr. Klemarczyk stated that Beth's Bench will be installed next week at the Batchelder Mill Trail.
- Vice-Chair Lewis stated that Mr. Matson provided the trails report, as well as reporting that he is working on monitoring the conservation easements for 2024.
- Vice-Chair Lewis stated they are starting on a trail maintenance guide for the trail stewards. It is a three- to four-page guide for the trail stewards to use during their spring and fall trail checks. The final draft, once ready, will be presented to the Conservation Commission to approve.
- Vice-Chair Lewis stated Fran Philippe has taken on the Russell Pond signage. She is planning a sign off the Swope connector trail. She will bring a proof of the sign to Conservation Commission for approval.
- There are a couple of hikes scheduled over the next couple of months.

b. Forestry

Vice-Chair Lewis stated the forestry report is linked to agenda.

c. Tree Subcommittee update – Rick Chormann

Mr. Chormann was not able to attend the last meeting. Mr. Chormann stated there are efforts to coordinate with road paving projects on North State Street and a couple of side streets for new tree plantings. There is an annual tree award. They are at the farmers market promoting trees.

d. Local River Advisory Committees

Ms. Skinner stated Jeff Evans from Five Rivers Conservation Trust sent an email to Ms. Skinner that Five Rivers received an inquiry about donating fee interest in property owned in Concord to Five Rivers. The property is 13 acres and abuts Marjory Swope to the west. Five Rivers feels it would make more sense for the property owner to donate the land to the City with a conservation easement to Five Rivers. Five Rivers has not formally voted on the matter, but wanted to pass it along to the Conservation Commission for their assessment of any interest.

Vice-Chair Lewis stated the Conservation Commission will pursue a conversation with Five Rivers regarding the donation of the property to the City.

e. New Hampshire Department of Environmental Services

No discussion.

f. City Open Space and Easements

No discussion.

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g. City Council/Planning Board

Councilor Horne has nothing specific from City Council, but noted that Council is discussing vacancies for committee and wanted to have it noted that the website now has one location that shows all vacancies for all committees, boards, and commissions.

Ms. Skinner had nothing to report for Planning Board.

7. Old Business

a. Preservation Matrix

This agenda item was not discussed.

b. Standard easement template

This agenda item was not discussed.

c. Current Land Use Change Tax

a. 3rd Quarter 2024 and Parcels with Current Use

Ms. Skinner provided the additional information requested by Chair Tardiff. No discussion took place since Chair Tardiff was not present. Ms. Skinner noted that the map and valuation requested by Chair Tardiff is not available.

Vice-Chair Lewis asked for this item to be on the agenda for next month.

d. Adopted procedures and criteria – for your information

Vice-Chair Lewis stated this is what the Commission voted on last month, and it's attached to the agenda for everyone to see the adopted copies.

8. Staff updates on items

Ms. Skinner stated she mailed the mowing permit to Jason Cross, and it has not been returned signed. The oak trail agreement for the Perrys unpermitted trail has also been mailed and has not been returned yet. The NH Association of Conservation Commissions annual event is on November 2, 2024. The Commission members are welcome to attend and can register online. The fee is paid by the City from the Conservation Commission budget.

Adjournment

Mr. Owers moved, seconded by Vice-Chair Lewis, to adjourn the meeting at 8:48 p.m. All in favor. Motion passed unanimously.

Respectfully Submitted,

Krista Tremblay

Krista Tremblay

Administrative Specialist II