

**CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
March 9, 2011**

**Second Floor Conference Room, City Hall
41 Green Street, Concord, NH**

Attendance:

Members present at the meeting included: Christopher Morgan; Jim Owers; Tracey Boisvert; Rick Chormann; Jan McClure; Kristine Tardiff; Doug Woodward, City Planner and Rebecca Hebert, Senior Planner, also attended the meeting.

C. Morgan, Chairman, called the meeting to order at 7:00.

1. Minutes: The group reviewed the minutes on the February meeting. K. Tardiff moved to accept the minutes of the February 9, 2011 meeting; R. Chormann seconded the motion. The motion passed unanimously and the minutes were adopted.

2. Conditional Use Permits:

- a. Conditional Use Permit of Vintage Estates for proposed impacts to the wetland buffer off of Kyle Road – R. Hebert provided an overview of the project. She explained that the subdivision creates 22 new residential parcels in the Sandwood Crossing neighborhood off of Fisherville Road. The proposal involves extending Kyle Road and Emily Way to construct a new street that would be parallel to Ty Lane. The subdivision also reserves land for a future phase. The new road would connect to the Vineyards housing development through an existing access easement. The buffer impacts related to the alignment of the proposed road within the existing access easement. R. Hebert said that there is already a gravel road where the proposed road would be located, and the buffer impacts have been minimized. The Commission discussed the location of the proposed right-of-way for the future road extension, and questioned if this could shift to the north to avoid wetland and buffer impacts during the second phase of construction.

- b. Conditional Use Permit of Milano Real Estate Associates for proposed wetland buffer impacts off of Loudon Road – Matt Peterson provided an overview of the project and explained that the site plan was approved a number of years ago when the wetland buffer was only 30 feet wide. At that time the site was graded, loamed and seeded to the edge of the wetland but the building was never constructed. The Dollar Tree Store is proposing to build on the site and the wetland buffer impacts were not grandfathered. Mr. Peterson explained that the wetland buffer impact is necessary for the construction of truck access around the building. The project includes 4,783 sq. ft. of wetland buffer impacts. A retaining wall is proposed to reduce the impacts. The Commission discussed the number of parking spaces onsite, and also asked if it would be possible to shift the building to the east to avoid impacting the wetland buffer. Mr. Peterson explained that if

the building moved to the east, they would lose visibility from Loudon Road. The Commission discussed the project and recommended that additional plantings be added to the buffer including winterberry and other native shrubs that would improve the wildlife habitat. It was also suggested that the buffer area be seeded with a wetland restoration mix.

4. City Open Space –

- a. Public Hearing relative to a proposed disbursement from the Conservation Fund for the acquisition of a parcel of open space northerly of Hopkinton Road on Dimond Hill – C. Morgan opened the hearing at 7:45. R. Hebert provided an overview of the property. The land is located northerly of Hopkinton Road, adjacent to Dimond Hill Farm. The parcel includes 29.2 acres, a two acre lot would be subdivided for the existing house, and the City would purchase a 27.2 acre parcel. The Triaccas would convey a conservation easement to Five Rivers Conservation Trust, and the City would purchase the land encumbered with the easement. The Commission discussed the funding for the project. R. Hebert explained that Five Rivers Conservation Trust would apply for Farm and Ranchland Protection Funds in the amount of \$112,500; which is 50% of the value of the conservation easement. This money would be applied to the cost of the conservation easement which is valued at \$225,000. The City would purchase the fee once the easement has been conveyed for \$50,000. The sum of the City's contribution would not exceed \$190,000. It was also mentioned that the Five Rivers Conservation Trust committed to raising funds up to \$13,500 to be used towards the stewardship fee and transaction costs. R. Hebert said that the City Council would set the hearing for their regular April meeting, and an updated report would also be sent to the City Council. D. Woodward said that it would be important to have Commission members at this meeting, because staff would be unavailable to attend.

C. Morgan opened the hearing to the public for comment. There was no one present to speak in regards to this matter. C. Morgan closed the public hearing at 8:25. J. Owers moved to approve the following motion:

The Concord Conservation Commission, pursuant to its authority and for the purposes so specified in RSA 36-A, and after a duly noticed public hearing on this date recommends that the City of Concord acquire the following property subject to a conservation easement:

A portion of a parcel now or formerly owned by James and Carolyn Triacca referred to in the City's Tax Assessment records as Tax Map parcel 98/2/22, and described in a deed recorded at the Merrimack County Registry of Deeds as Book 2197, Page 509; consisting of approximately 29.2 acres of land.

Furthermore, the Concord Conservation Commission hereby allocates no more than the sum of \$190,000 from the Conservation Fund using the accumulated proceeds of the Use Change Tax. The Concord Conservation Commission hereby declares its purposes in taking these actions to acquire this property and contribute to the cost of a conservation easement.

J. McClure seconded the motion; all in favor motion passed.

- b. P&M Realty conservation easement – R. Hebert explained that as a conditional of Planning Board approval for the Concord Steam plant off of Langdon Avenue, the owners were required to convey a conservation easement on the land surrounding the South End Marsh, as well as a portion of the marsh. R. Hebert said that P&M Realty is now proposing to subdivide the property to create a land unit for a proposed rock climbing gym and fitness facility. The subdivision action will require the conveyance of the conservation easement. Staff has reviewed a draft easement, and noted that it differed from the city’s model easement and permitted all uses allowed by the Zoning Ordinance. The Commission recommended that the model easement for wetland buffers be used; public access be provided for future trails around the marsh; the area used by the Mills be restored; and a hazardous material report be submitted so the Commission can determine if there are any hazardous sites within the easement area. The Commission also discussed the need to mark the boundary of the easement.
- c. Other business – R. Hebert reported that two trail agreements have been submitted to the City Council and placed on the consent agenda for the March meeting. The first trail agreement would allow the City to formalize existing trails on state-owned land northerly of Interstate 89, and the second would facilitate the trail connection between Rossvie Farm and Dimond Hill Farm, across a 30 acre parcel owned by the Crosby family. R. Hebert also said that the Crosby family indicated they might be interested in selling their land to the City. The Commission discussed the property and agreed it would be a valuable addition to the City’s open space. K. Tardiff moved to authorize a restricted use appraisal for the Crosby property northerly of Currier Road; T. Boisvert seconded the motion; all in favor motion passed.

R. Hebert also said that she has received two requests for internships with the Conservation Commission. Both prospective interns are graduate students at Antioch University. Brett Hillman is interested in conducting a vernal pool assessment on a city-owned property. The Commission thought this would be beneficial and suggested he do an assessment of the Oak Hill property. The second internship would involve preparing baseline stewardship reports for easements held by the City. The Commission agreed to move forward with the proposal and suggested a reimbursement for mileage incurred during site visits to the various properties.

6. Budget – R. Hebert provided a brief overview of the fiscal year 2012 budget. The Commission discussed the street tree and pruning program, and agreed to include funding for this program in the 2012 budget.

7. Other Business/Reports

- a. The Northern Pass Electric Transmission Project – The Commission discussed a letter from the Conservation Law Foundation regarding the Northern Pass Electric Transmission Project. The primary and secondary routes for the proposed transmission line would cross through city-owned conservation land and easements. The conservation lands shown on the PSNH maps do not show all of the conservation lands within the City, and are missing larger parcels of protected open space. The Commission also discussed the height of the proposed towers and how the project would affect the viewshed in Concord. The Commission recommended that staff prepare a letter outlining concerns regarding the project,

for review and comment by the Commission at the next regular meeting. The comments need to be submitted to the Department of Energy by April 12, 2011.

- b. Forest Society easement – Gully Hill Road – C. Morgan asked about the status of the Forest Society conservation easement on the city-owned land southerly of Gully Hill Road. The group agreed to place this discussion item at the beginning of next month's agenda. Staff will resend the draft easement to members for review and comment.
- c. Contoocook and North Branch Rivers Local Advisory Committee (CNBRLAC)- R. Hebert said that Muriel Lajoie has requested an appointment to the CNBRLAC, and the City Clerk has said this will be going to the City Council together with several other committee appointments.
- d. Next meeting – Staff will schedule an Open Space Subcommittee meeting for the completion of the green infrastructure mapping exercise. The next regular meeting will be on April 13th at 7:00 in the second floor conference room.

Meeting adjourned at 10:05 PM.

A TRUE RECORD ATTEST:
Rebecca W. Hebert
Planner, Secretary pro-tem