

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
May 9, 2012
City Council Chambers, City Hall Annex
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Christopher Morgan; Kristine Tardiff; Chris Kane; Tracey Boisvert; Rick Chormann; Karen Rose; and Rebecca Hebert, Senior Planner, attended the meeting.

C. Morgan called the meeting to order at 7:05.

1. Minutes:

The Commission reviewed the minutes of the April 11, 2012, meeting and the minutes were unanimously accepted.

2. Wetlands Bureau:

- a) Wetlands Dredge and Fill Minimum Impact Expedited Permit of David Frydman and Jennifer Patterson –David Frydman presented an overview of the application. He explained that he has filed a permit to allow for the removal of sediment and leaves from Thayer Pond off of Westbourne Road. He would like to take a small boat onto the pond and remove the sediment and organic material that is building up in the pond with a bucket. He would deposit the sediment outside of the wetland and wetland buffer area on his property. The Commission discussed the proposal and asked about the depth of the pond. Mr. Frydman said that the pond was about two to five feet deep. K. Tardiff moved to recommend signing the permit; R. Chormann seconded; motion passed unanimously.
- b) Correspondence – R. Hebert reviewed the following correspondence from the Wetlands Bureau:
 - a. Notice of Approval for the Shoreland Impact Permit of Flomac Limited Partnership, LLC at 8 Loudon Road; and
 - b. Letter from the NHDES regarding the Alteration of Terrain Permit for the Whispering Heights subdivision.

3. City Council/Planning Board Action:

- a) Membership – The group welcomed Karen Rose as a new member.
- b) Budget – R. Hebert said that the Conservation Commission budget would be reviewed by the City Council on May 18th at 6:30 in the City Council Chambers. The Commission decided to prepare an Annual Report for the City Council; this will be distributed to the Commission by email before the budget hearing. K. Rose, J. McClure and C. Kane offered to help with the Annual Report.

4. Open Space:

Mike Speltz of Society for the Protection of New Hampshire Forests (SPNHF) was present to discuss the proposed conservation easement on the agricultural land south of Gully Hill Road. K. Rose abstained from the discussion. R. Hebert explained that there were some concerns with the proposed terms of the easement. The City Manager asked for clarification on where structures for special events could be located. The easement defines a building envelope for structures that would include all of the land within 500 feet of the northerly property boundary, excluding land within the 250 feet of the Merrimack River and land within 50 feet of a jurisdictional wetland. R. Hebert said that there were some concerns that this was too restrictive and that the easement should be modified to eliminate the requirement that structures would need to be located within 500 feet of the northerly property boundary. Mr. Speltz provided an overview of a revised conservation easement. The Commission reviewed the terms of the easement and agreed with the proposed modifications including the removal of the building envelope, revising the aquatic buffers to structures and roads/trails to only apply at the time of construction in case the resource boundary shifts over time, the removal of snowmobiles from the list of prohibited vehicles, removing the reference to the ADA to give the City the ability to set the rules on when motorized vehicles can be used, deleting the reference to the AASHTO standards for trails and substituting “up to 12’ in width”, and allowing the Grantee to not require restoration by changing “shall” to “may” in Sections 7 & 8.

Mr. Speltz said that he would also like to discuss with the Commission the proposed conservation easement on the Delta Dental property off of Commercial Street. He explained that the SPNHF policy for the acceptance of mitigation easements is to wait for all of the permits to be sorted out with the community or permitting agency. The zoning change has passed. R. Hebert said that the zoning amendment was passed with the new zone line being the 75-foot setback to Wattanumon’s Brook and the 50-foot setback from the unnamed brook, and thought that Delta Dental said that the zoning district line would also be the boundary of the conservation easement. The group discussed the proposed conservation easement and the maintenance of the brook. The Commission agreed that the brook should be maintained in a natural condition, rather than “cleaned-up” for aesthetic reasons. Mr. Speltz said that the boundary of the conservation easement may need to straighten out along the brook. Robert Morrill explained that his property abuts the easement and that there are lots of invasive plants growing along the banks of the brook that should be removed. The Commission asked the Forest Society to clarify how the brook would be maintained and restored in the conservation easement.

Robert Knight of the Five Rivers Conservation Trust was present to discuss the Pierce property. The group discussed the appraisal of the conservation easement and whether or not public access would be provided on the property. The group decided to discuss this again at their next meeting.

R. Hebert reported that extensions to the purchase and sale agreement for the Maplewood Farm project and the Triacca property have both been signed. The projects were scheduled to close May 31, 2012. The Triacca property was extended to July 31, 2012 and the Maplewood Farm closing was extended to September 30, 2012. The delays are related to the NRCS review. She also said that the Maplewood Farm conservation easement does contain language regarding public access to the property.

R. Hebert said that the dedication date for the opening of Marjory Swope Park was set for June 29th. The parking lot and trail construction has started, but work has been delayed due to the rainy weather. Volunteer work days for the trail construction are scheduled for May 17th, 20th and 24th.

R. Hebert said that she submitted a pre-application for the Aquatic Resource Mitigation grant for the Martin property.

R. Hebert reported that she has received a revised conservation, trail and access easement from St. Paul's School. This will be on the May City Council agenda for acceptance by the City together with the Hok trail agreement.

R. Hebert distributed a letter from Ron Klemarczyk regarding the proposed logging for the vista clearing at Oak Hill. She said that the work would involve relocating two trails and opening the vista. This City's purchase of the Potter property has made it possible to relocate the trails to achieve a better view. In order to make the view clearing profitable for the City there would need to be some additional selective clearing. The City could reduce the size of the timber sale to a "break even" situation or pay a logger to clear only the vista. The group decided to schedule a site walk with Ron Klemarczyk this summer to view the proposed vista clearing, timber sale and trail relocation.

Meeting adjourned at 10:05 PM.

A TRUE RECORD ATTEST:

Rebecca Hebert

Senior Planner, Secretary pro-tem