

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
June 8, 2011, *draft*
City Council Chambers, City Hall Annex
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Christopher Morgan; Rick Chormann; Courtney Lockwood; Kristine Tardiff; Jan McClure; and Tracey Boisvert; 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 May 11th meeting. C. Lockwood moved to accept the minutes. T. Boisvert seconded and the motion passed unanimously.

2. **Wetlands Bureau:** R. Hebert reviewed the correspondence from the New Hampshire Department of Environmental Services (NHDES).

- a. **Standard Dredge and Fill Application of St. Paul's School for the construction of a synthetic athletic field off of Dunbarton Road** – Jim Boudreau of CHA Sports presented an overview of the project. He explained that an area of forested wetland would need to be filled in order to construct the new athletic field. He provided an overview of the wetlands within the vicinity of the project and said that none of the wetland areas received hits on the NH Natural Heritage database. He also showed the Commission photographs of the property as well as the wetlands that would be filled.

He explained that the new fields are important to St. Paul's School because they currently have a shortage of playing fields and are experiencing an increase in student participation. He also said other demands such as the title nine requirements for gender equity have placed more demand on the use of the fields. Mr. Boudreau said the turf field would support two playing surfaces for lacrosse or field hockey and one playing surface for soccer or football. A small support facility for trainers would also be constructed along with a parking lot and bus drop off area. He said that the dimensions of the field are set by the athletic association standards. Mr. Boudreau reviewed three proposals discussed by the school, and said that the proposed location of the field had the smallest area of wetland impact. He said the total area of proposed impact is 9,600 sq. ft. and that they reviewed other wooded areas on campus for the playing fields, but felt that this disturbed area was the best location.

J. McClure asked if it was possible to move the field approximately 180 feet to eliminate the wetland impact altogether. Mr. Boudreau said that if the field was moved farther away

from Dunbarton Road, a hill in the middle of the field would impact the school's ability to see the field from Dunbarton Road. A representative from St. Paul's School said that they had concerns regarding student safety.

Mr. Boudreau said that the field is graded to slope approximately 1%. K. Tardiff asked if the school considered placing the fields goal to goal rather than side by side. He explained that the school did look into building one playing field, but the programmatic need is for two fields.

Don Matthews of St. Paul's School said that the synthetic turf field is needed in order to get the students outside earlier in the year. The fields are muddy in the spring and it is late in the season before students are able to play outside. The school also plans to hold a few night games and they would be concerned with students walking back from the game in the evening if the fields were moved farther away from the campus. He explained that the school is concerned about security. They were also concerned with the sprawling of campus facilities.

J. McClure suggested that the school consider ways to address the security concerns internally to allow the field to be located farther away from the main campus. She said the school has a lot of space and the ability to move the field to avoid the wetland impact. R. Chormann questioned why the site was being called disturbed. The property is an open field with an agricultural use, which is a productive use of open land. He said that this site would not typically be considered a disturbed site, similar to a gravel pit. He also asked if the property contained prime agricultural soils.

A representative from St. Paul's School said that they have hired a sustainability coordinator and improving the sustainability of the institution was one of their strategic plan goals. C. Lockwood asked if this site was part of the NH Audubon Society's grassland restoration project. She said there was a sign on Silk Farm Road. The representative from St. Paul's School said that the grassland project was on the other side of Interstate 89.

The Commission asked about the grading plan. Mr. Boudreau said that the grading plan was a combination of cut and fill. The Commission asked if the field needed to be watered. Mr. Boudreau explained that the field would need to be washed occasionally and watered on very hot days.

C. Morgan asked the Commission if they wanted to submit comments to the Planning Board or NHDES. J. McClure said that although she was sensitive to the school's safety concerns, in her mind they did not outweigh the wetland impact. C. Lockwood said that the site is a nice open space area and she is not satisfied that the wetlands impact could not be avoided. K. Tardiff suggested that the school consider working to resolve some of their security concerns and consider relocating the field to avoid the wetland impacts. J. McClure pointed out that if the field shifted to the north, the wetland would be bisected.

K. Tardiff moved to recommend to the Planning Board and NHDES that although the Commission is sensitive to the security needs of the school, the athletic fields should be located to avoid impacting the wetlands. St. Paul's School should explore alternatives to the placement of the fields. T. Boisvert seconded the motion and the motion passed unanimously.

3. City Open Space

- b. Maplewood Farm - Robert Knight of the Fiver Rivers Conservation Trust explained that Bill Bunten and Wayne Bunten would like to move forward with the sale of a conservation easement on their property off of Stickney Hill Road. He distributed a draft pro-forma for the transaction and explained that the value of a conservation easement on approximately 78 acres was \$690,000. The Farm and Ranchland Protection Program (FRPP) would contribute up to 50% of the cost of the easement or \$345,000. In addition, Fiver Rivers is asking for \$36,500 towards the transaction costs, this would include staff time spent on the project, survey, baseline documentation, legal expenses, stewardship fee, and consultant costs. The pro-forma also includes a fund raising target of \$12,000. This money would be used to off-set the \$36,500 for transaction expenses. He said that the Triacca property has a target fund raising goal of \$11,000 and together the two projects would hopefully raise \$23,000.

J. McClure asked if there was a deadline for the FRPP grant application. Mr. Knight explained that the application process is rolling, but that if the project is submitted before the July deadline, and it meets the scoring requirement, it may be selected earlier for funding. He said that Five Rivers hopes to pre-apply to receive a commitment for funding. The project should rank highly because of the extensive prime agricultural soils on the property.

R. Hebert said that the Commission could set this for public hearing in July, and then submit a report to the City Council in August, the earliest the City Council would hold their public hearing would be in September. C. Morgan asked why the City needed to pay the Five River's staff costs. He understood the stewardship fee, but thought they should have a more detailed breakdown of the other costs associated with the project. The City Council will most likely ask how these funds are being spent. Mr. Knight said that each land protection project includes staff costs; the organization is primarily funded through its membership dues and the stewardship fee is placed into a restricted account and cannot be used towards their operating costs. J. McClure commented that the property is located in an area of Concord that is not often traveled by residents and the Commission will need to clearly outline the resource values that make it a priority for protection. Kristin Claire introduced herself as the real estate agent representing the Buntens. She said that she used to live on Stickney Hill Road and mentioned that there were a lot of bicyclist that used the road and nearby bike path. Ken Sterns also of Five Rivers Conservation Trust introduced himself to the Commission.

K. Tardiff moved to set the public hearing on July 13th for the use of the bond for the purchase of the conservation easement in an amount not to exceed \$345,000 and the use of the conservation trust fund for the remaining transaction costs in an amount not to exceed \$36,500. T. Boisvert seconded the motion and the motion passed unanimously.

4. City Council / Planning Board action

- a. Conditional Use Permit of Tracey Nabstedt for the construction of a garage at 188 Hopkinton Road – Tim Golde presented an overview of the project. The applicant would like to build a garage on his property at 188 Hopkinton Road. There is a small pond on the

property and a stream that runs along the western property boundary. He said the property has very little buildable land outside of the wetland buffer.

Mr. Golde described the proposed garage and wetland buffer impacts. He said that the garage has been oriented for a solar panel installation. He also said that the size of the garage has been reduced to lessen the wetland buffer impact. Mr. Golde said that the owner is suggesting mitigating the buffer impacts by restoring the area around the shed and moving the shed outside of the wetland buffer. Approximately 1,016 sq. ft. of buffer area would be restored and the proposed garage would only impact 150 sq. ft. of the buffer. Anthony Mento, the architect representing Tracey Nabstedt, explained that the length of the garage has been reduced by six feet. The Commission asked what the typical dimensions of a garage would be. Mr. Mento said the proposed garage was 26' x 30' and an average garage is approximately 24' x 26'.

R. Chormann said that since the last meeting the applicant has made a good faith effort to minimize the impacts to the wetland buffer. R. Chormann moved to not object to the Conditional Use Permit as proposed. T. Boisvert seconded the motion and the motion passed unanimously.

5. Other Business/Reports

- a. Trails Committee – R. Hebert explained that the owners of the Oxbow Bluff development off of North State Street would like to revise their wetlands permits to remove the requirement to restore wetland areas along the proposed trails that were previously disturbed by ATV use. She said that Jeff Lewis of Northpoint Engineering sent her an email explaining that most of the disturbed areas have re-vegetated on their own and they did not think it would be necessary to disturb the wetlands again for the purpose of restoration.

The Conservation Commission agreed that it was not necessary to disturb the wetland areas that had re-vegetated, and would also be willing to relocate one of the bridges to allow for a narrower stream crossing. R. Hebert said that some restoration work would still be necessary where trails were proposed to be relocated outside of wetland areas.

Rob Knight explained that he would like to have the Conservation Commission contact the members of Country Hill Estates, LLC to request permission for the West End Farm trail to cross their property. He explained that the trail is ready with the exception of this parcel. R. Hebert explained that the other options to the proposed trail alignment would be to cross a large wetland area with bridges and boardwalks or bring the trail through the Ross's sugar bush. Wayne Ross has asked that the trail not be constructed through his sugar bush and the state has agreed to this. The Commission agreed to send a letter to Country Hill Estates. R. Hebert will distribute the draft letter by email for review and comment.

R. Hebert said that Ron Klemarczyk is managing an invasive plant removal project at the O'Riley Fleetham lot. The trailhead and parking area are being over taken by Japanese Knotweed. A subcontractor to FORECO will be spraying herbicide at this location and a permit is needed for the portion of the stand that crosses into the public right-of-way.

R. Hebert said she received a copy of a letter that was sent to the Mayor and City Council regarding the feasibility study for the establishment of an Agricultural Commission in Concord. The committee is not recommending that the City establish an Agricultural Commission at this time.

D. Woodward said that he has recently met with representatives of PSNH to review the Northern Pass project and the impacts to Concord. He said that he has advised PSNH that they will need to come before the Planning Board and Conservation Commission for wetland and wetland buffer impacts related to the installation of the proposed transmission line.

C. Lockwood moved to enter into a nonpublic session for the discussion of possible land acquisitions in accordance with RSA 91-A:3, II(d). T. Boisvert seconded the motion, and the motion passed unanimously.

Following the discussion the Commission moved to exit nonpublic session and seal the minutes. The motion was duly seconded and passed unanimously.

Meeting adjourned at 9:30 PM.

A TRUE RECORD ATTEST:

Rebecca Hebert

Planner, Secretary pro-tem