

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
August 8, 2012
City Council Chambers, City Hall Annex
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Jim Owers; Tracey Boisvert; Kristine Tardiff; Rick Chormann; Gloria McPherson, City Planner and Rebecca Hebert, Senior Planner, attended the meeting.

J. Owers, Vice Chair, called the meeting to order at 7:05.

1. Minutes:

The Commission reviewed the minutes of the July 11, 2012, meeting and the minutes were unanimously accepted with one minor correction.

2. Wetlands Bureau:

R. Hebert reported that there were no new permits to review from Wetlands Bureau. She distributed the correspondence from the Wetlands Bureau including a Notice of Approval for the Alteration of Terrain (AOT) Permit for Concord Kia and a Notice of Approval for the AOT Permit for the Whispering Heights subdivision. G. McPherson said that the Whispering Heights AOT permit is valid for a period of five years, but the Planning Board subdivision approval will expire in April 2013. The Planning Board approval may not be renewed again.

3. City Council/Planning Board Action:

G. McPherson said that the City Council subcommittee to review the Gully Hill Road agricultural land has not been appointed yet by the Mayor.

4. Open Space:

Matt Hicks of the Shaker Road School and Shelia Donahue of 96 West Portsmouth Street were present to discuss the possibility of installing a gate at the end of the West Portsmouth Street right-of-way and the beginning of Pecker Lane, a private road that provides access to the city-owned agricultural land and the Shaker Road School's recreation area. Mr. Hicks explained the School's concerns with trespassing and theft at the recreation area. He would like to have a gate installed similar to the City's gate at West Locke Road to discourage trespassing on the property. The gate would prohibit unauthorized access of motorized vehicles but would not prevent the public from walking down Pecker Lane to access the Heritage Trail or the city-owned land. The main trailhead for the Heritage Trail is located off of Locke Road. He explained that a sign could be installed at the gate to notify the public that pedestrian access would be permitted on the city-owned land, but the use of the Shaker Road recreation area is by permit only. He said that the School is concerned with the safety of their staff and students. The school would be

willing to build a turnaround for snowplows and school buses on Shaker Road School property. He also said that they would be willing to unlock and lock the gate at dawn and dusk similar to Winant Park. He said that he would like to model the signs after the signs installed at Winant Park and said that these signs clearly ask hikers to stay on city property and discourage trespassing.

R. Hebert provided an overview of Pecker Lane, where the gate would be installed, and explained how the land would be accessed by hikers and the general public. She said that the installation of a gate would also need to be reviewed by the Forest Society because they hold the conservation easement on the property. The primary access to the trails along the river is at the trailhead off of West Locke Road, although the West Portsmouth Street property is popular with hunters in the fall.

The group discussed whether or not parking would be allowed along West Portsmouth Street. R. Hebert said that on-street parking is not prohibited on West Portsmouth Street. The Commission discussed the installation of the gate and agreed that it would be okay for the Shaker Road School to pursue the gate, provided that appropriate signage, vehicular turnaround, and pedestrian access through the gate were accommodated. The Commission suggested that the Shaker Road School meet with Planning Staff and General Services to review the easement/access across Pecker Lane and layout of the turnaround. The Commission agreed that if the gate were to be installed, it would not need to be opened at dawn and locked at dusk; the gate could remain locked similar to the gate on West Locke Road.

R. Hebert said that a copy of the conservation easement to the City from Dwight Keeler was included in the agenda packet. She reviewed the easement and explained that the lot line adjustment was part of the Glen Ellen subdivision. The conservation easement included portions of Hackett Brook and the associated Shoreland Protection buffers. The easement follows the Commission's standard language for easements within riparian buffers. Staff recommended that the easement be modified to remove the language that allows for the installation of fences within the easement area, the Master Plan reference should be updated to 2030, and the language in Section 4 needs to be modified to remove the reference of the transfer of land from Dwight Keeler.

T. Boisvert asked about Section 2k which permits the Grantor the right to use motorized vehicles within the easement area for the purposes of conducting forestry management or wildlife management. This also allows the grantor to permit the use of snowmobiles on the property. The group discussed whether or not it would be appropriate to have snowmobile trails cross through the riparian area. The land connects the Glen Ellen subdivision with an adjacent tract of open space. The future residents of the subdivision may want to cross through the easement area to connect with other trails on nearby open space. The Commission agreed to leave the language in the easement but suggested that additional language be provided that gives the Commission authorization to approve the use of snowmobiles on trails within the easement. The Commission agreed that staff could work with Dwight Keeler to finalize the easement language.

R. Hebert reported that the NRCS was in the process of reviewing the Maplewood Farm project documents. The appraiser has completed the update of the appraisal to yellow book standards and the value has increased by \$19,000. The property contains two acres of additional land than what was not originally included in the first appraisal. The survey discovered that the land contained 82.36 acres rather than 80 acres. R. Hebert explained that the NRCS grant will contribute 50% of the value of the easement, and the City would need to contribute an additional \$9,500 if they are to offer the Buntens the appraised value for the conservation easement.

R. Hebert said that the Triacca property appraised lower than the initial estimate because the survey included less land, and the Commission agreed to pay only the appraised value for the easement. Five

Rivers Conservation Trust has raised approximately \$35,000 to be used towards the purchase of the Maplewood Farm conservation easement. If the Commission agrees to pay the appraised value for the easement, the additional \$9,500 could be taken from the funds raised by Five Rivers, and the remaining money can be used to offset the bond. The Commission agreed to pay the additional \$9,500 for the two acres of land not included in the original appraisal.

R. Hebert reported that the Five Rivers Conservation Commission has raised enough money to assist Equity Trust in the purchase of the Triacca property from the City. The land would be merged with Dimond Hill Farm. The Commission will be receiving an offer in the form of a letter from Equity Trust shortly. R. Hebert will review with the Legal Department what the process would be for the City to sell a parcel of conservation land.

G. McPherson suggested that staff contact the appraiser to update them on the approval status of the Whispering Heights subdivision. She also reported that Bill Hoag has called and is interested in also having his land appraised for the possible sale to the City as conservation land. The group decided to discuss both of these properties again in September.

R. Hebert said that she attended the LCHIP grant workshop but did not think that the Cole property or Martin property would be ready for a grant application. The Commission suggested having Ron Klemarczyk review the stumpage report for the Cole property. R. Hebert said that the Martin property would also not be ready for the Aquatic Resources Mitigation grant this year. She said that she would continue to follow up with Mr. Martin. J. Owers suggested that staff talk with Mr. Martin about purchasing the parcel adjacent to Winant Park.

R. Hebert reported that she followed up with the attorney who responded on behalf of Daisy Hale to the Trails Committee's request for permission to use the trails on her property. She explained that Mrs. Hale's legal guardian does not have the ability to grant permission for the public to use the trails. The attorney suggested that they might be able to sell the property to the City. The Hales conveyed a conservation easement to the Forest Society and the parcel is landlocked. The group discussed the property and decided that there might be a value to the public if the City owned the property. The parcel contains approximately 60 acres. The Commission asked staff to see what the cost of the appraisal might be for the property and suggested the group discuss this again in September.

J. Owers asked if there were trails on the Desjardins property. R. Hebert explained that there was a snowmobile trail that crossed through the property and the "West End Farm Trail" also passed through the property.

R. Hebert said that she received an email from Susanne Smith-Meyer regarding the possible purchase of a parcel in East Concord. The land is located off of Shawmut Street. The Commission discussed the property and agreed that it would be an expensive property to purchase due its proximity to East Concord village and access to utilities.

R. Hebert said she would send an email to Commission members to schedule the site walk of the Oak Hill trails and proposed timber sale.

R. Hebert reported that the Boys & Girls Club YES Team has been working on the City trails with Ron Klemarczyk. They have cleared brush at the Jim Hill River Walk and Weir Road properties, and constructed the short section of trail on the Country Hill Estates property. The group also helped with the Marjory Swope Park trails and maintenance of the view clearing at Winant Park.

R. Hebert said that she met with the Penacook Historical Society to review the possible construction of a river walk along the Contoocook River. A site walk will be scheduled in October.

The group discussed the Contoocook River Local Advisory Committee and asked staff to contact the Concord representative to request copies of the minutes.

R. Chormann said that the Upper Merrimack River Local Advisory Committee would like to be placed on the Planning Board agenda to discuss buffers. G. McPherson asked them to email the information this week and she would place them on the August agenda.

Meeting adjourned at 9:20 PM.

A TRUE RECORD ATTEST:

Rebecca Hebert

Senior Planner, Secretary pro-tem