

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
November 9, 2011
City Council Chambers, City Hall Annex
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Christopher Morgan; Kristine Tardiff; Jim Owers; Jan McClure; Chris Kane; Tracey Boisvert; Rick Chormann; Pamela Hunt; Gloria McPherson, City Planner and Rebecca Hebert, Senior Planner, also attended the meeting.

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

1. Minutes:

The Commission reviewed the minutes of the October 12, 2011 meeting and the minutes were unanimously accepted.

2. Wetlands Bureau:

- a. Correspondence - R. Hebert reviewed the following correspondence from the New Hampshire Department of Environmental Services (NHDES):
- Letter from the NHDES regarding the approval of the City's "Notification of Forest Management or Timber Harvest Activities having Minimum Wetlands Impact" for the Penacook Lake timber sale;
 - Shoreland Permit by Notification application for the reconstruction of the existing retaining wall at 10 Fort Eddy Road; and
 - State of New Hampshire inter-department communication regarding the increase of temporary wetland impacts at the Bow-Concord project.

The Commission discussed the correspondence. R. Chormann asked if there were any issues with the bridge abutments at the Loudon Road crossing. He thought that this would be something the State would need to watch carefully, together with the erosion along the river embankment at 10 Fort Eddy Road. He also noted that glacial clay soils have been exposed at the Bow-Concord project off of Interstate 93.

3. City Open Space:

Dean and Margaret Wilber and their friend Robert Saunders were present to discuss the Wilber's property at 99 Oak Hill Road. Mr. Wilber provided a brief history of the property. He explained that they purchased approximately 39 acres in 1974 and constructed the existing house and garage that same year. The maple sugaring operation began in 1975 and the sugarcane was constructed in 1977. He said that approximately 100 sugar maple whips were planted between 1981 and 1982.

Mr. Wilber said that the property became a certified tree farm in 1991, and in 1991, the Wilbers also acquired the adjacent 10.5 acre parcel. He explained that the property now contains approximately 50 acres and is also the only planted sugar maple orchard in the State of New Hampshire. In 2008, the planted sugar maples were tapped for the first time and produced a very sweet maple sap.

Mr. Wilber also said that in 2010, he began working with the USDA NRCS to enhance wildlife areas and to re-establish work roads and trails. He explained that the second phase of this work would begin in November and he would like to establish a perimeter trail around the property and would also like to clearly mark the property boundaries.

He would like to adjust the lot lines between the 10.5 acre parcel and 39 acre parcel to create a four acre lot for the existing house and garage. Mr. Wilber said that he is interested in conveying a conservation easement on the sugar maple orchard and remaining forested land. He thought that a two to four acre area would need to be excluded from the conservation easement to allow for some flexibility. He explained that some improvements would need to be made to the property. The sugarhouse would need to be relocated and he would like to be able to provide bathroom facilities for the sugaring operation. He also envisioned building an addition onto the existing sugarhouse to provide space for the packaging and the candy kitchen. He also explained that he uses a reverse osmosis system that is very energy efficient.

Mr. Wilber said that he has concerns about public access to the proposed easement area, because the sugaring operation is a food processing procedure that needs to meet certain health and safety guidelines. He has also had problems with ATV's in the past.

The Commission discussed whether or not public access to the easement area could be provided from the adjacent city-owned parcel or other city-owned lands off of Shaker Road on Oak Hill. They also discussed the PSNH power line and noted that this was the location of the proposed Northern Pass. Mr. Wilber said that he currently grows blueberry bushes underneath the power line. The Commission thought it would be important not to restrict public access in the conservation easement in order to allow future owners the ability to open the property to the public. T. Boisvert also noted that it would be important to incorporate language in the easement regarding the maintenance of the sugar maples. The Commission agreed to arrange a site walk to visit the property. R. Hebert will contact the Wilbers and send out an email out to the group with possible dates.

4. City Council/Planning Board Action:

R. Hebert distributed a copy of the newly adopted Code of Ethics for Commission members to review. She explained that this is the City's first Code of Ethics and the Commission members would be considered "officers" under the ordinance.

R. Hebert said that the Planning Board will be holding a public hearing next week for the proposed relaxation of the covenants on the land off of exit 17 to allow for larger scale retail establishment. She said that the Commission reviewed this project when the owners applied for a Wetlands Standard Dredge and Fill Permit for the construction of the driveway access. The lot has been re-graded and the owners have also filed an Alteration of Terrain Permit with the NHDES.

R. Hebert also reported that the City Council will be discussing the proposed Delta Dental rezoning request off of Commercial Street. She said that both the Heritage Commission and Planning Board objected to the rezoning request. Delta Dental has removed the proposed construction of playing fields from their proposal. The Commission agreed to send a letter to the City Council.

Open Space (continued):

K. Tardiff 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.

R. Hebert said that the Swope property will be on the City Council agenda as a consent item next week. J. Owers asked if the City or Five Rivers has been talking with St. Paul's School about trail access to Jerry Hill. R. Hebert explained that Rob Knight has been talking with St. Paul's School about the use of the existing trails along the Turkey Ponds and has asked the School to consider allowing the construction of new trails and use of existing trails at the Jerry Hill property.

The Commission agreed to bring the proposed Society for the Protection of New Hampshire conservation easement on the agricultural land southerly of Gully Hill Road to the City Council in January. J. McClure suggested that the Commission also provide the Council with an overview of conservation easements. R. Hebert also said that the Forest Society offered to attend.

The Commission reviewed the Request for Proposals (RFP) for the contract of real estate appraisal services. R. Hebert explained that two proposals were received. Both of the firms who responded to the RFP were very qualified but there was a significant difference in their hourly rates. McManus and Nault provided a lower rate. K. Tardiff moved to recommend that the real estate appraisal contract be awarded to McManus and Nault Appraisal Services. C. Kane seconded the motion; the motion was approved unanimously.

5. Other Business/Reports:

R. Hebert provided a brief update on the trail work at Rossview Farm. The wetland scientist has delineated the wetlands in the vicinity of the proposed parking lot location. Almost the entire area was jurisdictional wetland. The group discussed the possibility of not providing off-street parking and having the parking located along the street. R. Hebert will follow up with General Services. She also said that the volunteers from the Trails Committee have marked the trail between Carter Hill Orchard and Currier Road.

R. Hebert reported that the Five Rivers Conservation Trust's Winant Park brochure has been printed and copies were distributed to the group.

J. McClure suggested that she and R. Hebert provide an overview of the Conservation Commission's accounts at the next meeting. She said that this information was explained that

this information was presented at the Fiscal Policy Advisory Committee meeting a few months ago.

C. Morgan said that he sent a note of thanks to the City Council for their support of the Maplewood Farm project.

The group discussed the need to fill membership vacancies on the Upper Merrimack River Local Advisory Committee and the Contoocook River and North Branch Local Advisory Committee.

The Conservation Commission welcomed Gloria McPherson, the new City Planner and introductions were provided.

Meeting adjourned at 9:30 PM.

A TRUE RECORD ATTEST:

Rebecca Hebert

Planner, Secretary pro-tem