

CONCORD CONSERVATION COMMISSION
REGULAR MEETING
MINUTES
April 11, 2018, 7:00 p.m.
Second Floor Conference Room, City Hall, 41 Green Street

Members present at the meeting included: Kris Tardiff (Chair), Jim Owers (Vice Chair), Councilor Mark Coen, Kathy Healy, Tracey Boisvert, Chris Kane, and Jeff Lewis. Assistant City Planner Beth Fenstermacher and Administrative Specialist Lisa Fellows-Weaver were also present. Alternate Jan McClure arrived later in the meeting.

1. Minutes

March 14, 2018

A motion was made by Mr. Lewis, and seconded by Mr. Owers, to approve the March 14, 2018, minutes, as written. The motion passed unanimously.

2. Public Hearing for the acceptance of land off Stickney Hill Ave. being donated by George Chesley for conservation purposes.

Ms. Tardiff opened the Public Hearing at 7:02 p.m. A brief explanation of the land was provided by Ms. Fenstermacher. She stated that letters of intent to donate have been received from the property owners and the title search has been completed. She noted that a site walk is scheduled for April 17.

With no additional comments or discussion, Ms. Tardiff closed the hearing at 7:04 p.m. Mr. Kane made a motion, second by Ms. Bosivert, to accept the land donation and recommend to City Council, pending the site walk on Tuesday. The motion passed unanimously.

3. Public Hearing for the purchase of land off Little Pond Rd owned by the Tanner Family Trust for conservation purposes

This item was cancelled due to the land being sold to another party.

Mr. Owers stated that he will contact the new owners to see if they have any interest in doing an easement with the Commission for the back land area.

4. Nobis Engineering, on behalf of St. Paul's School, requesting a Conditional Use Permit for to the wetland buffer and the shoreland protection district, and reviewing a Wetlands Permit Application, to install a temporary construction platform for exterior maintenance of the power plant building; and also, for impacts to wetlands.

Naomi Praul from Nobis Engineering represented the application on behalf of St. Paul's School (SPS). SPS is requesting Wetlands and Shoreland Permits from NHDES for temporary impacts to the Turkey River and to the 50-foot Waterfront Buffer. Copies were provided for review. She explained that the proposal is for exterior improvements to the existing Power Plant building located on the west side of Dunbarton Road, adjacent to the Turkey River. The building is brick masonry and was built in 1926. The improvements proposed will be made to the exterior of the building and will include repair and replacement of windows, masonry and mortar.

Ms. Praul explained that with the flow and location of the Turkey River, the access to the area requires a temporary platform to be constructed over the river, with eight piles driven into the river bed. These areas will be restored and re-vegetated once the improvements have been completed. The piles will be cut off at the mud line of the riverbed and will remain.

In addition, the project is located within the City Shoreland Protection (SP) District as well as within the 50-foot wetland buffer of the Turkey River. Conditional Use Permits have been requested for the

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disturbance of the 50' natural vegetative wetland and shoreland buffer of the Turkey River. She explained that a 5,160 sf area along the river bank will be cleared for equipment to access the site as well as for the construction of a temporary gravel pad that will be used to support the crane used to drive the eight piles. She noted that there will also be impact to the east bank of the river where a 750 sf area will be used for access to the building wall and to the temporary work platform.

With no additional comments or discussion, Mr. Owers made a motion, second by Mr. Kane, recommending approval of the Conditional Use Permits for the temporary impacts to the shoreland buffer of the Turkey River and to the 50-foot wetland buffer. The motion passed unanimously.

The Commission did not have any comments or concerns to express to NHDES regarding the wetlands permit.

5. NHDES items

a. Terrill Park Wetlands Permit

Ms. Fenstermacher provided an update on the Terrill Park project. She stated that a wetlands permit is being submitted by VHB and they are still working on the Shoreland permit.

A discussion was held regarding the ash trees on the property Ms. Fenstermacher spoke with the NH Division of Forest and Lands and they indicated that 50% of the trees on the property are ash trees, and all of the ash trees are infested with the Emerald Ash Borer. The Division requested that they be notified prior to clearing for construction.

A discussion was held regarding the location of the proposed Merrimack River Greenway trail as it appears on the proposed plan that the proposed field location may encroach on the proposed trail location.

The Commission did not have any additional comments or concerns and signed off on the wetland's permit application.

b. West End Farm Trail Minimum Impact Wetlands Permit for Culvert Installation

Ms. Fenstermacher explained that she is working with Ron Klemarczyk to complete an expedited minimal impacts wetland permit application for upgrades and culvert installation along a portion of the West End Farm Trail, where there is an existing logging road through a wetland area. The trail is wet, former logging road upgrades are failing, and trail users are walking or riding around to avoid the wetter areas causing further impacts in the wetlands. Ms. Fenstermacher and Mr. Klemarczyk met with DES who proposed that culverts be installed every 75 feet. Ms. Fenstermacher indicated that the road is a public right-of-way that was created during the construction of I-89 to allow access to land cut off by the highway. The property owners are responsible to keep the road open.

Ms. Fenstermacher stated that the wetland permit will be completed before the May meeting to be signed by the Commission for expedited review. The funds for this project are already included in the trail budget. She noted that a local snow mobile club will be approached to assist with some costs or labor.

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6. Reports

a. Trails Subcommittee

Ms. Tardiff stated that the new trail procedures were presented to the subcommittee this evening. She stated that the Commission will address the subcommittee's proposed trail proposal procedures at the May meeting. She stated that she will attend the Trails Subcommittee meeting again next month.

Ms. Fenstermacher reported that the subcommittee will also be presenting their proposed trail selection criteria in May.

Ms. Fenstermacher stated that she has received a request from former trails member Matt St. Onge, requesting that the parking area at Broken Ground be reduced in size as it is too large and causing illicit behavior. He suggested that all parking be along the street. Ms. Fenstermacher stated that the parking lot was built using recommendations from the city's engineering staff and built to allow cars to safely back out within the lot instead of on the street. She noted that a street light was previously requested and was denied.

Councilor Coen stated that the police department should be notified and they need to acknowledge the need for an increase in enforcement.

With no further discussion, the Commission members did not feel that a modification to the parking area was necessary; however, more presence of law enforcement would be appreciated.

b. Upper Merrimack River Local Advisory Committee – Nothing to report.

c. Contoocook and North Branch Rivers Local Advisory Committee

Ms. Fenstermacher provided the annual report for CNBRLAC.

d. Forestry - A copy of the monthly forestry report was distributed for review.

Ms. Fenstermacher noted the forestry plans in next year's budget.

e. Street Trees

Ms. Fenstermacher announced that Arbor Day will be celebrated on April 27 at 10 a.m. at Rollins Park. She stated that two trees have been donated and the plantings will kick off the Rollins Park restoration program, which includes planting an additional 60 trees in the following weeks.

Ms. Fenstermacher updated the Commission of recent damages that has occurred to trees on the State House property, City property, and the Historical Society.

7. City Open Space

a. Riparian Plantings – Manchester Sand & Gravel Easement

Ms. Fenstermacher reported last month that the Merrimack River Watershed Council had approached the City requesting to plant riparian plantings at 2 locations in the City utilizing grant funds. One of the properties is under Conservation Easement on the Soucook River; the other is State-owned land along the Merrimack River. The Commission had requested additional information about the location of the

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plantings and the proposed species. Ms. Fenstermacher presented the proposed plan. With no further discussion, members were in favor of the proposal.

b. NHDOT request for mitigation projects

NHDOT sent a letter requesting recommendations for mitigation projects within Concord due to pending road projects impacting wetlands. Ms. Fenstermacher will see how much funding is available and will suggest to the City Engineer that culvert replacement projects be considered for mitigation.

8. City Council/Planning Board

a. 100% Renewable Energy

Councilor Coen stated that a resolution was presented at the last Council meeting for 100% renewable energy for the City by 2030. A public hearing was set for the May meeting. Lengthy discussion ensued as to the importance of renewable energy and the affects that this would have to every phase of City government.

Members commented that this is a good goal; however, the resolution is premature. The Commission expressed concern with the climate change and impacts to the conservation lands. Members referred to items 9 and 11 within the resolution and suggested that the Energy Advisory Committee follow that advice prior to implementing anything. It was stated that nothing has been vetted by the public or any committee's throughout the City and this should be researched further. Ms. Tardiff stated that she would draft a letter stating the Commission's position to be presented prior to the May Council meeting.

9. Follow-up/On-going Items:

a. Easement enforcement policy discussion

This item was tabled to a future month.

b. ARM Grant – Country Hill Estates, others?

A brief discussion was held regarding the Country Hill Estates property. Members felt that this property was a good candidate for an ARM Grant. Ms. Fenstermacher will submit the pre-application before the April 30th deadline.

c. Conservation Easement Standard Templates: Agriculture/Forestry, Riparian/Wildlife, and SPNHF revised

This item was tabled.

10. Non-public session for the discussion of the acquisition of conservation property in accordance with RSA 91-A:3, II(d)

Mr. Owers made a motion, second by Ms. McClure, to enter into a non-public session, per RSA 91-A:3,II(d). By a roll call vote, the motion passed by a unanimous vote at 9:03 p.m.

Mr. Owers made a motion, second by Mr. Kane, to come out of non-public session at 9:58 p.m. With a roll call vote, the motion passed unanimously.

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Mr. Owers made a motion, second by Mr. Kane, to seal the minutes of the non-public session, per RSA 91-A:5, IV. With a roll call vote, the motion passed unanimously.

Mr. Owers made a motion, second by Ms. McClure, to support the request from Morrill Farm to amend the lease with evidence supporting the percentage reduction request. The motion passed unanimously.

Mr. Owers made a motion, second by Ms. McClure, to enter into an agreement for a land swap with the Lassondes, and to support the necessary costs, not exceed a total of \$10,000. The motion passed unanimously.

Ms. Boisvert made a motion, second by Mr. Kane, to authorize the appraisal of the Martin property, and to support the necessary costs up to \$5,000. The motion passed unanimously.

There being no further business, Mr. Owers made a motion, second by Ms. McClure to adjourn. The motion passed unanimously at 10:01 p.m.

Respectfully submitted,
Lisa Fellows-Weaver
Administrative Specialist