

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

MINUTES

SEPTEMBER 12, 2018, 7:00 PM

Second Floor Conference Room, City Hall, 41 Green Street

Members present at the meeting included: Kristine Tardiff (Chair), Jim Owers (Vice Chair), Councilor Mark Coen, Tracey Boisvert, Rick Chormann, and Jeff Lewis. Assistant City Planner Beth Fenstermacher was also present.

1. Minutes

- a. **August 8, 2018, Regular Meeting** – A motion was made by Mr. Lewis, seconded by Mr. Chormann to approve the August 8, 2018 minutes, as amended, with edits that do not alter the content of the meeting. The motion passed unanimously.
- b. **August 8, 2018, Work Session** – A motion was made by Mr. Lewis, seconded by Mr. Chormann to approve the minutes as written. The motion passed unanimously.
- c. **August 27, 2018, Work Session** – A motion was made by Mr. Owers, seconded by Mr. Coen to approve the minutes as written. The motion passed unanimously.

2. Energy & Environment Committee – discussion of proposed solar ordinance

Rich Maher, from the Energy & Environment Solar Ordinance sub-committee, provided an overview of their plans to draft a solar ordinance. He described areas where they believe there is common purpose and goals between our two committees and areas where they believe that solar would fit into the recommendations of the Conservation Open Space Plan update. They would like to incorporate renewables where appropriate and would not want them installed where there would be damage (ex. wetlands) or eye sores in scenic areas.

He explained that they hope to allow agricultural lands to be used for solar installations. He said that they have a 25-30 year lifespan and could be considered temporary, they could be an economic benefit to farmers, they can be installed without removing soil, they can provide intermittent shade for cows, and some plants and mushrooms can be grown underneath. They hope to incorporate a plan for pollinators.

He explained that large installations need to be near appropriate infrastructure, which limits the location of where large systems can go. He said that the draft solar ordinance is intended to provide clarity and is modeled after the NHSEA ordinance. It proposes three size systems (small, medium, and large). Small systems would be less than 100kw and would be considered an accessory use on a house. Medium systems would be between 100kw and 1 megawatt and large systems would be greater than 1 megawatt. When asked how much land an installation would need, he said that a 1 megawatt system is about 35,000 panels and would require about 5 acres of land of packed tightly together. He said that for large systems, they are proposing a planning board conditional use permit with lots of conditions.

He was asked whether the committee had looked into putting solar over parking lots or large rooftops. He explained that there is a separate working group looking at that but that snow can be an issue.

Ms. Fenstermacher explained that planning staff is currently reviewing the draft. Under current regulations solar is not prohibited. It requires a building permit and an electrical permit.

Mr. Coen asked if anyone had looked at whether existing infrastructure is located near areas appropriate for solar. For example, near Hall Street waste water treatment facility or the landfill. Ms. Fenstermacher explained that nearby infrastructure would be necessary only for large installations and they are working on mapping these areas. Medium sized systems would more likely be associated with housing developments, like a community solar installation.

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Several questions were asked including whether it was possible to look at cluster subdivision regulations. Could a portion of land be allowed for solar in addition to open space? What are other communities doing? How do they deal with open space?

Conservation Commission members said that they have heard from local dairy farmers that there is currently not enough agricultural land to provide the silage that they need and that solar could put additional pressure on them. Mr. Maher was asked if their subcommittee had reached out to farmers yet and he said that they hadn't.

Mr. Lewis indicated that he was concerned if the ordinance only considered the area of the pole when calculating impervious surface. He and others were concerned that the large, flat surfaces of solar panels in a concentrated area would change drainage patterns and increase runoff and that there should at least be some type of effective impervious area calculation considered.

Members asked when a draft would be available for review by the Conservation Commission and there was concern that they be given enough time to review. Ms. Fenstermacher said they would be meeting with the Energy subcommittee to provide comments on the draft next week. There could be further discussion at the October 10th meeting.

They are hoping to have a public hearing in late October based on a final draft. Larger questions to be answered – do residents want 10 megawatt systems in the City? If not, how large? Zoning questions – Constraints on location? (ex. zoning question – changing character from rural to industrial).

3. New England Mountain Bike Association (NEMBA) Maintenance Agreement Review – Broken Ground mountain bike trails

Mr. Owers provided an overview of the memorandum of understanding between the City and NEMBA for the approved mountain bike trail on the City's Broken Ground property. The agreement was developed with input from the City Solicitor's Office.

A motion was made by Mr. Owers, seconded by Mr. Lewis, to recommend that the City Manager enter into the agreement with NEMBA as drafted.

4. NHDES Items – none

5. Reports

a. Trails Subcommittee

Ms. Tardiff circulated copies of draft "Trail Criteria" and draft "Procedure for Approval of New Trail or Trail Network" documents for further discussion.

A motion was made by Mr. Owers, seconded by Mr. Lewis, to approve the documents as drafted.

Mr. Lewis provided several updates from the recent Trails Subcommittee meeting. There are three upcoming guided hikes on City trails: September 22 – Riley Trail, October 6 – Dimond Hill Farm, and October 13 – Swope/Winant Connector Trail. The sub-committee is looking for three new trail steward volunteers for trails at Contoocook River Park, Rolfe, Sugarball, and Weir Road. Unauthorized trail construction was reported at Swope/Winant Connector as well as vandalism at the Broken Ground trail head. An abandoned ATV was also found on the Unutil parcel and was reported to Fish and Game. Trail improvements at the south end of the West End Farm Trail were completed. Ms. Fenstermacher also added that Dimond Hill Farm has posted trails on the property limiting the hours of access from 7 am to 5 pm. She is checking with Five Rivers to see what the easement allows.

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b. Upper Merrimack River Local Advisory Committee

Mr. Chormann reported that rock baskets had been collected this summer so “Bug Nights” will be in full swing this winter, otherwise nothing new to report.

c. Contoocook and North Branch Rivers Local Advisory Committee

Nothing new to report.

d. Forestry

Ms. Fenstermacher passed around the Forester’s Report.

e. Street Tree Committee

The subcommittee is now being called the “Concord Tree” subcommittee. Ms. Fenstermacher indicated that she is planning a meeting with Ms. Tardiff and the City Manager to approve staff assignments, after which she will send out a call for volunteers. She also indicated that General Services staff will be able to participate if meetings are scheduled in the morning. They would also like time at the first meeting to explain the City’s responsibilities.

6. City Open Space

a. Agricultural Leases

Ms. Fenstermacher passed around a summary of the City’s agricultural leases. Three leases are coming up for renewal. Members agreed that we should check to make sure the farmers wish to renew the leases. The Gully Hill lease requires Council approval, if the farmer would like to renew the lease, Ms. Fenstermacher will submit a report to Council in November for approval to renew the lease.

b. Easement Monitoring Update

Ms. Fenstermacher indicated that monitoring is completed and there are no new issues from last year. She will follow up with City Solicitor on issues identified in previous years.

7. City Council/Planning Board

Mr. Coen provided an update regarding the modifications passed to the fall leaf pick up. He also indicated that he is hoping to ask that the Council require every City board, commission, and committee to provide a copy of the ordinance governing the committee to members every two years and to post it in their minutes. Ms. Tardiff recommended that this be added to the Conservation Commission agenda for the October meeting.

Ms. Fenstermacher provided an update regarding the zoning ordinance consultant work. There will be a public presentation by City staff on September 25th of the “character analysis.”

8. Follow-Up/Ongoing Items:

- a. **Chelsey property** – closed on August 24th
- b. **Lassonde Land swap** – closed on August 23rd
- c. **Hardy property** – closing on September 22nd
- d. **Martin property** – hopefully closing next week
- e. **Country Hill Estates** – ARM application was submitted August 31st. A site visit with the ARM committee will be scheduled for late September or early October
- f. **Enforcement policy discussion** – continued to future meeting
- g. **Conservation Easement Standard Templates** – continued to future meeting

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9. Other Business

- a. NHACC Conference November 3rd – Registration is now open. Members interested in attending should register online.

There being no further business, Mr. Lewis made a motion, second by Mr. Owers, to adjourn the meeting at 9:07 p.m. The motion passed unanimously.