

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

MINUTES - DRAFT

OCTOBER 10, 2018, 7:00 PM

Second Floor Conference Room, City Hall, 41 Green Street

Members present at the meeting included: Kristine Tardiff (Chair), Councilor Mark Coen, Rick Chormann, and Jeff Lewis. Jim Owers (Vice Chair) arrived at 7:20 p.m. Assistant City Planner Beth Fenstermacher and Administrative Specialist Lisa Fellows-Weaver were also present.

**1. Minutes**

*September 12, 2018*

A motion was made by Mr. Lewis, seconded by Mr. Chormann, to approve the September 12, 2018 minutes, as written. The motion passed unanimously.

**2. James Neefe requesting to amend a previously approved subdivision to allow for the redevelopment of an existing logging road to be utilized as a residential driveway within the 50' perimeter buffer.**

Mr. Neefe was present and explained that he wishes to use an existing logging road at his house at 105 West Parish Rd as a part of a new driveway as opposed to the driveway design which was a part of a cluster subdivision. He stated that the proposal is a much better location and would leave the corridor intact. He noted that there is also a wet area that would need to be addressed if they pursued the original plan. Mr. Neefe stated that the neighbors are not opposed to the new design.

Ms. Fenstermacher stated that for an amendment to a subdivision plan is required because the new driveway location is proposed to be within the 50' perimeter buffer easement, and Planning Board approval is required for any development within the perimeter buffer. A recommendation from the Conservation Commission is also required as the proposed driveway is within an area under Conservation Easement. The driveway is proposed to be 12 to 15 ft. wide.

Members felt that this was a reasonable request and had no concerns with the condition that the driveway width not exceed 15 ft.

A motion was made by Mr. Chormann, seconded by Mr. Coen, to grant permission for the location of the driveway to cross the conservation easement, as proposed. The motion passed unanimously.

**3. T.F. Bernier on behalf of Strategic Contracting requesting Conditional Use Permit to impact 2,770 sf of wetland buffer for a proposed driveway associated with a proposed subdivision at Shaker Road and Snow Pond Road.**

Tim Bernier, of TF Bernier was present. He explained that the proposal is to subdivide a 26 acre parcel on Snow Pond Rd. and Shaker Rd. into three residential single family lots. In addition, a boundary line adjustment will be done to annex 2 acres to an adjacent parcel. This will result in three lots, with one lot fronting on Shaker Rd. and two lots with frontage on Snow Pond Rd. He explained that they are requesting a CUP to impact wetland buffer for the construction of a driveway as there are wetlands existing on the proposed 16 acre lot, and the buildable area is beyond the wetlands; however, there will be no impact to the wetlands. The applicant is proposing three culverts under the driveway that will discharge to the buffers. He stated that the buffer impact was increased from the original application due to the addition of 2 ft. driveway shoulders to accommodate emergency vehicles on the long driveway, at the request of the Engineering Division. The total impact to the wetland buffer is 3,252 sf. No waivers are required and state subdivision has been granted.

Mr. Lewis stated that this proposal is the least impact. With no public comment, Mr. Lewis made a motion, seconded by Mr. Chormann, to recommend approval of the Conditional Use Permit, as presented. The motion passed unanimously.

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**4. NHDES Items** – none

**5. Reports**

*a. Trails Subcommittee*

Mr. Lewis attended the subcommittee meeting and provided a few updates. He reminded folks of the upcoming hike on October 27 – Swope/Winant Connector Trail. He noted that the sub-committee is still looking for trail stewards for 3 trails. He stated that signs were purchased for some of the trails and the sub-committee will be installing the new signs. Discussion was held regarding renting a brush mower to do maintenance on some trails, specifically to widen.

Additional discussion was held regarding rogue trails. Mr. Owers stated that he would like to see signs posted by the trails subcommittee on rogue trails. He noted that the Devoids will be re-opening their property but requested that the City provide private property signs. If abuse of the land continues, they will be officially posting their property.

Ms. Fenstermacher stated that NEMBA's trail day is tentatively scheduled for November 10 and they are looking for volunteers.

*b. Upper Merrimack River Local Advisory Committee*

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. Concord Tree Committee*

Ms. Fenstermacher indicated that the *Concord Tree Committee* announcement for members will be in the City Manager's Newsletter. She explained the process and stated that the deadline for letter of interest is October 31.

**6. City Open Space**

*a. Signage for Acquired Parcels*

A discussion was held regarding using Commission funds to purchase signage or markers for recently purchased or acquired properties. Ms. Tardiff stated that the Commission has not typically provided signage naming the previous property owner. Properties donated may be considered differently. Ms. Fenstermacher suggested that if this is something that the Commission wants to do, she suggested 8 x 11 signs. Since it was specifically requested by the Hardy and Martin families as a condition of the sale, those signs should be provided. It was suggested that the Hardy property have a kiosk with family history since the site has significant historic features.

Mr. Owers suggested placing a granite post for the Martin property and he provided costs that he obtained. Mr. Lewis made a motion, second my Mr. Chormann, to purchase a granite post for the Martin property, up to \$200. The motion passed unanimously.

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***b. Rossview Farm***

Ms. Fenstermacher updated the Commission on the Ross property. She stated that there have been reports from both the property owner and from bikers and walkers using the trails. In addition, the property owner has expressed concern about allowing fishing on the pond with the reasoning that there is an impact to the water, which is used for irrigation; fishing is an allowable use of the easement. She noted that the easement includes linear feet for trails and anything under agriculture is not included within the easement. She added that the easement does allow for the property owners to limit uses and they have already limited mountain biking and equestrian usage.

Ms. Fenstermacher stated that the annual site visit with the State planning office has been scheduled and an annual meeting will follow with the other easement holders.

**7. City Council/Planning Board**

*Community TV Award*

Per the request of Councilor Coen, Ms. Fenstermacher showed a video of the trails passport program made in conjunction with Concord TV and The Wellness Coalition. She noted that the Concord Community TV won an award for this video. This video was shown at the recent Council meeting.

*Solar Ordinance Update*

Ms. Fenstermacher stated that an outline has been submitted by the Energy & Environment Committee; however, the ordinance needs to be updated and reworked as there are still some issues with lot coverage and lot size. Discussion ensued regarding impervious areas and the placement of solar panels. It was noted that there needs to be a comprehensive plan available.

Ms. Fenstermacher also stated that the City is moving forward with the landfill project. She stated that the project will be grouped together with the waste water treatment plant and the water treatment plant. She added that these properties can meet the demands and the city will be 100% renewable energy. The hope is that the projects will be completed by spring.

*Enabling Ordinance*

Councilor Coen requested that copies of the Commission's Enabling Ordinance be distributed for review. He stated that every City board, commission, and committee needs to read this ordinance, which governs the entity. Ms. Tardiff read the original goals of the Commission as stated in the by-laws, and there was general discussion about the how the Commission is meeting the goals.

*By-Laws*

In addition, the Commission will begin to review and revise their By-Laws, dated January 11, 1995. To be emailed to members for the next meeting.

**8. Follow-Up/Ongoing Items:**

- a. Hardy property*** – closed on September 22<sup>nd</sup>
- b. Martin property*** – closed September 18<sup>th</sup>
- c. Country Hill Estates*** – The site visit with the ARM grant committee was held and those present felt that the site was well received by the grant committee. The result of the grant application will be announced by Thanksgiving.

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**d. Richards Property – 76 Hutchins Road**

Mr. Lewis will contact the property owner. Mr. Owers stated that the property does not connect to any other conservation property and he does not believe that the area is under and threat of development at this time

**e. Easement Enforcement Policy Discussion - continued to future meeting**

**f. Conservation Easement Standard Templates - continued to future meeting**

**g. Other** - It was requested that Ron blaze boundaries for the newly acquired properties, as well as the Freese lot.

**9. Other Business**

- a. NHACC Conference November 3<sup>rd</sup> – members were reminded to sign up and send invoice

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

Mr. Lewis made a motion, second by Mr. Chormann, 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 8:37 p.m.

Mr. Lewis made a motion, second by Mr. Chormann, to come out of non-public session at 8:52 p.m. With a roll call vote, the motion passed unanimously.

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

There being no further business, Mr. Chormann made a motion, second by Mr. Lewis, to adjourn the meeting at 8:54 p.m. The motion passed unanimously.

Respectfully submitted,  
Lisa Fellows-Weaver  
Administrative Specialist