

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

April 14, 2021, 7:00 PM

MINUTES

The regular monthly meeting of the Conservation Commission was held on April 14, 2021, via Zoom, at 7:00 p.m.

Attendees: Chair Kristine Tardiff, Vice-Chair Jim Owers, Councilor Brent Todd, Members Jeff Lewis, and Alternate Stefan Matlage.

Absent: Rick Chormann, Chris Kane, and Kathy Healy

Staff: Beth Fenstermacher, Assistant City Planner  
Lisa Fellows-Weaver, Administrative Specialist

**Call to Order**

The meeting was called to order by Chair Tardiff at 7:02 p.m. at which time Ms. Tardiff read the following statement:

As Chair of the Concord NH Conservation Commission, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Commission is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, we have provided public notice of the necessary information for accessing the meeting, and instructions are provided on the City of Concord's website at: [www.concordnh.gov/planning](http://www.concordnh.gov/planning)

**With Regard to providing public access to the meeting;**

We are utilizing the Zoom platform for this electronic meeting. All members of the Commission have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through visiting the following website address: <https://us02web.zoom.us/j/89103102691>.

If you do not have website access, you may dial the following phone number 929-205-6099 and enter the webinar id **891 0310 2691**.

For those calling in who want to provide public testimony, *via* the website, you may click on the chat icon to ask, or click "raise hand" to be recognized as authorized by the Chair. For participants, dialing in on a phone, you may dial \*9 to alert the Chair that you want to testify. Please note that testimony only applies to public hearings, and public participation may not be authorized in a public meeting which is not a public hearing.

**With Regard to providing the public with a way to alert us about access problems;**

If anybody has a problem, please call 603-225-8515 or send an email to: [planning@concordnh.gov](mailto:planning@concordnh.gov).

**With Regard to adjourning the meeting if the public is unable to access the meeting;**

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Roll Call attendance was taken with each member indicating whether there is anyone in the room with them during this meeting, which is required under the Right-to-Know law.

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**Reminder for the public**

If you have a question or any trouble accessing this meeting please call the planning department at 603-225-8515.

For those calling in who want to provide public testimony, *via* the website, you may click on the chat icon to ask, or click “raise hand” to be recognized as authorized by the Chair. For participants, dialing in on a phone, you may dial \*9 to alert the Chair that you want to testify. Please note that testimony only applies to public hearings, and public participation may not be authorized in a public meeting which is not a public hearing.

**Reminder to Commission members**

- Please mute yourself when not speaking.
- Please raise your hand in the participants section of your Zoom screen.
  - Also, if viewing in gallery view, wave your hand in front of the camera to make sure you are heard.
- In your zoom screen, change your view in the upper right corner from speaker view to gallery view to see all panelists.

**1. Minutes**

***March 10, 2021***

A motion was made by Mr. Lewis, seconded by Mr. Matlage, to approve the March 10, 2021, minutes, as amended with edits that do not alter the content of the meeting.

The motion passed unanimously, with a roll call vote as follows:

Ms. Tardiff – in favor

Mr. Lewis – in favor

Mr. Matlage – in favor

Mr. Owers – in favor

- 2. Wilcox & Barton on behalf of 3G Eagle LLC requests Conditional Use Permit (CUP) in accordance with Article 28-3-6(d)(4) CUP Required for Certain Uses in the Aquifer Protection District (APD) for the construction of an additional 24,550 sf of impervious area within the APD.**

Erin Lambert, of Wilcox and Barton represented the application.

Ms. Lambert explained the proposal is a Major Site Plan application for an expansion of the parking and loading area. The property is currently single occupancy and the applicant is proposing to subdivide internally and create 3 suites for office/warehouse use as well as modify the loading docks and add 5 overhead doors. CUP’s have been requested for 19 fewer parking spaces and for an increase to impervious surface in the aquifer protection district. The CUP in the Aquifer Protection District (APD) is due to the fact that they intend to construct 24,550 sq. ft. of new impervious surface.

Ms. Lambert provided an explanation of the stormwater management plan. She stated that the majority of the runoff from the roof, the new loading dock area, and the parking area will be captured by a series of catch basins. She stated that there is a decrease in the rate and volume from post development runoff. She stated a stormwater pollution prevention plan will be provided as it is a requirement due to the location within the Aquifer protection district.

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Mr. Lewis suggested hooded catch basins be added for additional water quality protection. Ms. Tardiff appreciated that the extra parking area is not being built unless it is needed; the Commission is always in favor of less impervious surface.

A motion was made by Mr. Lewis, seconded by Mr. Owers, to recommend approval of the two CUP's, as submitted, with the recommendation that hoods be included in all catch basins and that the Engineering Division staff ensure all other requirements relative to drainage are met.

The motion passed unanimously, with a roll call vote as follows:

Ms. Tardiff – in favor

Mr. Lewis – in favor

Mr. Matlage – in favor

Mr. Owers – in favor

**3. NHDES Items - No new items**

**4. Reports**

**a. Trails**

Mr. Lewis attended the Zoom Trails Subcommittee meeting and provided an overview.

Mr. Lewis provided updates on the trails. He stated that the trail agreement for the last segment of the Backwoods connector path was received and construction will be moving forward and will be opening up soon. The Trails Committee will be blazing the trail and adding signage.

Mr. Lewis stated that the Rossview connector trail is still an ongoing item as the placement of the new trail is still being finalized. Ms. Fenstermacher stated that she and Mr. Klemarczyk met with Mr. Ross and walked the proposed re-route with the Rosses and now that area has been GPS'd by Mr. Klemarczyk. She is in the process of making a map and will send it out for approval. She explained that there is an approval process to go through with the State for any relocation. She noted that there are new signs that will be needed for the area as well.

Mr. Lewis stated that Knowlton Woods Trail is coming along. The West trail is almost complete. He explained that there is one segment in the parking area that has had some issues. There has been some progress on the East trail and NEMBA is continuing to work on the trail. Mr. Owers added that Matt Bowser is working on a design that will separate out a portion of the trail into a mountain bike section and a hiking section due to safety issue.

Mr. Lewis stated that maintenance is continuing. He noted that the Committee is working on their spring trail check reports and they should be completed in time for the next meeting.

A site walk has been scheduled for the West Locke Road trail next Wednesday morning to look at the possibility of an additional loop trail. Ms. Tardiff noted that this has been a very dry spring and that could be an issue when looking to possible locations as the land could be dry now and wet normally. Mr. Matlage stated that this has been a strange year and there have been some affects with the water levels. Mr. Lewis agreed and added that the area is in the flood plain.

**b. Forestry**

Mr. Lewis stated that Mr. Klemarczyk's report was discussed at the Trails meeting. Most of the report referenced many down trees and the ongoing maintenance. He added that there have been some instances of dead animals being placed in parking lots.

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Ms. Fenstermacher stated that the new intern, Cathy Mccomish, has been hired and will begin working with her and Mr. Klemarczyk next week. She will be doing the easement monitoring, updating the kiosks, as well as the signage. She added that she hopes that Ms. Mccomish will attend next week's site walk and next month's Trails and Conservation meetings.

**c. *Tree Committee***

Minutes of the last meeting were attached.

**d. *Local River Advisory Committees***

The Turkey River watershed survey will be recirculated to members.

**5. City Open Space and Easements**

**a. *Tree Removal at 35 Hot Hole Pond Road***

Ms. Fenstermacher explained that there is an easement on the property from the cluster subdivision and she presented the subdivision plan. She stated that the property owners are in the process of building a house and it has been noticed that there are a few trees that are rotting and presenting a safety concern. The trees, however, are on the edge of the conservation easement. The owners would like to remove these trees. They will keep the stumps. The property is still a well vegetated site. There is a requirement within the easement that in order to remove any trees the Commission must be notified.

The Commission had no concerns with the removal of the trees.

**6. City Council/Planning Board**

Councilor Todd stated that at the May 10 City Council meeting, Mr. Matlage will become a full member of the Commission.

Councilor Todd noted that the Whitney Road development agreement was approved by City Council and the project will be moving forward.

**7. Follow-up/On-going Items:**

**a. *Leadbeater*** – closed on March 30<sup>th</sup>. Ms. Tardiff thanked all parties that were involved with this project.

**b. *MRGT*** – Councilor Todd stated that everything is moving forward relative to negotiations. Ms. Fenstermacher stated that there is an existing conservation easement held by the state that goes through the Gully Hill Field property that was required for wetland mitigation. If the construction of the trail in the easement area is not approved by NHDOT then the project will likely not move forward, since it will require that the trail go through the field. Alternatives are being looked into for the connection to Terrill Park now.

**c. *Education/Outreach: ConcordTV videos, 50<sup>th</sup> anniversary ideas***

Continued to next month. Ms. Fenstermacher stated that Ms. Mccomish could assist with this project.

**d. *Trail Master Plan update***

Ms. Fenstermacher stated that Heather Shank has reviewed the proposed Master Plan. She stated that she would like to have the Planning Board review this at their May meeting and

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then onto City Council for the June meeting, prior to City Council acting on the new trail ranger position. Separate public hearings will be scheduled for the Conservation Commission.

*e. Conservation Preserves*

Continued to next month.

*f. Conservation Easement Standard Templates*

Continued to next month.

**8. Other Business**

There was no other business to discuss.

**9. Non-Public Session**

Mr. Owers made a motion, second by Mr. Matlage, to enter into a non-public session at 8:11 p.m. per RSA 91-A:3, II(d).

The motion passed unanimously with a roll call vote as follows:

Ms. Tardiff – in favor  
Mr. Lewis – in favor  
Mr. Matlage – in favor  
Mr. Owers – in favor

Mr. Owers made a motion, second by Mr. Matlage, to come out of non-public session at 8:48 p.m.

The motion passed unanimously with a roll call vote as follows:

Ms. Tardiff – in favor  
Mr. Lewis – in favor  
Mr. Matlage – in favor  
Mr. Owers – in favor

Mr. Lewis made a motion, second by Mr. Owers, to seal the minutes of the non-public session, per RSA 91-A:5, IV.

The motion passed unanimously with a roll call vote as follows:

Ms. Tardiff – in favor  
Mr. Lewis – in favor  
Mr. Matlage – in favor  
Mr. Owers – in favor

**Adjournment**

There being no further business, Mr. Lewis made a motion, second by Councilor Todd, to adjourn the meeting at 8:49 p.m.

The motion passed unanimously with a roll call vote as follows:

Ms. Tardiff – in favor  
Mr. Lewis – in favor  
Mr. Matlage – in favor  
Mr. Owers – in favor

Respectfully submitted,

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Lisa Fellows-Weaver  
Administrative Specialist