

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

MINUTES

December 8, 2021, 7:00 PM

Council Chambers, 37 Green Street

Attendees: Vice-Chair Jim Owers, Members Rick Chormann, Jeff Lewis, Kathy Healy, and Chris Kane

Absent: Chair Kristine Tardiff, Councilor Brent Todd, and Alternate Emily Landry

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

Public: Rebecca Ross, and Allison McGregor

Call to Order

The meeting was called to order by Vice-Chair Owers at 7:01 p.m.

1. Minutes

November 10, 2021

A motion was made by Mr. Lewis, seconded by Ms. Healy, to approve the minutes of November 10, 2021, with minor edits that do not alter the content of the meeting. The motion passed unanimously.

2. NHDES Items

There were no NHDES items.

Ms. Fenstermacher provided an update on the White Park pond expedited permit. She explained that DES determined after the permit was submitted that the project did not require a permit, and the work to cut the invasive lotus plant has started. A full restoration will be done in the spring to clean up the invasive lotus species, which will require a full permit and will return to the Commission for review.

3. Reports

a. Trails

Mr. Lewis attended the Trails subcommittee meeting and provided an overview. He stated that the committee continued to discuss more updates to the Trail Guides. They are hopeful that this project will be completed within the next two to three months.

Mr. Lewis mentioned the Healy Park map. He explained that the Trails Subcommittee has previously recommended that they would like to remove Healy Park from the maps since it is currently closed and not being used. It has been mentioned to consider combining the maps for Terrill Park and the Merrimack River Greenway Trail into one map. Ms. Fenstermacher suggested she speak with Parks and Rec to find out what their plan is for that area. She will report back to the Commission in January.

Mr. Lewis stated that the bench near the Broken Ground Trails was approved at last month's meeting. Ms. Page is still working on this item with the local Boy Scout troop.

Mr. Lewis reported that the Sub-Committee has completed the fall maintenance and trail checks. He added that Walkers Reserve will be addressed separately. Mr. Knight is working on compiling a report for the Commission for the January meeting.

Mr. Lewis reviewed the Sub-Committee's 2021 goals noting their accomplishments. He stated that they will be working to develop their 2022 list at the January meeting.

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Mr. Lewis stated that a trash clean-up day was done on November 27 and it is likely that another clean-up day will be held in the spring time. Ms. Fenstermacher stated that 30 bags of trash were collected. She noted that there were over 20 volunteers who participated, none of which were on the Trails Sub-Committees; one person was a trail steward. She thanked all who participated to make this event a success.

Mr. Lewis stated that the Sub-Committee elected new officers; Scott Daniels is the new chair with Fran Phillipe as the vice chair; Gail Page will continue as the secretary. He stated that Rob Knight will remain on the Sub-Committee and his time as chair and efforts are greatly appreciated. He added that the Sub-Committee is looking to recruit new members.

Ms. Fenstermacher noted that Ranger Mel will be out of commission for a short period of time.

b. Forestry Report

The forestry report was linked.

Mr. Owers stated that he was surprised to see the report referencing the logging performed on the Leadbeater lot, as he did not recall any logging being discussed or scheduled for 2021. Mr. Kane agreed. Mr. Owers stated that he did visit the site, work has begun and it looks good so far. Ms. Fenstermacher explained that the logging schedule is determined by the Conservation Commission during the upcoming yearly budget preparation and this plan was discussed back in February and March 2021.

c. Tree Committee

Ms. Fenstermacher stated that the Tree Committee minutes were attached for review. The next meeting is scheduled for December 21 at 8 a.m.

Ms. Fenstermacher stated that there have been discussions with some progress for future tree plantings on South Street and South State Street. Bids are expected to come in next week. The proposal is being presented to City Council in January. She added that there have also been discussions held regarding the need for enforcement for businesses to be replacing dead trees on their property. This led to a discussion regarding an incentive program for local businesses to plant and maintain their trees. The Chamber of Commerce was contacted and was very receptive to the idea and appreciative that they were included.

d. Local River Advisory Committees

Ms. Fenstermacher stated that City Council appointed Claire Lund to the Local River Advisory Committee. She added that she will contact her and request that she provide a monthly report to the Commission. She noted that there are still two open positions for the City.

4. City Open Space and Easements

Nothing new to report.

5. City Council/Planning Board

Nothing new to report.

6. Follow-up/On-going Items:

a. Conservation Preserves

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A work session was scheduled for December 10th at 8 a.m.

b. MRGT

Mr. Kane stated that there are other grant opportunities coming up. He added that the MRGT board will be assisting the City with an EDA grant application over the next few weeks for the design and construction of the boardwalk phase. Ms. Fenstermacher stated that design of the the corn field portion will begin soon; a letter from 2011 has been located in the Attorney General's office that indicated that the trail could be built.

Mr. Kane stated that he did not have any additional information on the TAP Grant.

c. Education/Outreach: ConcordTV videos, 50th anniversary ideas

Ms. Fenstermacher noted that the 50th anniversary recognition presentation to Council has been postponed to January. Ms. Tardiff has written a report and will present it to Council at their January 10 meeting. Ms. Fenstermacher stated that she would send the report to members for review prior to that meeting.

d. Conservation Easement Standard Templates – postponed to future meeting

7. Other Business

a. Dimond Hill Feasibility

Ms. Fenstermacher provided an update to the Dimond Hill fundraising or lack thereof by Equity Trust. She explained that Equity Trust is a fee title owner and they feel they do not have any obligations to the property; all obligations fall to the easement holders, which include Five Rivers, the NH Preservation Alliance, and the City. Equity Trust is still stating and making it very clear that they are not interested in doing any fundraising for the maintenance for the farm; the City does not take on buildings. Jennifer Goodman of the NH Preservation Alliance had been working on a grant application applying for a feasibility study to see what could be done for the property. The Commission previously approved a \$500 donation towards the feasibility study back in July to be used as a match for the grant, if received. Since the grant was not granted, NH preservation Alliance is requesting an additional \$1000 (total \$1500) for the study and an analysis. She stated that the total cost is \$9,000. In response to questions about whether Equity Trust wants to sell their interest, she responded that they would consider that, and added that Equity Trust would want money if they were to transfer ownership. She stated that the Preservation Alliance can do fundraising and they are contributing \$4,500 and are looking for partners and additional donors.

A motion was made by Mr. Kane, seconded by Mr. Chormann, to increase the contribution from \$500 to \$1,500 for the feasibility study for Dimond Hill property. The motion passed unanimously.

b. Arborist and City Forest/Conservation Land

Ms. Fenstermacher stated that she met with the City Manager Tom Aspell, Deputy City Manager Carlos Baia, and General Service Director Chip Chesley relative to the City Arborist assessing trees on Conservation land that abut residential properties and concerns with the City being responsible for tree removal due to crossing private property and potential liabilities for damage. She stated that the outcome was that the City Arborist will assess trees at the Commission's

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request if the tree health is questionable and Ron Klemarczyk does not feel comfortable making a final determination. But if the Arborist is not able to fully assess the tree because he does not have all of the equipment to climb a tree, General Services would recommend hiring an outside arborist to do a further assessment.

Also discussed at this meeting were the City forests and Conservation Commission lands relative to the management, if it is under the Commission direction or the Public Works Division. Ms. Fenstermacher stated that she will be going through the list of properties and will determine which are not intended to be just conservation properties. She added that this will be further discussed during the next preserves meeting. Ms. Fenstermacher noted that per the City Ordinance, General Services co-manages the City Forests and should be involved with the timber sales. She stated that most City Forests that are not also conservation land is land that is taken by tax deed or other funding.

c. Other - Follow-Up

1. Mr. Owers asked about the status of the Pan Am closing. Ms. Fenstermacher replied that the State has exercised their right of first refusal, which negates the City's Purchase and Sales agreement. Negotiations are ongoing with the State.
2. Ms. Fenstermacher stated that the Trails Master Plan will be addressed at the December 13 City Council meeting; it is on the consent agenda.

8. Non-Public Session

Mr. Lewis made a motion, second by Mr. Chormann, to enter into a non-public session at 7:55 p.m. for the discussion of the acquisition of conservation property in accordance with RSA 91-A:3, II(d).

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

Mr. Owers – in favor
Mr. Kane – in favor
Ms. Healy – in favor
Mr. Lewis – in favor
Mr. Chormann – in favor

Mr. Lewis made a motion, second by Mr. Owers, to come out of non-public session at 8:12 p.m. per RSA 91-A:3, II(d).

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

Mr. Owers – in favor
Mr. Kane – in favor
Ms. Healy – in favor
Mr. Lewis – in favor
Mr. Chormann – in favor

Mr. Lewis made a motion, second by Mr. Kane, 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:

Mr. Owers – in favor

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Mr. Kane – in favor
Ms. Healy – in favor
Mr. Lewis – in favor
Mr. Chormann – in favor

The motion passed unanimously.

No action was taken during the non-public session.

Adjournment

There being no further business, Mr. Owers made a motion, second by Mr. Lewis, to adjourn the meeting at 8:14 p.m. The motion passed unanimously.

Respectfully submitted,
Lisa Fellows-Weaver
Administrative Specialist