

CONCORD CONSERVATION COMMISSION

REGULAR MEETING MINUTES

DRAFT

August 9, 2023, 7:00 PM

City Hall, 2<sup>nd</sup> Fl Conference Room, 41 Green Street

Attendees: Chair Kristine Tardiff, Members Rick Chormann, Katherine Healy, Alternate Mark Coen, Allison McGregor, Councilor Stacey Brown

Absent: Vice-Chair Jim Owers, Member Emily Landry, Jeff Lewis and Chris Kane

Staff: Heather Shank, City Planner  
Alicen Twardosky, Administrative Specialist II

Public: Rebecca Ross  
Erin Lambert (Wilcox & Barton)  
Tim Blagden (Lake Sunapee Rail Trail)

**Call to Order**

The meeting was called to order by Chairman Tardiff at 7:00 p.m.

**1. Minutes**

*July 12, 2023*

A motion was made by Ms. Healy, seconded by Mr. Coen, to approve the minutes of July 12, 2023 with the following change suggested by Mr. Chormann: In item 2, the word “raised” should be spelled “razed.” Ms. Healy asked to fix the following: In item 3, adding the word “met” so the statement reads “have met with,” and in item 5 of page 3, removing the word “on” before the word “in.” All in favor. Motion passed unanimously.

**2. Wilcox & Barton, Inc, on behalf of Havenwood Heritage Heights, requests Conditional Use Permit (CUP) approval for disturbance of a bluff buffer to rebuild an existing sidewalk at 149 East Side Drive in the Medium Density (RM) District. (2023-120)**

Erin Lambert (Wilcox & Barton) represented the application.

Ms. Lambert is proposing Phase Two, which includes demolishing the existing three buildings (17 units) and replacing it with three new buildings (13 units), one of which hugs the buffer to the bluff. The building style and size will differ from Phase One. The Applicant is asking permission to replace the current sidewalk and placing a portion of the new one into the buffer to afford privacy to the tenants. No trees will be removed. Parking lots that used to occupy the space between the buildings is now the street, therefore there is less pavement. There will be yards and greenspace in the back of the units.

Mr. Coen asked why the Commission is being asked to review this application. Ms. Lambert explained that the City has regulations over the 50-foot designated buffer to the Merrimack River bluff and part of those regulations involved the Applicant attending the Conservation Commission meeting. The Commission had no other questions on the application.

On a motion made by Ms. McGregor, seconded by Mr. Chormann, the Commission members voted to recommend approval of the CUP, assuming no tree clearing will happen in the buffer. All in favor. Motion passed unanimously.

**3. NEMBA**

Ms. Shank initiated a site meeting date. Trails Sub Committee felt Conservation Commission was

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moving too fast, without proper recommendation from them. Ms. McGregor recollected the trail being recommended to the Commission a number of months ago. Chairman Tardiff recollected it being discussed but no site walk had been done. The presentation Ms. McGregor remembers is when Dan Geiger came and spoke on behalf of NEMBA.

At the recommendation of Chairman Tardiff, Ms. Shank will set up a tentative site walk after the Trails Committee is ready to make their recommendation.

**4. NHDES Items**

Nothing new to report.

**5. Reports**

*a. Trails –*

Broken Ground Trail was discussed. There was not much follow up on Richard's Forest. The Commission discussed trail clean-up. Mark Cheaver wants to be considered for the Sub-Committee. Mr. Cheaver will be organizing let Ms. Shank know about dates to clean up the bittersweet at the Broken Ground Trails. Batchelder Mill will be cleared from overgrowth Monday, September 25<sup>th</sup> at 5:00 p.m.

An abutter to the Haller lot has a tree he wants to remove. Mr. Klemarczyk (City Forester) is concerned that the stone wall would be disturbed and suggested some financial surety in case it is damaged. Mr. Chormann advised the Commission members that this wall might be protected by State statute because it is a boundary wall. It is not City property. Chairman Tardiff suggested seeing what Danielle Pacik (Deputy City Solicitor) has to say. Ms. McGregor feels a verbal agreement is sufficient as it is not anyone we've had issues with in the past. Ms. Ross suggested making expectations clear with the abutter, possibility in written form. The group agreed to simply set expectations with the owner.

Trails brought up their desire for a commemorative bench for Beth Fenstermacher (prior Assistant City Planner) to be placed by Mill Brook Trail, where she frequents, in appreciation of her service. The Commission members recognize that there is not currently a practice of honoring employees in this way. The Trails Committee suggested calling it "Beth's Bench." Councilor Brown is encouraged by more seating along trails. The design of the bench will be rustic, simple, and rugged in style, possibly using split logs. The Commission will talk with Mr. Klemarczyk to seek his ideas before pursuing. Discussion can resume after Mr. Klemarczyk's feedback.

Chairman Tardiff doesn't feel this necessitates a motion because no funds are involved.

The signs at Coeyman Pond and Turtle Town Pond need replacing. Staff recommended an appropriation of up to \$1000.00.

On a motion by Ms. McGregor, seconded by Mr. Coen, the Commission members voted to allocate up to \$1,000.00 to replace the signs. All in favor. Motion passed unanimously.

*b. Forestry Report –*

The physical report was presented. Ms. McGregor inquired about a sign that was moved from the middle of a trail entrance. Ms. Shank shared that an abutter cemented it into the middle of

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the path to prevent vehicles from driving down the road. Because of the duplicate attempts to move the sign from the City's location, Ms. McGregor wondered if the City needed to take more permanent measures to keep the sign where it should be. Ms. Shank is waiting to hear Mr. Klemarczyk's recommendation.

*c. Tree Committee –*

The Committee is reaching out to residents of private properties along Pembroke Road during the paving program to encourage them to plant trees at the same time as paving occurs.

Members noted there is already a waiting list. The Tree Committee has considered looking into grants. Ms. Shank questioned whether additional funds were needed from Council. Mr. Blagden suggested the Committee look into grants offered by IJA (Infrastructure Investment & Jobs Act), Creation of Healthy Streets. Councilor Brown shared that it is a lack of Staff resources preventing trees from being planted more quickly.

Ms. McGregor suggested expanding the 50/50 match that the City offers, working with local nurseries to handle the install. Homeowners could cover the balance. Ms. Shank clarified that the currently the City pays half the cost of the tree and the entire installation cost. The homeowner pays for the other half of the tree cost. If the City were to hire a nursery for installation, Council would need to allocate additional funds for that.

The Tree Committee is looking into being involved in the schools and farmers market. They would like to see Concord professionals be involved in the Tree Champion Award.

*d. Local River Advisory Committees –*

Nothing new to report.

**6. City Open Space & Easements**

The Sunflower Festival is this weekend / next week. Banners are displayed. The property is being well cared for and maintained. Parking is at NHTI with shuttle busses on the weekends. Mr. Blagden is providing a covered bike parking structure at 6 Loudon Road for the whole week. The Commission is carefully observing how this year goes before considering subsequent events.

**7. City Council / Planning Board**

Nothing new to report.

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

*a. Follow up Trail items:*

- i. Request to memorialize Tom Walton at trails off Broad Cove Road.

Need to reach out the family. Nothing has been heard on this. Postpone for September 13<sup>th</sup> meeting. (Make agenda item 8e for next month).

- ii. Request to eliminate parking lot on Currier Road.

The owner has not been contacted. Postponed for September 13<sup>th</sup> meeting.

- iii. Richards Community Forest Trail.

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Mr. Lewis and Mr. Klemarczyk did another walk on the property. They will continue to go through the trail checklist.

iv. Discontinued portion of District 5 Road.

Continued to the Fall agenda.

b. *Conservation Easement Standard Templates*

Ms. McGregor and Ms. Lnadry have been working on this project. Ms. McGregor anticipates it being ready to present in September.

c. *Conservation Preserves*

No updates provided.

d. *MRGT*

No updates provided.

Ms. Shank shared that a condition of the Stickney Ave development involved an easement for potential MRGT routes running along their frontage, as well as one running along Loudon Road right of way.

e. *Naming policy / procedure*

A policy and procedure (criteria) need to be developed for trail naming. Ms. McGregor suggested putting name opportunities / suggestions on the agenda month to month to encourage the public to provide feedback. Ms. Shank asked if there are existing procedures that we can reference for ideas. Mr. Coen said there is a broad guideline for naming City facilities in an ordinance. Mr. Coen will research and send what he finds to Ms. Twardosky to share with the group. Once reviewed, it may help guide a version for the Conservation Commission. Discussion to be continued.

**9. Other Business**

a. Mr. Blagden invited the Conservation Commission and Trail Sub-Committee members to the Friends of the Concord Lake Sunapee Rail Trail event on September 6th. They are working with the Sierra Club to host a talk and walk / bike ride on Wednesday, September 6<sup>th</sup>, beginning at 25 Fisherville Road at 5:00 p.m. Chairman Tardiff will share this invite with the Trails Sub-Committee.

b. The DES / NHB data check has been completed. The Rail Trail is anticipated to be completed in the Fall of 2023. The next land to cross over is City conservation land. There is the idea to talk with the Conservation Commission about the option to extending westward. It is highly likely that one additional parcel will come into friendly hands as an easement may be given to the Rail Trail project. There is already a license agreement on a couple City properties / parcels along the way. West of Concord, the State owns the Mast Yard parcel. There has been an agreement made with them.

Chair Tardiff encourages Mr. Blagden to stay in contact with Conservation Commission and then to address the Trails Sub-Committee.

**Adjournment**

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There being no further business, Mr. Coen made a motion, second by Mr. Chormann, to adjourn the meeting at 8:10 p.m. All in favor. The motion passed unanimously.

Respectfully Submitted,  
Alicen Twardosky  
Administrative Specialist II