

CONCORD CONSERVATION COMMISSION

REGULAR MEETING MINUTES

DRAFT

October 11, 2023, 6:30 PM

City Hall, 2nd Fl Conference Room, 41 Green Street

Attendees: Chair Kristine Tardiff, Vice-Chair Jim Owers, Members Emily Landry, Jeff Lewis, Katherine Healy, Allison McGregor, Councilor Stacey Brown

Absent: Mark Cheever

Staff: Heather Shank, City Planner
Krista Tremblay, Administrative Specialist II

Public: Jim Oehler (NH Fish & Game)
Matt Bowser (NEMBA)
Rick Hohenberger (S & W Sports)
Dan Mutz (S & W Sports)
Tim Farmer (S & W Sports)
Rebecca Ross (member Trails Committee)
Ron Klemarczyk (City of Concord Forester consultant)
Dan Williams
Tim Beaulieu
Gail Page
Fran Philippe (Trails Sub Committee)
Kristin Bertrand (Trek Bicycle)
David Eckman (Eckman Engineering, LLC)
Rick Charroneau (Concord Sand & Gravel)
Maia Bradley
Miiko Bradley (Trail Ladies of Concord)

Call to Order

The meeting was called to order by Chairman Tardiff at 6:33 p.m.

1. Minutes

September 13, 2023

A motion was made by Ms. Landry, seconded by Ms. Healy, to approve the minutes of September 13, 2023 with changes to fix several typos. All in favor. Motion passed unanimously.

2. Jim Oehler, NH Fish & Game – Wildlife Impacts on City Trails

Mr. Oehler explained he was at this meeting six years ago discussing a similar topic. Since then they have created a tool to keep wildlife in mind when on the trails. Mr. Oehler explained that recreation can have significant impacts on wildlife. The impacts can be physiological, can change animal heart rate, temperature or stress hormones. Impacts can be behavioral by changing foraging patterns if fleeing animal off their foraging grounds. In 2016 there was a peer review research looking at 274 research papers in Europe and North America that found there were significant negative impact on wildlife from trails, including from hiking, running, and biking.

Mr. Oehler presented the tool they developed Trails for People and Wildlife. The tool is based on

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five different principals. First, stay away from habitat edges. Second, stay away from sensitive habitats. Third, stay away from rare species habitats. Fourth, areas adjacent to streams, rivers and ponds provide important travel corridors for wildlife. Lastly, stay away from steep slopes. They have created GIS data layers representing each of the principals listed above and collapsed them together to create a habitat heat map for Concord. You can use this tool to map to see where to install new trail(s) with minimal impact to wildlife. Mr. Oehler explained that depending on the wildlife they can be impacted from up to 400 feet away. This information can be used to graphically depict the corridor of influence of a proposed trail.

Concord has 88 miles of trails. Mr. Oehler explained that anything on the map that is red is impacting more than 40% of that habitat type in the City of Concord. Types of habitat that are being impacted include Appalachian Oak Pine, flood plain forest, grassland, Pine Barons, and wet meadow shrubland habitat. Mr. Oehler explained that the City of Concord has 43,000 acres of land. The corridor of influence maps demonstrated that 7,000 acres are impacted by trails, and 23,000 acres impacted by roads and urban areas. Over half of the land in the City is adversely impacted for habitat purposes. Mr. Oehler advised that if the City of Concord is concerned about making sure they are providing sufficient wildlife habitat they need make sure there are sufficient undisturbed areas within the City going forward.

Mr. Oehler moved on to the Broken Ground Trail proposal. On the habitat heat map already know the broken ground area as a whole is highly sensitive from a wildlife habitat standpoint. Using the four-hundred-foot corridor of influence, the only undisturbed area is seven acres right in the middle. Adding the new trail could reduce the seven acres to zero. However, Mr. Oehler indicated that it is not a huge significant additional impact in this case.

3. Public Hearing – Proposed Broken Ground Trail requested by NEMBA

Ms. Tardiff opened the public hearing for the proposed bike trail at Broken Ground. Ms. Tardiff explained there are a couple people that are going to discuss the new trail. Then they will open to public comment and, once done, will close for public comment. Ms. Tardiff introduced Matt Bowser (NEMBA) to the Commission.

Mr. Bowser (NEMBA) leads group rides and help preserve open space. He advocates for building of sustainable trails and trail building by using NEMBA and US forest service guidelines for the building of all trails. The proposed Broken Ground Trail for the most part is low slope over one mile has elevation change of one-hundred thirty-eight feet.

Mr. Owers stated that they hired a biologist. The area of primary concern was closest to the wetlands. The biologist did not feel there was going to be an adverse effect.

Mr. Chorman asked if there could be discussion about discontinuing the trail in the sensitive area and re-connecting to the new proposed trail. Essentially re-routing people away from the sensitive habitat area.

Mr. Bowser noted that had been discussed prior and will be taken up at a later date. The reason for the layout of the current proposal is to spread out the density of users.

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Chairman Tardiff opened the discussion for public comment at 7:18 p.m.

Ron Klemarczyk (City of Concord Forester consultant) explained there is a logging trail that is used for emergency access which is being maintained. Mr. Klemarczyk when informed about the potential new trail thought it could be a benefit that would allow him to cease maintaining the emergency access road. However, there were concerns about the wildlife. At the location there is bare soil and good sunning area for snakes and turtles. It was recommended not to use the area where the snakes and turtles could potentially nest.

Ms. Shank noted that they have the information for the threat corridor for largest species and it would be beneficial to have that report for the smaller species to understand the impacts on snakes and turtles.

Miiko Bradley, Concord resident, said she really appreciates the trail network. Ms. Bradley noted that the outer edge of the red loop was previously logged and created as skidder access for wood harvesting. The open canopy that is there now was created when the land was being logged. She notes that if there was no canopy, there would be no snakes and turtles.

Dan Williams feels the proposed location for the new trail will have the least amount of impact. However, he would strongly support closing down the Marsh Loop Trail due to sensitive areas of wetlands and steep slopes, which will have a better chance of staying as sensitive habitat as they are more than that further east loop. In ten to fifteen years there will not be open space as nature will fill in a new canopy where the current species will no longer use as a habitat. Whereas the wetland has existed as a wetland and will be there longer.

Kristin Bertrand (Trek Bicycle) feels it is important to expand the trail network within Concord. Ms. Bertrand feels this engages the community and young people. For young people it helps keep them outside, off the phone or gaming. This can help with young people state of mind, getting familiar with trails and natural habitats. Ms. Bertrand understands the concern about the Marsh trail. However, she feels expanding more trails is a net gain.

Tim Beaulieu is a teacher at Concord High School and is involved with students for the Mountain Bike Club. In the fall and spring, they look around Concord for places to ride. The feedback from the students is that they like the Rhys Way system and Broken Ground. Mr. Beaulieu pointed out at Oak Hill there is erosion of the trail making it rocky and students are not interested in biking at Oak Hill. He appreciates the work completed by NEMBA on the trails. He feels trails need to be more like Rhys Way for students to have enjoyable mountain bike experience.

Mr. Bowser (NEMBA) explained that the City of Concord reached out to NEMBA in 2017 due to large amount of open space. There is a clear desire to build more recreation. The first project was at Broken Ground for the Rhys Way trail. He explained that the location of Broken Ground is in a densely populated area. It is a great benefit to having a trail so close to a lot of people.

Rebecca Ross (member of Trails Committee) feels it is great to have so many people in the community present at this meeting. Ms. Ross feels it is important to maintain the trails to keep safe and usable for everyone. She explained by adding to existing trail that is already using is a better service to the community.

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Mr. Klemarczyk stated that there are some trails in Concord where mountain bikes are not allowed. Those trails are posted. Mr. Klemarczyk asked for education groups to make sure their students understand not all trails are for biking.

Mr. Bowser (NEMBA) explained that NEMBA is committed to stopping any rogue activity by posting signs. Also, NEMBA tries to keep the trail density down.

Fran Phillippe (Trails Sub Committee) noted the idea of involving young people in biking is positive. However, those that live in the Heights on East Side Drive, a busy road, would have to cross over by 393 to gain access to the trails. Ms. Phillippe discussed the skidder trail where currently snakes and turtles have a habitat. She feels all of the trails in Concord have impacted wildlife. Ms. Phillippe suggested to close the trail during breeding season for the snakes and turtles.

Councilor Brown explained she was working with Mr. Bowser (NEMBA), Project Story, and S & W Sports to get kids bikes to have access to other outdoor spaces. They provided bike training and bike walk alliance. The intent was to test out the trail and show access to get to the trail via Sugarball Road.

Maia Bradley wanted it to be known she appreciates the trails.

Chairman Tardiff brought the public meeting to a close at 7:50 p.m. She noted that the Trails Committee would take the issue up at their next meeting.

Jeff Lewis left the meeting at 7:52 p.m.

4. New Business

- a. Request from [Continental Paving](#) for approval of 3 CUPs, including impacts to wetland buffers, the Shoreland Protection District buffer, and the Flood Hazard District, to reconstruct a bridge over the Soucook River.

David Eckman was there to discuss replacement of the existing bridge, which goes over the Soucook River. It's been there since the 1950's, connecting the property between Pembroke and Concord. As part of the process to start the project they applied for a DES shoreland permit. They identified a couple rare endangered species. The Shoreland District buffer is two-hundred and fifty feet wide. They will be disturbing the Shoreland District buffer and will need to replant. The plan is to replant Oak, Pine, Beech and maple trees. The new bridge is higher than the existing bridge. The new bridge will be one foot above the one hundred year flood line. They are using piles, drive in like spikes, to prevent from disturbing wetlands. The bridge will rest on the piles. The bridge will have rails.

Chairman Tardiff informed Mr. Eckman the Conservation Commission is more focused on the drainage or wetland impacts on the river. Ms. Tardiff noted the request is for the approval of three CUP's for wetland buffer, Shoreland District buffer and the Flood Hazard District.

Ms. McGregor made a motion to recommend approval of the three CUP's that are being proposed so long as it is made according to the plans presented with the proposed plantings. Ms.

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Landry seconded. All in favor. The motion passed unanimously.

- b. Morrill Lane – [Beaver damage](#) and erosion issues on City of Concord conservation land
Ms. Shank presented pictures taken by the property owner showing conservation land with fallen trees caused by a beaver. The owner would like to have the beavers removed from the conservation land.

Vice-Chair Owers suggested to give permission to the owner to wrap trees to prevent the beaver(s) from taking down a tree.

5. NHDES Items

Ms. Shank had nothing to report.

6. Reports

- a. Trails Report – Mr. Owers explained the Committee understood there was going to be a public hearing that night to discuss the trail. There is no update for the Richards Community Forest trail. A new project they discussed is to identify trails that could be made accessible. They have a new member, Mark Cheever who works for the Appalachian Trail. They are going to have a guided hike in November. They have two full member vacancies and two alternate vacancies. Ms. Landry asked if they can look at open spaces to keep open with no trails. Ms. Tardiff explained this is a project they are looking into and will discuss at a future meeting.
- b. [Forestry Report](#) - Mr. Owers gave an update on the damaged oak and whether they should they go forward with the salvage cut at Broken Ground. The group discussed whether the trees should be left or removed, since they have some value at this time. If the trees die they may pose a hazard to trail users and the Commission may need to pay to have them removed. Ms. Tardiff would like for Mr. Klemarczyk to do what is best based on safety being the driving factor for the emergency access. Mr. Owers made a motion to give Mr. Klemarczyk permission to remove the marked trees. Ms. Landry asked for their concerns to be passed to Mr. Klemarczyk. Ms. Healy seconded. All in favor. The motion passed unanimously.
- c. Tree Committee – Councilor Brown explained they did a site walk on Airport Rd and there were five political candidates' in attendance who learned about the tree program. There was a street off Airport Rd that was very promising. Ms. Brown said they are still doing the Farmers Market. There is an air conditioner with a cardboard tree coming out of it to spark discussion. It has been very popular.
- d. Local River Advisory Committees – There was nothing new to report.

7. City Open Space & Easements

Ms. Shank has nothing to report.

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8. City Council / Planning Board

Ms. Shank advised there is an application for a cluster sub-division on 15 Hot Hole Pond Rd. They need to provide more information for the application to move forward.

9. Follow-up / On-going Items:

a. Follow up Trail items:

- i. Request to eliminate parking lot on Currier Road

Ms. Tardiff has nothing to report.

- ii. Richards Community Forest Trail

Ms. Tardiff has nothing to report.

- iii. Discontinued portion of District 5 Rd

Mr. Owers said the settlement agreement was agreed to, the judge approved the order and the City of Concord needs to take certain steps under the agreement. He explained he is not clear on what the City of Concord has done at this time. Ms. Tardiff asked for an update for next month.

b. Conservation Easement Standard Templates

Ms. McGregor explained they had met before to go through it and made adjustments from the first meeting. It is ready for review by the City Solicitor's office, unless everyone wants to see it first. Ms. Tardiff suggested to circulate it to the Commission for everyone to review. Ms. McGregor asked to have this added to next month's agenda.

c. [Conservation preserves \(map\)](#)

Ms. Tardiff advised this item will be postponed for next month.

d. MRGT

Ms. Healy advised the paving should happen in Spring 2024.

e. Naming policy/procedure

Ms. McGregor drafted and shared with the Commission. This will be discussed at next month's meeting.

10. Other Business

a. Current Use Change Tax – [Quarterly Report](#)

Ms. Tardiff explained she was not able to get to the link and would like it linked. She explained she would like to have a report to bring to City Council requesting they go back to returning one hundred percent of the land use change tax to the Conservation Trust. In the past there was a budget crisis that caused the amount of the land use change tax returned to the Trust to drop to fifty percent. She noted that the purpose of the land use change tax is conservation purposes and that she would like to see it revert back to 100% at this time. The money could be used to purchase other conservation land.

b. Graham Rd/Julie Drive Conservation Land – Cutting

Ms. Shank has not heard back from Ron on what is occurring out there.

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- 11.** Non-public session for the discussion of the acquisition of conservation property in accordance with RSA 91-A:3, II(d).
No business.

Adjournment

There being no further business, Ms. Landry made a motion, second by Mr. Chorman, to adjourn the meeting at 9:09 p.m. All in favor. The motion passed unanimously.

Respectfully Submitted,
Krista Tremblay

Administrative Specialist II