

CONCORD CONSERVATION COMMISSION

REGULAR MEETING MINUTES

November 8, 2023, 7:00 PM

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

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

Absent: Vice-Chair Jim Owers, Jeff Lewis, Allison McGregor

Staff: AnneMarie Skinner, Assistant City Planner
Krista Tremblay, Administrative Specialist II

Public: None

Call to Order

The meeting was called to order by Chairman Tardiff at 7:01 p.m.

1. Minutes

October 11, 2023

A motion was made by Mr. Chormann, seconded by Ms. Healy, to approve the minutes of October 11, 2023 with changes to fix several typos. All in favor. Motion passed unanimously.

2. Proposed Broken Ground Trail requested by New England Mountain Biking Association (NEMBA)

Chair Tardiff explained this was discussed at the Trails Subcommittee meeting this evening and the Trails Subcommittee voted to move project to the Conservation Commission. Chair Tardiff suggested to wait for the Trail Subcommittee meeting minutes before a discussion takes place with the Conservation Commission. She did summarize the discussion that took place in the Trails Subcommittee meeting, stating that there is one change to the trail route. The existing mountain bike trail connects to the larger loop, and the original proposal was a “lollipop” that was to connect to the existing trail. Concern was expressed regarding the tree canopy and the wildlife habitat in the eastern portion of the proposed trail. Accordingly, NEMBA revised the proposal to eliminate the eastern portion. There will be a revised map for Conservation Commission to review. The modified proposal will give an extra stretch to loop around to take pressure off mountain biking in this specific area. The Trails Subcommittee voted unanimously to recommend approval to the Conservation Commission. Chair Tardiff suggested to get minutes from the Trails Subcommittee meeting, schedule a walk at the proposed area, and add this as agenda item for the Conservation Commission meeting on December 13, 2023.

3. New Business

a. Morrill Lane – Beaver damage and erosion issues on City of Concord conservation land

Chair Tardiff stated that this was discussed last month.

Ms. Skinner did not have an update on the beaver damage.

Ms. Healy stated they discussed giving permission to the homeowner to wrap the trees to prevent the beaver from cutting down the trees.

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Chair Tardiff stated this was discussed last month and it was decided the beaver was to stay on the conservation land. However, the Conservation Commission discussed giving permission for the homeowner to wrap the trees to encourage the beaver to move to a different location.

Ms. Skinner asked for the location of the trees. Chair Tardiff replied that the trees are on conservation land owned by the city.

Ms. Landry suggested to have a limit for the diameter of the trees the homeowner can wrap. She suggested to let the beaver go after the smaller trees and wrap the larger trees to protect them.

Ms. Skinner asked what diameter the Commission uses to define as a tree. Ms. Landry indicated a 6-inch diameter is identified as a tree. Mr. Chormann wondered what tree is called that is less than 6 inches in diameter. Chair Tardiff replied that it's a sapling.

Mr. Chormann suggested wrapping trees with chicken wire at least 4 to 6 feet in height.

Ms. Landry suggested a time limit for the wrapped tree.

Chair Tardiff asked Ms. Skinner to notify the homeowner with the wrapping information, noting that the homeowner would be responsible for purchasing the wire, wrapping the trees, and inspecting on an annual basis to adjust as necessary.

4. NHDES Items

Chairman Tardiff informed there are no DES items to report.

5. Reports

- a. Trails Report – Chair Tardiff reported on the Trails Subcommittee meeting. Carl Matson reported on his activities for the prior month. The new NEMBA trail at Broken Ground was discussed and was voted to move forward to Conservation Commission.

Chair Tardiff noted that no one attended the group trail hike on October 28, 2023. Chair Tardiff stated usually there is information sent out to let people know of the trail hikes and that didn't happen for the October hike. Councilor Brown stated Beth Fenstermacher had been sending out notice. However, she was not sure where Ms. Fenstermacher had been sending the information. Chair Tardiff stated she thought it was posted on social media and the Concord Insider. She said that Fran Philippe, a Trails Subcommittee member, host a hike on November 25, 2023.

Ms. Skinner said there will not be a hike in December.

Councilor Brown stated Five Rivers Conservation is doing a big hike on November 12th at 12:30 p.m., and it will be a 4.5-mile hike starting at Dimond Hill and going to Carter Hill.

- b. [Forestry Report](#) - Chair Tardiff explained that the forestry report from Ron Klemarczyk, City of Concord Consultant Forester, is linked in minutes. No discussion.
- c. Tree Committee – Councilor Brown stated the last meeting was held on October 26, 2023. She

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stated they talked about installing trees when doing roadwork. The Pembroke stretch will be delayed due to waiting on the sewer main update. Councilor Brown talked about Chip Chesley and sending information in the utility billing about the trees on those stretches. Councilor Brown further noted that discussion was held about adding some type of tree protection to site plan regulations, and concluded with stating that there is an opportunity in April 2024 to do seed sorting.

d. Local River Advisory Committees – No reports.

6. City Open Space & Easements

No reports.

7. City Council / Planning Board

No reports.

8. Follow-up/On-going Items:

a. Follow-up Trail items:

i. Request to eliminate parking lot on Currier Road

Chair Tardiff has nothing to report and will check with Ms. Shank. Chair Tardiff explained for context that the gentleman who owns the property abutting the Currier Rd trailhead parking lot specifically requested installation of the parking lot. The small parking lot was installed, and now the abutter is not happy with the use of the parking lot.

Councilor Brown spoke with the abutting property owner, who has installed a camera on his property. He has a dog obedience business and some people using the trailhead yell at his dogs. Councilor Brown stated the abutter would love to see a fence at the end of his property and the trail. This would be a way to keep the dogs from seeing the hikers. She said people are urinating in the parking lot.

Chair Tardiff noted that she had visited the parking lot and from the parking lot saw the location of the abutter's camera on his property. She stated on City of Concord property parking lot there is also a City owned camera.

Councilor Brown said the abutter sent her footage from his camera. She explained in the video you can see the face of the person urinating in the parking lot. However, you cannot see the license plate but maybe the city camera has the license plate. Councilor Brown asked the abutter what he would like to see happen, and was told he would like to see signs posted.

Councilor Brown suggested partnering with the abutter to obtain his camera footage and, in conjunction with the city's footage, to fine people. She also suggested having larger signs.

Chair Tardiff suggested the addition of signs to the parking lot notifying users that activities are monitored and recorded via camera. Ms. Skinner asked how many signs. The Commission decided on the addition of three signs. Ms. Skinner stated she would have those installed.

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ii. Richards' Community Forest Trail

Note: The agenda item for the Richards Community Forest Trail is reflected in the minutes, verbatim, as follows:

Chair Tardiff: "Richards Community Forest Trail. I think we were probably going to have Jeff provide that update and he's not here, so I don't know, AnneMarie, if you have heard anything?"

AnneMarie Skinner: "This is the one with the individual, the son, who's given rights to cut wood?"

Chair Tardiff: "Yes."

AnneMarie Skinner: "Ten cords?"

Chair Tardiff: "Yeah, who we think has stopped cutting or is no longer cutting."

AnneMarie Skinner: "Ron and I chatted briefly about this before the Trails meeting and he said there is nothing to do until we know for sure that the son is no longer there. To his knowledge, the son is still there and still cutting."

Chair Tardiff: "Okay, I'll touch base with Jeff too because I think he'd been kind of having conversations with the family members. Yep. The background there is I think the family is very interested...the property was kind of donated with the intention that there would be a park or there would be trails out there and we haven't put trails out because of the issues related to the harvesting of the firewood."

Female member of the Commission, possibly Emily Landry: "There are unofficial trails on that property."

Chair Tardiff: "There are unofficial trails, so yes, you can definitely go out there and walk. Some of them are quite wet depending on the time of year, so that's another issue with putting in new trails. It is pretty out there."

iii. Discontinued portion of District 5 Rd – status update

Chair Tardiff noted that there is a settlement and the Commission will need to be provided details on how the project will move forward.

b. Conservation Easement Standard Template

Chair Tardiff explained she has not received updates at this time.

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Ms. Landry will discuss with Ms. McGregor to get the most updated draft. She suggested to link to the next agenda or email out before the meeting.

Chair Tardiff suggested to emailing the template to the Commission ahead of the meeting and also linking to the agenda for the December meeting.

Ms. Landry will forward to Ms. Skinner when they are ready to be linked to the agenda.

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

Chair Tardiff provided a brief overview and background and suggested having this as an agenda item for December. Chair Tardiff stated the map shows all existing conservation lands within the City of Concord. This was reviewed with Ron Klemarczyk, and every parcel has been reviewed with a historical use of the land. The landscapes and wildlife characteristics of each parcel were also reviewed. The attached spreadsheet summarizes that information. This information now needs to be reviewed in view of properties that have potential for being a wildlife preserve, which would mean there would no longer be any active timber cutting or trails on those properties. Looking at the spreadsheet there are a number of different categories. Categories include wildlife preserve, limited recreation, and recreation\wildlife\forestry. The goal will be to have everyone review the spreadsheet. Chair Tardiff suggested an amendment to the open space plan to adopt the classification of these wetlands. This would assist in acting upon future proposals for additional trails. Any amendments to the open space plan have to be approved by City Council.

Ms. Landry suggested to set a date in future to make this happen.

Mr. Chormann suggested April 2024. He stated they should look at a formal classification of wild land for the future for various reasons.

Mr. Coen stated there are criteria that will need to be met to get land designated as wild land. He suggested they look at the property for the City of Concord to see if any of the land meets the criteria.

Chair Tardiff suggested preparing a report and providing better definitions of the categories. She will circulate to the group for review. This will be left on agenda for the December meeting and a target date can be set at that time.

d. Merrimack River Greenway Trail (MRGT)

Ms. Skinner provided an update. This is out to bid, hopefully for spring of 2024. Work is also in progress to acquire part of CSX railway as another segment.

e. Naming policy/procedure

Chair Tardiff stated there was a handout for this item and was passed out to the group. She explained she likes this as a process. However, feels there needs to be criteria set as to when this is applicable.

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Mr. Chormann asked if name needs to be connected to conservation.

Councilor Brown said as it reads it is determined by the group.

Ms. Landry suggested adding a more specific reason for why a request would be made to name a trail.

Chair Tardiff suggested to review and work with Ms. McGregor.

9. Other Business

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

Chair Tardiff explained she was not able to get information to City Council. She stated many years ago they went to City Council to have 100% of the current use tax go to the conservation fund. However, there was a year when the budget needed funding and everyone was asked to give a portion. The portion allotted to the conservation fund was dropped to 50% at that time and has remained since then. The other 50% goes to the highway fund. Chair Tardiff stated this has stayed on the agenda. She feels they need to go back to the real estate tax assessment staff and ask for historical data. Chair Tardiff will work with Ms. Skinner to get information needed to be able to present to City Council.

b. Graham Rd/Julie Drive Conservation Land – Cutting

Chair Tardiff stated Ms. Shank was waiting to hear from Ron Klemarczyk. Ms. Skinner will check with Mr. Klemarczyk to provide an update.

c. Appoint Mark Cheever

Chair Tardiff stated there is a request to add Mark Cheever as a new member to the Trails Subcommittee. She explained he has been working with the Trails Subcommittee for a while and was never officially appointed as a member. Mr. Cheever works for AMC. The Trails Subcommittee recommended to have the Conservation Commission appoint Mark Cheever to the Trails Subcommittee. Chair Tardiff asked for a motion to appoint Mark Cheever to the Trails Subcommittee for a three-year term. Ms. Healy made a motion to appoint Mark Cheever to the Trails Subcommittee with a term expiration date of January 15, 2026. Mr. Chormann seconded. No discussion. All in favor. Passed unanimously.

d. Ms. Landry asked if the Conservation Commission was familiar with the land that is for sale at Black Water Rd. It is 333 acres. On the northwestern corner by Webster. It is 2.3 million dollars.

Chair Tardiff did see that property for sale. She thinks over the years there was someone they were talking to at some point. It looks like maybe they have assembled other lands.

Ms. Landry stated it looks like it is owned by a development organization from Florida.

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Chair Tardiff stated they talked to one of these land owners before. She thinks they talked to the prior land owner.

Ms. Landry stated there is a dead-end road on the east side of that plot and cannot remember what road it is. That was brought to her attention and feels it is a lot of money 2.3 million dollars.

Ms. Healy asked how many acres?

Ms. Landry stated 333 acres. She said it is a lot of acres. She was not sure if Conservation Commission would be interested.

Mr. Coen stated stuff like this comes up and Conservation Commission looks at the value for the citizens of Concord. There have been some lands in the past they have said thank you or no thank you because it does not fit what they want to do.

Ms. Landry stated there are established trails on this property. The pond is at a higher elevation.

Chair Tardiff stated they can look. She knows in that area they have an open space plan. However, that dollar amount is definitely above what they have in the Conservation Fund.

Ms. Landry mentioned maybe the Forest Society, Five Rivers or Webster would be interested.

Chair Tardiff suggested they all go back and look at it on the maps and see what they have identified in that area. She asked if that was up by Horse Hill Rd?

Ms. Healy said yes.

Chair Tardiff stated because it is not heavily developed up there it is a pretty big chunk of open space.

Ms. Landry stated it is a lot. She stated if it is worth reaching out to other land trusts she would be willing to start the conversation.

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

None.

Adjournment

Chair Tardiff moved, seconded by Ms. Landry, to adjourn the meeting at 8:45 p.m. All in favor. The motion passed unanimously.

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Respectfully Submitted,

Krista Tremblay
Administrative Specialist II