

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
September 8, 2010, *draft*

2nd Floor Conference Room in City Hall
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Christopher Morgan, Tracey Boisvert, Pamela Hunt, James Owers, Courtney Lockwood, and Rick Chormann. Doug Woodward, City Planner, also attended the meeting.

C. Morgan, Chairman, called the meeting to order at 7:05.

1. Minutes: The group reviewed the minutes of the July 14, 2010, and August 8, 2010 meetings. C. Morgan moved to accept both sets of minutes; J. Owers seconded the motion; the motion passed unanimously and both sets of minutes were adopted.

2. Wetlands Bureau:

- a. Standard Dredge and Fill Application of DEW Corporation at 51 East Street. D. Woodward reminded the Commission that they had seen this before and there are now some minor changes proposed. The Commission members reviewed the plans and noted the changes. David Murray was in the audience and asked to address the Commission. He offered information from his personal knowledge of the property, and urged support for the application. The Commission concluded that this was an extensively disturbed site and that the proposed filling was not unreasonable. They found no reason to offer any comments to NHDES on the application.
 - b. Minimum Impact Expedited Wetland Permit of the City of Concord (for culvert replacements and repairs along the Route 3 corridor). D. Woodward explained that this is part of the current phase of the North State Street/Fisherville Road corridor work which includes permitting for three crossings along North State Street from Lake Street southerly toward the NH State Prison. The Commission members reviewed the plans and noted the crossings which were at the Swenson Quarry property, Dolan Street, and adjacent to the Hood plant. After discussion, J. Owers moved approval of the application as submitted, and P. Hunt seconded the motion. The motion passed unanimously.
 - c. Correspondence. D. Woodward noted the receipt of correspondence from the NHDES Wetlands Bureau and circulated the documents around the table for Commission members to review.
- **Non-agenda item:** David Murray was recognized and introduced himself as the Vice-president of the Townline Dusters Snowmobile Club and Trail Administrator for the Club. He reviewed the history of the Club's work with the City on the Hero's Bridge over the Contoocook River and noted that the Club maintains some 70 miles of trails. What he is proposing is a connection between Lehtinen Park and the Fleetham O'Reilly trails to provide

an alternate route to get to the Riverhill Bridge. The Club would like to improve and groom the old railroad bed on the west side of the Fleetham O'Reilly lot. They propose to remove some trees and groom to a width of 8½ feet along a 1200-foot stretch of the old rail bed. C. Morgan indicated he would want the Trails Committee to review the proposal and advise the Commission as to their recommendations. He also indicated that a more detailed map of the existing snowmobile trails and how those relate to the proposal would be of assistance to the Commission in considering this matter. The other Commission members present concurred with the Chairman.

3. Open Space:

- a. Public Hearing Relative to Open Space Acquisition on Oak Hill. C. Morgan opened the public hearing on the proposed disbursement from the Conservation Fund for the acquisition of a parcel of open space on Oak Hill, northerly of Oak Hill Road. D. Woodward provided a brief description of the property and displayed the site on an aerial photo from the City's website which was projected onto a screen in the room. No one from the public was present to offer any testimony and the Chairman closed the hearing. J. Owers moved to adopt the following motion which was seconded by R. Chormann:

The Concord Conservation Commission, pursuant to its authority and for the purposes so specified in RSA 36-A, and after a duly noticed public hearing on this date, hereby exercises its authority to acquire land in the name of the City of Concord, subject to the approval of the Concord City Council, the following property:

A parcel of land now or formerly owned by Robin Rainville, Timothy Potter, Dana Potter, and Robert Potter, referred to in the City's Tax Assessment records as Tax Map Lot # 120/1/13, and described in the deed recorded at the Merrimack County Registry of Deeds at Book 743 Page 31; consisting of approximately 34 acres of forested land northerly of Oak Hill Road, on Oak Hill in Concord;

Furthermore, the Concord Conservation Commission hereby allocates no more than the sum of \$27,000 from the Conservation Fund using the accumulated proceeds of the Use Change Tax. The Concord Conservation Commission hereby declares its purposes in taking these actions to acquire this property and allocate the funding for the same, are to maintain, improve, protect, limit the future use of, and otherwise conserve and properly utilize this property as open space together with other land and water resources within the City.

The motion passed unanimously.

- b. Public Hearing Relative to Open Space Acquisition northerly of I-89 on the side of Dimond Hill. C. Morgan opened the public hearing on the proposed disbursement from the Conservation Fund for the acquisition of a parcel of open space on Oak Hill, northerly of Interstate 89, on the side of Dimond Hill, and westerly of Turkey Pond. D. Woodward provided a brief description of the property and displayed the site on an aerial photo from the City's website which was projected onto a screen in the room. No one from the public was present to offer any testimony and the Chairman closed the hearing. J. Owers moved to adopt the following motion which was seconded by R. Chormann:

*Concord Conservation Commission
Minutes of the regular meeting on September 8, 2010*

The Concord Conservation Commission, pursuant to its authority and for the purposes so specified in RSA 36-A, and after a duly noticed public hearing on this date, hereby exercises its authority to acquire land in the name of the City of Concord, subject to the approval of the Concord City Council, the following property:

A parcel of land now or formerly owned by the William E. Bunten, Sr. and Marguerite E. Bunten Family Trust of 2006, referred to in the City's Tax Assessment records as Tax Map Lot # 98/1/9, and described the deed recorded at the Merrimack County Registry of Deeds at Book 2868, Page 618; consisting of approximately 59.8 acres of forested land northerly of Interstate-89, on the side of Dimond Hill and westerly of the Turkey Pond in Concord;

Furthermore, the Concord Conservation Commission hereby allocates no more than the sum of \$60,000 from the Conservation Fund using the accumulated proceeds of the Use Change Tax. The Concord Conservation Commission hereby declares its purposes in taking these actions to acquire this property and allocate the funding for the same, are to maintain, improve, protect, limit the future use of, and otherwise conserve and properly utilize this property as open space together with other land and water resources within the City.

The motion passed unanimously.

- c. Open Space acquisitions. T. Boisvert moved to enter into a nonpublic session for the discussion of land acquisitions in accordance with RSA 91-A:3, II(d). R. Chormann seconded the motion, and the motion passed unanimously. Following the discussion the Commission moved to exit nonpublic session and seal the minutes. The motion was duly seconded and passed unanimously.
- d. Lease Renewal for the Gold Star cell tower. J. Owers moved to authorize the Commission's consultant appraiser to review a proposal for renewal of the lease for the cell tower on the Gold Star parcel off of Locke Road. T. Boisvert seconded the motion, and the motion passed unanimously.
- e. City Council hearing on the Gully Hill Open Space Acquisition. D. Woodward reminded the Commission that the City Council hearing on the acquisition of the Bartlett Family Trust land is scheduled for Tuesday evening, October 12, 2010. D. Woodward will contact the Forest Society to see if they will send a representative.
- f. Guardrail installation along Pecker Lane adjacent to the West Portsmouth Street farmland. D. Woodward reported that R. Hebert had obtained cost estimates for the installation of guardrail in lieu of trying to obtain boulders from the General Services Division in order to create a barrier for unwanted vehicular access to the fields. He displayed color photos of a typical installation and indicated that the minimum installation would cost in excess of \$6,000 which would be drawn from the Conservation Land budget that is supported by the Conservation Trust Fund. This installation would be considered as land management, needed for access control. Commission members indicated that they felt this was too expensive; that there had been no reports of vandalism, damage, or loss by the tenant farmer; and that they

preferred the City staff to see if they could obtain the boulders as was originally envisioned to create access control.

- g. Discussion of existing conservation easements in Concord and options for stewardship. The Commission received a spreadsheet that had been prepared by R. Hebert listing all of the conservation easements held by the City, conservation restrictions based on conditions of approval by the Planning Board related to cluster developments prior to 2001, and conservation easements in Concord held by other organizations. The Commission questioned D. Woodward about the restrictions imposed by Planning Board action. It was noted that since 2001, the easements arising out of cluster developments are shown on recorded the subdivision plat, and that bounds are now placed to demarcate the easements. The Commission discussed how to tackle the stewardship for easements on the lists and the need to contact the landowners. R. Chormann noted that there is new aerial photography available with six-inch resolution, and this would provide a good starting point to see if the terms of the easements have been violated. The Commission agreed that this matter needs further consideration.

4. City Council/Planning Board Action

There was nothing for the Commission's consideration under this agenda item.

5. Reports:

- a. Upper Merrimack River Local Advisory Committee - Wild and Scenic River designation – D. Woodward reported that he had been advised that J. McClure has discussed this with the Mayor and they have agreed that this will be placed on the November City Council meeting for an informational session, with a public hearing to be held in December. The Commission discussed need to coordinate with the National Park Service and UMLAC to assure their attendance, and to seek support from other organizations with an interest in the river.
- b. Trails Committee – D. Woodward reported that there is discussion about relocating the proposed parking lot for a trailhead at the Rossview property so that it will not impact wetlands. Two sites are being evaluated: one westerly of the end of District #5 Road which will need the cooperation of the abutter to facilitate access, and the other to the south of District #5 Road adjacent to one of the reserved houselots.
- c. Other Business. There was no other business to come before the Commission.

Meeting was adjourned by C. Morgan at 9:50 PM.

A TRUE RECORD ATTEST:

Douglas G. Woodward
City Planner