

**CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
October 13, 2010**

**City Council Chambers
41 Green Street, Concord, NH**

Attendance:

Members present at the meeting included: Christopher Morgan; Tracey Boisvert; Rick Chormann; Jim Owers; Doug Woodward, City Planner and Rebecca Hebert, 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 September meeting. R. Chormann moved to accept the minutes of the September 8, 2010 meeting; J. Owers seconded the motion. The motion passed unanimously and the minutes were adopted.

2. Wetlands Bureau:

a. Correspondence - R. Hebert reviewed correspondence from the NHDES Wetlands Bureau.

3. Open Space:

a. Request of Dr. Chris Fore to conduct cyclocross training events at Carter Hill Orchard- R. Hebert explained that Dr. Fore contacted the Planning Division with questions regarding the use of Carter Hill Orchard for a series of cyclocross training events. The events would be held weekly for a period of six to seven weeks and he anticipated approximately 15-20 participants. D. Woodward explained that he also asked if the activity could also be covered under the City's insurance policy, but he advised Dr. Fore that the group would need to obtain their own insurance and should also discuss liability concerns with owners of Carter Hill Orchard. D. Woodward said that he contacted Ken Stern, a volunteer land steward for the Five Rivers Conservation Trust. Ken Stern expressed concerns in an email regarding possible trail erosion and the potential for conflicts with the public use of the trail system. J. Owers knew of the cyclocross training events and thought they would all be held on weekdays during the early evening. D. Woodward suggested also that they post a sign at Carter Hill to notify the public of when the training events occur. The Commission agreed that Staff would contact Five Rivers and send a joint letter outlining the trail concerns.

b. Request of Juston Kay to obtain permission to trap fur-bearing animals at the Penacook Lake watershed property- The Commission discussed the request and recommended that Mr. Kay consider trapping at the open space parcel to the east of Turtle Pond, because public access is not permitted on the watershed land. The

Commission also asked for more information, including a description of the types of animals that would be trapped. The group had concerns that the trapping may be hazardous to the public if located near city trails.

c. Request of the East Concord Cooperative Preschool to allow the trails at Merrill Park to be used during a 5K road race – R. Hebert explained that the East Concord Cooperative Preschool is planning to hold a 5K road race at Merrill Park as a fundraiser. The Commission discussed the road race and agreed there were no concerns regarding the use of the trails for the race. R. Hebert said that the race would also require a permit from the Recreation Department.

d. Installation of guardrail at the end of Pecker Lane – R. Hebert explained that she has received a quote for the installation of guardrail along the edge of the agricultural land at the end of West Portsmouth Street/Pecker Lane. She said that the trail along the river, which is accessed from West Locke Road, was recently extended to the end of Pecker Lane. The purpose of the guardrail would be to keep vehicles from trespassing on city land. The neighboring property owner, Doug Hicks, is concerned about cars driving across city-owned fields to access the Shaker Road School property. He has installed boulders around the perimeter of his property, but the city land is open. R. Hebert said the cost of the guardrail was approximately \$6,000. The Commission discussed the proposal, and felt that they may be in favor of installing the guardrail if the city could create a public trailhead/parking area off of Pecker Lane. They also thought the City should formalize an agreement with the Shaker Road School regarding public access and trail use. R. Hebert offered to look into less expensive options for guardrail.

J. Owers moved to enter into a nonpublic session for the discussion of land acquisitions in accordance with RSA 91-A:3, II(d). T. Boisvert 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.

4. City Council/Planning Board Action

a. Public hearing to acquire agricultural land southerly of Gully Hill Road and the conveyance of a conservation easement to the Society for the Protection of New Hampshire Forests (SPNHF)– C. Morgan explained that the City Council approved the resolution pertaining to the acquisition of the land; but tabled action on the conservation easement. Councilors were interested in using of the property in the future for recreation or to host festivals and special events. SPNHF explained that the easement could allow for both recreation and special events, but any use that negatively impacts the prime agricultural soils would not be permitted. Large paved or gravel areas and permanent structures such as bathrooms would not be allowed.

The Commission discussed how special events should be treated in the easement document and felt that agriculture should be the primary use of the land, and other permitted uses should not detract from the agricultural uses or harm the prime agricultural soils. The Commission agreed that recreation and/or special events could be permitted, provided the use did not detract from or interfere with the farming. The group suggested that the Gold Star Sod Farm easement be used as a model or starting point. This easement permitted winter use and trails, and also mentioned a recreation plan. T.

Boisvert said that other organizations throughout the state are facing similar requests to hold special events on land encumbered with conservation easements and thought the Forest Society may have other easements that address this concern. The Commission agreed that they did not want to preclude special events, but they would need to be controlled.

The group also discussed whether or not to permit farm related buildings. The group agreed that farm-related structures should be allowed, but within a limited area. They also agreed that greenhouses should not be allowed but farm stands, hoop houses or other temporary structures would be acceptable and also discussed allowing parking and support facilities for a farm use within a limited area. D. Woodward said that the zoning ordinance contains provisions farm stands, and suggested that these be incorporated into the easement.

5. Other Business:

C. Morgan said that the Commission has a vacancy for an alternate position, the Contoocook Local Advisory Committee needs a Concord representative, and the Upper Merrimack Local Advisory Committee has one or two vacancies for Concord. He suggested posting something in the newspaper or online to advertise the volunteer opportunities.

Meeting adjourned at 9:50 PM.

A TRUE RECORD ATTEST:
Rebecca W. Hebert
Planner, Secretary pro-tem