

CONCORD CONSERVATION COMMISSION

REGULAR MEETING MINUTES

May 14, 2025, 7:00 p.m.

Council Chambers, 37 Green St

Attendees: Rick Chormann, Councilor Michele Horne, Tracey Lesser, Vice-Chair Jeff Lewis, Alternate Jim Owers, Kevin Porter, and Chair Kristine Tardiff

Absent: Mark Coen, Katherine Healy, and Emily Landry

Staff: AnneMarie Skinner, City Planner
Kearsten O'Brien, Senior Planner
Krista Tremblay, Administrative Technician III

Public: Jessica Jacobson (2 Home Ave, Concord)
Greg Pollock

1. Call to Order

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

2. Minutes – Approve meeting minutes from April 9, 2025

Vice-Chair Lewis moved, Member Owers seconded, to adopt the April 9, 2025, minutes with corrections. All in favor. Motion passed unanimously.

3. New Business

a. CUP Application for project 2025-047 Curtisville Rd

Jessica Jacobson is present to represent this application. Ms. Jacobson stated they are here for a conditional use permit for a minor impact to a wetland buffer. The parcel is 11.63 acres and zoned in the open space residential district. Upon surveying the property and having a wetland delineation, it was found that wetlands and the wetland buffer are on the majority of the frontage on the property. Ms. Jacobson noted in the far east portion there is a little bit of a triangle that has a diagonal hatch and that is what is considered a buildable area. It is free of a wetlands buffer. On the far west side in the back corner, there is another little triangle for a pocket of buildable area. The interior of the property is all wetlands. In order to access the buildable area to the west they are attempting to stay clear of the wetlands, which would mean proposing the driveway as far west as possible. That is where the impact comes. There is no proposed impact to the wetlands. There is an impact to the wetland buffer in order to construct a driveway to access the usable land on this property. The top western corner where the driveway would enter the property needs to be offset from the property line about 10 feet to allow for adequate grading. They are also proposing a driveway culvert to ensure that the area is hydraulically connected so there is no impact to the drainage flow.

Vice-Chair Lewis stated all they were provided was the plans and asked if there is a conditional use permit application with the criteria. Vice-Chair Lewis noted this is the only place they can put the driveway. Vice-Chair Lewis stated historically they recognize if there needs to be buffer impact to access the buildable part of the property that is appropriate.

Ms. Jacobson knows they are within the buffer. Ms. Jacobson stated they have all criteria for the conditional use permit within the narrative.

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Chair Tardiff asked if the application has pictures of the wetland area.

Ms. Skinner stated the plans submitted that are a part of their packet and that was all that was submitted. There is no wetland study or report that was a part of the application.

Vice-Chair Lewis stated there are criteria for the conditional use permit.

Ms. Skinner read from the conditional use permit narrative submitted by the applicant.

1. The disturbance of the buffer is necessary to the establishment of an allowed principal or accessory use on the building land area on the lot.

The frontage of the lot is entirely encumbered by wetlands and wetland buffers, except for approximately 76 feet from the northwest property corner. The driveway will be located within those 76 feet and sited as far west as possible. Once into the site 40 feet, the driveway intersects the wetland buffer. The driveway as proposed minimizes wetland buffer disturbance and avoids wetland impacts. The driveway is proposed 10 feet from the property line which leaves just enough room to keep all grading on the applicant's property.

2. The proposed disturbance to the buffer cannot practicably be located otherwise on the lot to eliminate or reduce the impact to the buffer and represents the minimum extent of disturbance necessary to achieve the reasonable use of those portions of the lot consisting of buildable land.

The location of the driveway represents the minimum wetland buffer disturbance to construct a driveway. The frontage of the lot is entirely encumbered by wetlands and wetland buffers, except for approximately 76 feet from the northwest property corner. Once into the property, the driveway cannot reach the buildable land at the back of the property without disturbing the wetland buffer. The wetland buffer in that location extends to the west property line. All the other land to the east is wetland or wetland buffer.

3. The proposed disturbance to the buffer minimizes the environmental impact to the abutting wetland, and to downstream property and hydrologically connected water and wetland resources.

Yes, the proposed disturbance to the buffer minimizes the environmental impact to the abutting wetland, and to downstream property and hydrologically connected water and wetland resources. By avoiding wetland impacts, the wetland functions are not disturbed. Constructing the driveway anywhere else on the property would require building the driveway through the wetland, thus bisecting the wetland and disturbing the hydrology and connectivity.

4. Where applicable, wetland permit(s) have been received or are obtained from the NHDES or USACOE.

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The proposed disturbance is limited to the wetland buffer. No wetland disturbance is proposed and NHDES and USACOE permits are not required.

Alternate Owners made a motion to recommend the Planning Board approve the application as submitted. Vice-Chair Lewis seconded. All in favor. The motion passed unanimously.

- b. Discuss parking proposal for Sunflower Bloom Festival – Greg Pollock (Sun Fox Farm)
Greg Pollock presented pictures from last year. The Conservation Commission approved utilization of some of the cover crop section for vendor parking. Mr. Pollock showed the path used by the vendors and after they planted buckwheat. Mr. Pollock noted it is thriving on that roadway. Mr. Pollock stated the impact to the soil had no negative effect. Mr. Pollock noted they are facing a number of issues with the logistics of the festival. Mr. Pollock stated what they have been doing is parking at NHTI and running shuttle buses. Mr. Pollock noted having the two locations and buses has created confusion with the attendees. They noticed people parking where Sierra is now. Mr. Pollock stated another problem with the setup is emergency response. Mr. Pollock noted it is difficult to clear a large field. They have worked with 6 Loudon Rd for accessible parking. Mr. Pollock noted they split the field in three sections. Mr. Pollock stated the sunflowers will be in the back of the lot this year. Mr. Pollock noted they are thinking of adding more with a corn maze and pick your own pumpkin. Mr. Pollock stated the parking at NHTI goes away in August when the students come back. The proposal is to set aside a three-acre section for parking. It would be cover cropped with Italian rye in the spring. It would rotate with the other crops.

Chair Tardiff asked how they would propose to access.

Mr. Pollock stated it will change every year. This year they will utilize the access they established last year.

Vice-Chair Lewis said if laid out and moving each year people might go the wrong way and will need extra room in aisles. Vice-Chair Lewis asked how the fields will hold up with cover crops after they have been driven over five days.

Mr. Pollock stated they are trying to focus on higher areas on the property for the parking. Mr. Pollock noted that time of year there are passing storms but not seeing flooding or saturation of the soil. The cover crops will help mitigate.

Vice-Chair Lewis would like to work with them to figure this out.

Mr. Pollock noted there are two different directions they can go. One direction would be to help alleviate the sunflower festival during the nine-day period. They would not utilize the space after that. That is not their ideal because it does limit other things they are thinking about with the pick your own pumpkins and the corn maze.

Vice-Chair Lewis asked if the trail is now on the river and asked if there is an issue.

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Mr. Pollock stated they will still be able to close the gate when they are not open. Mr. Pollock would not expect people driving out there to park.

Alternate Owers asked if they need to amend the lease to allow this use.

Mr. Pollock stated he does not believe so.

Vice-Chair Lewis stated the Conservation Commission approved the vendor parking last year.

Councilor Horne asked for the general dates for the corn and pumpkin season.

Mr. Pollock stated the corn maze would be in September until the end October and the pumpkins in October as well.

Chair Tardiff asked if they plan on starting that this year.

Mr. Pollock will plant pumpkins this year. The corn maze might not be this year.

Chair Tardiff asked if that will be open on weekends.

Mr. Pollock said they would be open on weekends and maybe a little in the week as well.

Ms. O'Brien pulled up the lease agreement, and noted they can only do things that are associated with a festival.

Alternate Owers stated they can amend the lease.

Ms. Skinner suggested they could also name it as another festival.

Chair Tardiff suggested to work within the lease.

Ms. O'Brien stated the Conservation Commission would have to approve another festival.

Vice-Chair Lewis looked at the lease and the parking is whatever the Conservation Commission allows them to do.

Ms. O'Brien stated they would need another event permit.

Alternate Owers asked if they can do another event under the terms of the lease.

Ms. O'Brien stated yes.

Mr. Pollock stated it needs to be approved.

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Chair Tardiff stated the Conservation Commission approves the event and then they need to go to Code Administration for an event permit. This will increase the amount of traffic coming into the area.

Vice-Chair Lewis is trying to figure out a way to make this work. Vice-Chair Lewis noted they are parking on an agriculture field. If they are doing this as a limited week-long event that is one thing. If they are doing activities over the course of a couple months in a year, it could be a bigger issue.

Chair Tardiff noted when they did this for the first year, the Conservation Commission asked them to come back to access. Chair Tardiff noted for this concept to have two to three acres set aside for parking rather than making it a permanent approval they can approve for a year. Then, have them come back next year after the seasons are done.

Vice-Chair Lewis stated one of the reasons the City does not allow unpaved parking is because you could have cars parked there that could be leaking liquids. If it is on pavement it is being captured and going into a controlled area. In this case, it would go into the ground where they are growing crops.

Member Porter asked if there was a response from NRCS with insights or best practices.

Mr. Pollock stated his talks with NRCS focused on trying to identify cover crops to be used as a dual purpose for parking and holding the soil to traffic and weed suppression. They did not bring up concerns.

Member Lesser asked if they are certified organic.

Mr. Pollock they are not yet and working on certification.

Member Lesser asked how is this going to affect it because you are talking about PFAs, organics, and additional non-organic material into the soil.

Mr. Pollock noted they are working with a mentor with the USDA and the mentor did not bring up any concerns. Mr. Pollock will look into that.

Chair Tardiff noted they have been working with 6 Loudon Rd for accessible parking and asked if there is any option for expanded parking to reduce parking on the field.

Mr. Pollock does not think so.

Ms. O'Brien asked if he talked to the City about parking at Everett Arena.

Mr. Pollock talked to Everett Arena, and they have events planned and there is no room for outside event parking.

Ms. Skinner asked for the timeframe for the parking.

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Mr. Pollock stated from August through the end of October.

Ms. Skinner asked if the parking would be continuous.

Mr. Pollock said it would be during the different events.

Ms. Skinner stated she will need to look at this to see if it is an allowed use for a residential zone. Ms. Skinner will also have to check with Code Administration and Fire.

Chair Tardiff stated it is within the Conservation Commission's ability to have a say on the parking.

Member Lesser asked how many vendor vehicles were out last year during the nine days of the sunflower festival.

Mr. Pollock was approved for 30 vehicles, but he wasn't sure if there ended up being 30 vendor vehicles.

Councilor Horne asked about the number of spaces .

Mr. Pollock stated there are 382 spaces. Mr. Pollock noted at NHTI they have 250 spaces.

Councilor Horne asked if Mr. Pollock talked to the Fire Department.

Mr. Pollock stated he contacted Fire and Police but they never got back to him.

Member Lesser asked if this is in the Merrimack River flood plain.

Chair Tardiff answered yes.

Member Lesser noted there are concerns with oils and things on the flood plain. Member Lesser stated the scale as nine days is different from three months.

Mr. Pollock does not know to estimate if they are to do a corn maze what that will bring for traffic.

Member Lesser asked if looking at weekends only for the corn maze.

Mr. Pollock stated it is just an idea at this point.

Vice-Chair Lewis stated his suggestion is that he needs direction on this and recommended to forgo any conversation about corn maze this year and secure the nine days in August.

Mr. Pollock stated if this plan is not approved, he will need to start signing contracts with the bus company.

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Vice-Chair Lewis stated they should focus on the sunflower festival request and what needs to be done for the sunflower festival and not the pumpkins.

Chair Tardiff stated there are two pieces. Ms. Skinner needs to look to see if the nine day and parking creates other issues.

Vice-Chair Lewis asked if Conservation Commission should make a recommendation with thoughts as part of the decision, and separately suggested identifying the pumpkins as a specific item as a test year to go forward. The main goal is to get parking for the sunflower festival.

Chair Tardiff stated that would allow the Conservation Commission to assess collectively and see how it works.

Vice-Chair Lewis stated it needs to be a positive week out there for the sunflower festival.

Alternate Owers stated let's do it for a year and see what happens.

Chair Tardiff added that it would be subject to taking a look at the easement agreement.

Alternate Owers suggested just the nine days for the sunflower festive to see how it does with the soil compaction and if it is fine, they will go forward.

Chair Tardiff noted if they are doing pumpkins this year, the Conservation Commission wants to give them the option for the pumpkin festival.

Vice-Chair Lewis noted it depends on what Ms. Skinner finds out in terms of at what point is this a temporary parking lot.

Alternate Owers is thinking to approve it, and if Ms. Skinner states they cannot do it at all they do not have to come back and it is done.

Vice-Chair Lewis stated the Conservation Commission can approve for the sunflower festival and the other events and then figure out what is allowed.

Alternate Owers stated this way they do not have to come back for another vote.

Vice-Chair Lewis made a motion that the Conservation Commission approve the parking as represented on the plan tonight for the duration of the sunflower festival through October and for other events as needed. Alternate Owers seconded.

Discussion

Vice-Chair Lewis stated if he wants to have a pumpkin festival he does have to get approved with a plan.

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Ms. O'Brien stated it cannot be retail and picking your own pumpkin and paying a fee sounds like a retail use.

Vice-Chair Lewis stated for the parking they can make the motion and if they are going to do pumpkins he will need to come back with a specific plan.

Alternate Owers asked about just approving the parking for the sunflower festival.

Vice-Chair Lewis stated his motion is for the parking lot from August through October.

Mr. Pollock stated after the sunflower festival he can come and talk about how it went and if they want to do a pumpkin event. Mr. Pollock stated he is planting the pumpkins anyway.

Alternate Owers asked Mr. Pollock if he is putting down plastic for the pumpkins.

Mr. Pollock answered no.

Vice-Chair Lewis stated again his motion is to allow the parking lot from August to the end of October.

All in favor. The motion passed unanimously.

- c. Consider appointing James Meinecke as an alternate member of the Trails Subcommittee for a three-year term beginning May 14 2025, ending December 31, 2028

Ms. Skinner noted staff asked for a letter of interest and resume, but Mr. Meinecke did not submit either.

Chair Tardiff stated the Conservation Commission needs information to proceed.

Ms. Skinner stated she would like the Conservation Commission to officially say something so staff can go back to him and say it was on the agenda but the Conservation Commission needs a letter of interest and a resume to consider.

Chair Tardiff stated that is consistent with what they have been doing for all people that have expressed an interest. The Conservation Commission asked for a letter of interest and resume, and once received they can invite to the next meeting.

- 4. Non-public session for the discussion of the acquisition of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community in accordance with RSA 91-A:3, II(d)

The Conservation Commission voted to enter the non-public session at 8:05 p.m.

The Conservation Commission voted to exit the non-public session at 8:17 p.m.

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Vice-Chair Lewis made a motion to seal the non-public meeting minutes. Member Chormann seconded. Roll call vote 6 in favor (Chormann, Lesser, Lewis, Owers, Porter, and Tardiff) to 0 opposed. The motion passed unanimously.

Alternate Owers made a motion to move forward with next steps for a donation of a parcel as discussed in the non-public session. Member Chormann seconded. All in favor. The motion passed unanimously.

5. Reports

a. Trails Subcommittee – Jeff Lewis

Vice-Chair Lewis stated there was discussion on a potential trail that goes through several private properties. The Trails Subcommittee is not interested in pursuing. They will inform the person to let him know they will not act on it now and maybe will later on. Project managers for the West End Farm Trail were voted in.

Member Lesser noted the Weir Rd Trail and the beaver dam blow out, commenting that two weeks later the dam is intact again.

Vice-Chair Lewis noted the trails ranger provided an update, and he has been doing clean up on the trails. The city forester provided a report and suggested to say goodbye to beech trees because of the beech leaf disease infestation.

b. Forestry

The report is linked in the agenda.

c. Tree Subcommittee update – Rick Chormann

Member Chormann stated the tree tags have been installed on Main St a week ago Wednesday. The minutes for the last meeting are on the agenda.

d. Local River Advisory Committees

There is nothing to report on this agenda item.

e. New Hampshire Department of Environmental Services

There is nothing to report on this agenda item.

f. City Open Space and Easements

There is nothing to report on this agenda item.

g. City Council/Planning Board

Councilor Horne stated Mr. Klemarczyk came before City Council for \$48,000 from the Conservation Trust Fund to redo the forest inventory management plan as the last one was completed in 2009. Mr. Klemarczyk spoke about all of the differences in forestry with diseases and invasives. Councilor

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Horne stated it passed unanimously.

6. Old Business

a. 16-foot easement follow-up discussion

Ms. O'Brien stated Mr. Klemarczyk came in with a map of the easement and presented it to the Conservation Commission.

Chair Tardiff stated she was not sure if anyone has had a chance to go out.

Vice-Chair Lewis asked if the wetland is mapped out.

Chair Tardiff noted the wet area on the map.

Alternate Owers asked they were going to avoid that or mark it.

Vice-Chair Lewis thought it would be impacted.

Alternate Owers noted they can boardwalk it, bridge it, or avoid it.

Chair Tardiff asked if Mr. Klemarczyk had a recommendation.

Alternate Owers stated the next step is to get Mr. Klemarczyk's recommendation.

Ms. Skinner asked the Commission if they want Mr. Klemarczyk's recommendation on how to avoid the wet area

Chair Tardiff noted from the report that Mr. Klemarczyk stated the very small wetland developed in a barrow pit at the upper end of the 16-foot-wide recreational easement was surveyed and mapped.

Alternate Owers asked for a recommendation from Mr. Klemarczyk on what to do with it.

Chair Tardiff noted it looks like it is a small enough area that it would not need any permitting. Chair Tardiff stated they need that additional detail from Mr. Klemarczyk. Chair Tardiff stated the Conservation Commission will keep this agenda on for next month.

b. Spears Loop Trail follow-up discussion

Ms. O'Brien stated NHB came back and they found species and now the proposal is at Fish and Game for review.

Member Owers asked if it is endangered species.

Ms. O'Brien answered yes.

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Alternate Owers asked if it is from the standard hit map.

Vice-Chair Lewis answered yes. Vice-Chair Lewis will work on this next month's meeting.

7. Staff updates on items

Ms. Skinner stated the notice was mailed to the abutters for the northern bypass associated with the Woodard settlement agreement and asked if the Conservation Commission wants Mr. Klemarczyk to proceed with installation.

Chair Tardiff answered yes, if everything has been done.

Adjournment

Vice-Chair Lewis moved, seconded by Alternate Owers, to adjourn the meeting at 8:42 p.m. All in favor. Motion passed unanimously.

Respectfully Submitted,

Krista Tremblay

Krista Tremblay

Administrative Technician III