

CONCORD CONSERVATION COMMISSION

REGULAR MEETING MINUTES

June 11, 2025, 7:00 p.m.

Council Chambers, 37 Green St

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

Absent: Rick Chormann, Katherine Healy, and Emily Landry

Staff: AnneMarie Skinner, City Planner
Kearsten O'Brien, Senior Planner
Krista Tremblay, Administrative Technician III
Ron Klemarczyk, FORECO, consultant forester

Public: Jacob Kwapiszski (100 Owl Brook Rd, Ashland)
Conor Madison (14 Central Park Dr, Hooksett)
Donald Stores (780 N Commercial St, Manchester)

1. Call to Order

The meeting was called to order by Chair Tardiff at 6:58 p.m.

2. Minutes – Approve meeting minutes from May 14, 2025 and May 23, 2025

Vice-Chair Lewis moved, Alternate Member Owers seconded, to adopt the May 14, 2025, minutes as written. All in favor. Motion passed unanimously.

Vice-Chair Lewis moved, Alternate Member Owers, to adopt the May 23, 2025, minutes as written. All in favor. Motion passed unanimously.

3. New Business

a. Work Plan for Forest Management Plan

Mr. Klemarczyk stated he will focus on the larger city forests first such as the Penacook Lake watershed, Oak Hill, Broken Ground, and Broad Cove. Mr. Klemarczyk noted some of the city forests are small and can be done in a half day. Mr. Klemarczyk noted some of the city forests look big on the maps but they are wet. Mr. Klemarczyk will inspect the wetland area to see what is there for grass and vegetation. Mr. Klemarczyk noted when he finishes an inventory, he would like to present that inventory to the Conservation Commission to discuss rather than waiting for all inventories to be completed.

Chair Tardiff stated it makes sense to do a few at a time as completed, rather than reviewing them all at once.

Mr. Klemarczyk stated it would be a lot easier to present that way. Mr. Klemarczyk noted the beech leaf disease is starting to hammer the forest in Swope Park and the understory is being lost. Mr. Klemarczyk asked if there will be a public session where the updated forest management plan is presented.

Chair Tardiff asked if they did that in the past.

Mr. Klemarczyk answered no.

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Chair Tardiff stated the Conservation Commission can circle back with staff on how to structure.

Ms. Skinner noted the public hearing would come at the City Council level.

Chair Tardiff noted this is a subdocument to the open space plan and might be like the trails plan.

Ms. Skinner noted it is not a master plan.

Mr. Klemarczyk noted there have not been any complaints about the forest management program.

Vice-Chair Lewis stated he is interested in public feedback and comments.

Member Coen stated when the individual inventories are discussed to make more of an effort to let the public know this will be discussed.

Chair Tardiff noted they have used the City's social media websites. Chair Tardiff will discuss with staff how to publicize.

- b. Conditional Use Permit Eversource disturbance to the wetlands, buffers and bluffs, and shoreland protection. Case numbers 2025-0090, 2025-0091, 2025-0092

Mr. Kwapiszeski, Mr. Madison, and Mr. Stokes are present to represent this application.

Mr. Kwapiszeski stated they are here tonight for three conditional use permits (wetlands and wetland buffer impacts, bluff buffer impacts, and shoreline protection) for a maintenance project off Garvin Falls Rd. Mr. Kwapiszeski noted every year Eversource does annual inspections for wood poles and looks for cracks, water damage, and insect damage. Last year 23 poles were flagged across the project for Bow, Concord, and Pembroke. In Concord, there is a need to replace six utility poles on Garvins Falls Rd. The proposal is to replace the current wood structure with steel structures. It is not introducing a new transmission line. It is a wood-to-steel construction replacement project. For the construction of the project, they will be using existing access. Where there is not existing access from previous projects anything proposed will be upland matted or wetland matted. There will be timber matting in both uplands and wetlands. For the permitting there is a wetland permit they will submit this summer. Mr. Kwapiszeski stated it is a minimal use temporary impact project. Mr. Kwapiszeski noted the City of Concord will be notified. There is an alteration of terrain permit received in late April. This project as a whole Bow, Pembroke, and Concord has over 1,000 square foot of disturbance. Mr. Kwapiszeski stated not so much in Concord because they are using the upland matting. Mr. Kwapiszeski stated both these applications require coordination with New Hampshire Fish and Game and the National Heritage Bureau. Mr. Kwapiszeski stated for New Hampshire Fish and Game they received a preference recommendation that all work be done in the inactive turtle season, which is October 16th through March 31st. Eversource has made a schedule around that to accommodate that preference. The schedule for this project is starting mid-October to end

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of March 2026. For the National Heritage Bureau, they recommend they survey for three plants. Within the City of Concord, they did find one of those plants in abundance. The plant area was so large. They will be doing a pseudo transplant this winter where they coordinate with NHB to scrape the seeds, preserve the seeds, and plant within the right-of-way outside of these work areas. There is an EPA construction permit that requires coordination with US Fish and Wildlife and US Army Corp due to archeology throughout this site. Mr. Kwapiszeski stated they are abiding by the 2019 best management process. The erosion control will be silt sock and silt fence fabric materials so the snakes and turtles do not get snared. Mr. Kwapiszeski stated the first conditional use permit is the wetland and wetland buffer. Mr. Kwapiszeski they will be matted as well. Mr. Kwapiszeski stated they will impact two wetlands around 535 square feet. The temporary buffer impact is 5,324 square feet and that will be in the winter with upland matting. Mr. Kwapiszeski noted there is a permanent wetland buffer impact because due to engineering and some other constraints they are moving 250 square feet from an upland area to a wetland buffer area. It is a permanent impact of 20 square feet for the pole base. They were not able to push it out further because there are a lot of constraints on the other end.

Alternate Member Owers asked if 20 permanent is all.

Mr. Kwapiszeski answered yes, it is a distribution pole and they are somewhat smaller about six feet in the ground. Mr. Kwapiszeski noted the bluff conditional use permit is due to the steep slope along the Merrimack River. They cannot move it from where it is currently existing because it has to go over a large span over the river. The structure has to stay close to the river for engineering purposes. There will be temporary matting on the steep slope and the bluff buffer impacts. Mr. Kwapiszeski noted the bluff buffer is 4,326 and the other side is 841. They currently exist in the buffer and in the bluff. Mr. Kwapiszeski stated he did not call that permanent impact because there is a replacement there. Mr. Kwapiszeski stated the next conditional use permit is the shoreland protection. Mr. Kwapiszeski noted these are all upland matted areas and will be proposing impacts. Mr. Kwapiszeski stated they will be impacting 250, 150, and 75 of the natural vegetative buffer. They are not proposing disturbance. It will just be matting, and it will be removed at the end of March.

Chair Tardiff stated it is pretty straightforward.

Alternate Member Owers asked if they are going to the Planning Board.

Mr. Kwapiszeski stated they are going to Planning Board next Wednesday.

Vice-Chair Lewis asked how high is the bluff.

Mr. Kwapiszeski stated it is not steep.

Vice-Chair Lewis asked if the bluff is stable.

Mr. Madison stated there is a lot of sandy soil and it does have a fairly thick shrubby layer.

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Vice-Chair Lewis asked if the clearing in the buffer for the small area and the erosion control is at the top. Vice-Chair Lewis stated his concern that they stay in place and any erosion that starts down the bluff.

Mr. Madison stated that is a good point. Mr. Madison stated the way they permit the work path is not to exceed matting footprint. Given the steepness of the slope, the majority of the work pad is more on the high side of the bluff. In practice, he would be surprised if the contractor would incur that expense to bring the entire footprint of the matting out. They would keep as far back from the edge as possible. They will implement perimeter controls to avoid erosion sedimentation issues.

Chair Tardiff asked if they are at the top of the slope if they are out of the flood plain.

Mr. Madison answered yes, noting that engineering does not like installing their structures in flood plains.

Alternate Member Owers made a motion to recommend the Planning Board approve all three conditional use permits (shoreland, buffer, and wetland buffers). Vice-Chair Lewis seconded. All in favor. The motion passed unanimously.

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 8:19 p.m.

The Conservation Commission voted to exit the non-public session at 8:36 p.m.

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

Alternate Member Owers made a motion to spend up to \$1,000 on a title search for a property as discussed in the non-public session. Member Lesser seconded. All in favor. The motion passed unanimously.

5. Reports

a. Trails Subcommittee – Jeff Lewis

Vice-Chair Lewis stated Mr. Klemarczyk provided a forestry update to the Trails Subcommittee.

Mr. Klemarczyk noted on the Jim Hill River walk there is a small boardwalk that he was going to replace. However, it is flooded. It is in an old river meander and a beaver plugged up a culvert across the causeway near the Contoocook River. The water has backed up and flooded the second boardwalk. Mr. Klemarczyk stated a beaver plugged the culvert. Mr. Klemarczyk asked if the stone culvert could be replaced to regulate the water level and protect the bridges.

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Chair Tardiff asked if that is a project he has done before on the trails.

Mr. Klemarczyk answered yes, it would require to be looked at and a new culvert. Mr. Klemarczyk noted the Marsh Loop at Broken Ground goes up the power line and there was a low spot on the west edge of the trail. When they did work up there it was matted and people got used to walking where the matts were. Some people have been there with trucks and made it rutted. Mr. Klemarczyk noted they can get most of the trail on the upland and it will require plank walks. Mr. Klemarczyk noted this will need to have a review.

Vice-Chair Lewis had conversation with a scout leader looking for opportunities for troops to help on trails.

b. Forestry

This was discussed in agenda item 5(a).

c. Tree Subcommittee update –

The minutes from the previous meeting are attached to the agenda.

d. Local River Advisory Committees

There is nothing to report on this agenda item.

e. New Hampshire Department of Environmental Services

Ms. O'Brien stated the property by Sam's Club on Sheep Davis Rd received a notification from DES about an AoT permit. Ms. O'Brien also noted a notification from DES was sent to the property owners of 192 Silk Farm Rd for alleged improper placement of waste.

Chair Tardiff noted there is nothing for the Conservation Commission to do regarding either notification.

f. City Open Space and Easements

There is nothing to report on this agenda item.

g. City Council/Planning Board

Councilor Horne stated there is nothing to report.

6. Old Business

a. Spears Loop Trail follow-up discussion

Vice-Chair Lewis stated the plan now is to advance to a public hearing.

Alternate Member Owers thought it was approved.

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Vice-Chair Lewis stated it was not approved. They started this in 2023 and they approved the first steps to start the process. Vice-Chair Lewis started pulling the criteria in 2023 with a site walk in December of 2023. Vice-Chair Lewis stated right when they were getting to point to advance to the public hearing, the power line work stopped everything. The power line work was just completed. The proposed trail was walked a couple years ago and again this spring with Mr. Klemarczyk. There is access from Victoria Lane. The trail has never been formally adopted primarily because of ongoing logging and it was a safety issue. Vice-Chair Lewis stated the National Heritage Bureau has been recently contacted. There has been some coordination with Fish and Game regarding a handful of rare and endangered species that are in the area but not on the parcel. There are five species identified in the vicinity. Vice-Chair Lewis stated they provided a recommendation for construction of the trail. They did not offer any concerns about the location or the public use of the property. Vice-Chair Lewis went through the trail criteria with the Conservation Commission in reference to this trail. Vice-Chair Lewis stated he would like to advance to public hearing so they can get it formally approved to get on Mr. Klemarczyk's schedule. Vice-Chair Lewis stated Barbara Richards has requested a meeting with the Conservation Commission to discuss the proposed trail.

Ms. Skinner suggested holding a special meeting when Barbara Richards is in Concord.

Vice-Chair Lewis noted if the Conservation Commission is going to have a special meeting to also make that the public hearing. Vice-Chair Lewis noted they need the date from Barbara Richards as to when she will be in town.

Ms. Skinner stated she will send her a reminder email asking for that date.

Vice-Chair Lewis suggested in the July meeting the date could be discussed.

Alternate Member Owers made a motion to move forward to a public hearing and a future date for meeting with Barbara Richards. Vice-Chair Lewis seconded. All in favor. The motion passed unanimously.

b. 16-foot easement follow-up discussion

Ms. O'Brien submitted the Natural Heritage Bureau request for this trail and has not heard back.

Ms. Skinner stated the Conservation Commission had questions for Mr. Klemarczyk on a suggestion for addressing the wet area.

Mr. Klemarczyk stated there is an old borrow pit with water in it. Because there is standing water and if going to install a trail, they will have to fill part of the wet area. That requires a dredge and fill permit to fill the area and will not be extensive. It is a small area like 10 by 20.

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Alternate Member Owers asked if they need a permit for a boardwalk.

Mr. Klemarczyk stated they can bridge it as an alternative option. Mr. Klemarczyk noted it dries up in the summer. It is a man-made vernal pool and did not see any typical vegetation, but because it is standing water they have to do something. The City has an easement on the property, but does not own the property. Mr. Klemarczyk was not sure who would be responsible for applying for the dredge and fill permit.

Alternate Member Owers suggested the best thing might be the boardwalk.

Chair Tardiff noted that is a good question.

Mr. Klemarczyk noted they will have to cut a few trees.

Chair Tardiff stated the Conservation Commission would need the consent of the land owner.

Ms. Skinner stated the property owner would need to sign off on it.

Alternate Member Owers noted to go with bridge or boardwalk.

Chair Tardiff stated if it is not a meaningful wetland.

Mr. Klemarczyk suggested obtaining the professional opinion of a wetland scientist, noting that the wet area is mapped but with no information on its quality or significance.

Alternate Member Owers asked if they did a boardwalk or a bridge if they do not need a permit.

Mr. Klemarczyk answered correct, he can get 24-foot-long planks.

Alternate Member Owers asked how much it would cost.

Mr. Klemarczyk stated they are \$177 each plank and total cost around \$3,200.

Vice-Chair Lewis stated it seems like it is an easy thing to get a permit. However, it is just a matter of the logistics of doing that.

Mr. Klemarczyk stated he can work with staff.

Alternate Member Owers asked if it would cost money to get equipment to the site.

Mr. Klemarczyk answered yes, but to thin out the four acres below to help cover the cost. It would be

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about \$7,500 to pull the whole trail to the east side of the centerline.

Alternate Member Owers asked if what they would cut would be in the triangular piece to the south.

Mr. Klemarczyk answered yes.

Chair Tardiff asked if the wetland is of value.

Mr. Klemarczyk recommended to fill it.

Ms. O'Brien stated there is no indication the wetland was assessed for value, and she will ask the survey company about it.

Alternate Member Owers stated to find the answer to that first.

Ms. O'Brien asked the Conservation Commission if they want her to contact the surveyor to see if they used a wetland scientist.

Chair Tardiff suggested to have someone look at it.

Vice-Chair Lewis stated it definitely needs to be looked at by a wetland scientist. Vice-Chair Lewis noted they need to finish the process for the National Heritage Bureau.

Ms. O'Brien stated it is in process, and they have not received anything yet.

Vice-Chair Lewis made a motion to allow Ms. O'Brien to contact the surveyor to find out the wetland data information and, if no assessment took place, to get a quote to assess the wet area. Alternate Member Owers seconded. All in favor. The motion passed unanimously.

Vice-Chair Lewis asked for staff to contact the property owner.

c. West End Farm Trail follow-up discussion

Ms. O'Brien stated the National Heritage Bureau has been notified for the northerly bypass of discontinued District 5 Rd.

Alternate Member Owers stated they need a guided hike to look at the proposed trail.

Vice-Chair Lewis stated the Trails Subcommittee has made great progress on this and walked with Mr. Klemarczyk. They have started to put together the criteria. Vice-Chair Lewis noted Ms. O'Brien has started the process to look at the threatened and endangered species through the National Heritage Bureau. The Trails Subcommittee thinks the next step is to have a site walk with the Conservation

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Commission and move forwards with scheduling the site walk with Mr. Klemarczyk's availability.

Mr. Klemarczyk stated on Monday he cleared part of the bypass trail on the north side of the discontinued side of the District Five Rd. Mr. Klemarczyk has the lumber for the bridge across a wet area. Mr. Klemarczyk wants to have done the northerly bypass installed soon.

Alternate Member Owers noted Mr. Klemarczyk needs to guide the Conservation Commission on the proposed West End Farm trail portion because it is not flagged.

Mr. Klemarczyk stated most of it is flagged but not the upper part. Mr. Klemarczyk noted when he flagged it the leaves were not out and then the leaves came out so it is hard to find.

Alternate Member Owers asked about parking.

Mr. Klemarczyk stated there is no parking at the end of the City-maintained at District Five Rd. Mr. Klemarczyk noted there is a place to park away from the site, and then you can walk to the site.

Chair Tardiff will have this on the agenda to discuss for a future date for joint site walk.

7. Staff updates on items

- Ms. O'Brien stated she received an email about New Hampshire Audubon Society bird walks and working on the schedule for bird watching. They have a hike at Concord Parks and are looking for permission for Sewalls Falls and Contoocook.

Chair Tardiff stated Sewalls Falls is the State of New Hampshire. Chair Tardiff stated the Trails Subcommittee tries to do a monthly walk and suggested connecting with Trails Subcommittee.

- Chair Tardiff asked for update on sunflower farm.

Ms. Skinner met with the fire marshal who wants the parking on the easterly portion rather than the westerly part. There is a report to take to City Council to approve the new lease agreement. It will go to City Council in July.

Adjournment

Alternate Member Owers moved, seconded by Vice-Chair Lewis to adjourn the meeting at 8:37 p.m. All in favor. Motion passed unanimously.

Respectfully Submitted,

Krista Tremblay

Krista Tremblay

Administrative Technician III