

**CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
February 9, 2011**

**Second Floor Conference Room, City Hall
41 Green Street, Concord, NH**

Attendance:

Members present at the meeting included: Christopher Kane; Tracey Boisvert; Rick Chormann; Jan McClure; Kristine Tardiff; Doug Woodward, City Planner and Rebecca Hebert, Senior Planner, also attended the meeting.

K. Tardiff, Chairman pro-tem, called the meeting to order at 7:00.

1. Minutes: The group reviewed the December meeting minutes. T. Boisvert moved to accept the minutes of the December 6, 2010 & December 8, 2010 meetings; R. Chormann seconded the motion. The motion passed unanimously and the minutes were adopted.

2. Wetlands Bureau:

a. Concord Cooperative Recycling Facility discussion of mitigation for proposed wetland impacts at the Whitney Road crossing of Burnham Brook – Britt Audet of CMA Consulting Engineers presented an overview of the project and described the proposed impacts to Burnham Brook. She explained that the wetlands permit has not yet been approved and DES has asked for mitigation related to the impacts associated with slip lining the existing culvert on Whitney Road at the Burnham Brook crossing.

She explained that the conveyance of a conservation easement along the bluff to the Merrimack River was a condition of the Planning Board approval, but has also been included as part of the proposed mitigation package. In addition to this easement, the DES has asked for a second easement to be conveyed on the land surrounding Burnham Brook, east of Whitney Road. R. Chormann commented that the easement is not contiguous and includes only the portion of the brook that crosses through the Cooperative's property, and asked if they looked at continuing the easement west towards the river. Paul Schmidt of CMA Engineers explained that they looked off-site for mitigation opportunities, but there were complications with the private property owners.

The Commission discussed the boundary of the proposed easement along the brook and noted that it did not follow the topography and excluded areas of the bluff. The Commission would prefer if the boundary followed the limits of the bluff. Mr. Schmidt said that the Cooperative's site plan included a Conditional Use Permit not to construct all of the parking spaces, and the deferred parking was located close to the top of the bluff. The Commission suggested moving the boundary of the easement to the top of the bluff, while also keeping the line as straight as possible. The limits of the easement would

be marked with conservation markers. The group also discussed whether or not trash and debris should be removed from the bluff along the Merrimack River. Moving some of the larger objects might cause additional erosion. C. Kane moved to send a letter of support to the DES for the proposed wetlands mitigation with the understanding that the final acceptance of the conservation easement would need City Council approval; the trash and debris that could be removed without disturbing the bluff would be cleaned up; and that the boundary of the easement be modified to include the top of the bluff associated with Burnham Brook. R. Chormann seconded the motion; all in favor; motion passed.

b. Standard Dredge and Fill Application of PSNH off of Farmwood Road – Luke Hurley of Gove Environmental presented an overview of the proposed wetland impact and substation expansion project off of Farmwood Road. He explained that the substation yard was being expanded 60 feet to the north and 6,600 sq. ft. of scrub-shrub wetland would be impacted. A small stormwater detention area would also be constructed to the north of the expanded yard. T. Boisvert asked why they did not consider expanding the substation in a different direction to avoid wetland impacts. Mr. Hurley responded that the Snow Pond Brook Outlet ran to the south of the substation, and that there would be wetland impacts in either direction. R. Chormann moved to not object to the permit as presented. J. McClure seconded; all in favor; motion passed.

3. Presentation from members of the City of Concord Transportation Policy Advisory Committee – Bicycle, of the proposed Merrimack River Greenway

Shared-Use Path – Craig Tufts of the Central New Hampshire Regional Planning Commission presented an overview of the proposed Merrimack River Greenway Shared-Use Path and Feasibility Study. The Commission discussed the proposal for a paved 10-foot wide pathway. R. Chormann questioned why a paved surface was being proposed. He said that a paved trail did not personally appeal to him, and felt it was contrary to his conservation ethic. C. Kane said that the trail would also serve a transportation purpose and more people would be able to use the trail if it were paved. It could also attract a wider variety of users, including hikers, walkers, bikers and bicyclists. The trail would be constructed to ADA standards and would be wheelchair accessible. R. Chormann asked if there were any studies demonstrating an increase in use based on the type of trail surface. C. Tufts said that he was not aware of a study, but would look into it. The Commission also asked who would be responsible for maintaining the trail. C. Tufts said that volunteers as well as the General Services Department would need to be involved in the trail maintenance. He also said that the trail would not be plowed during the winter months. K. Tardiff suggested looking at the shared-use path in Burlington, VT. It is paved through the downtown area, but might be stonedust on the outskirts of the City. The trail is heavily used by commuters. C. Tufts said that the City may be applying for transportation grants to fund construction and that a group is looking into applying for funds for the Terrill Park to Loudon Road section this spring. The City Council will be discussing the study on March 14th.

4. City Open Space – D. Woodward announced to the group that Rivington Winant passed away. The Commission agreed to send a letter of condolences to Joan Winant.

Robert Knight, Jay Haines, and Mark Zankel of the Five Rivers Conservation Trust were present to discuss land protection projects of mutual interest. Jay Haines explained that John Swope would like to donate his land off of Long Pond Road to the City with a conservation easement conveyed to Five Rivers Conservation Trust. He would also like to have a trailhead and trails constructed on the property to create a park-like

environment. The land donation and park/hiking area would be dedicated in memory of his wife and former Conservation Commission member, Marjory Swope. The group discussed where trails could be located and if trail connections would be possible across adjacent city-owned land. J. McClure asked if Five Rivers has contacted St. Paul's regarding trail access to Jerry Hill. The Commission unanimously agreed to support the project and asked Five Rivers to proceed with a memorandum of understanding or some other written document outlining the various roles and responsibilities of the parties involved.

R. Knight reported that the Triacca family would like to move forward with the sale of their land to the City and conveyance of the conservation easement to Five Rivers Conservation Trust. He distributed a draft Pro Forma for the project. The group discussed the costs related to the closing, legal work, and stewardship fund. R. Knight said that the value of the land encumbered with the easement has been estimated at \$54,000, but we are waiting for a report from the appraiser. The group discussed various alternatives regarding who should hold the fee interest in the land. Ideally the property would be merged with the Dimond Hill Farm, but if the owners of the farm were not able to purchase the property, the City could own the land and lease it back to Jane Presby. R. Hebert said that the City could draft a purchase and sales agreement for review by Five Rivers. C. Kane moved to set the public hearing for the authorization to spend up to \$190,000 of Conservation Trust Fund. T. Boisvert seconded the motion; all in favor; motion passed.

5. Wetlands Bureau (continued):

- a. Standard Dredge and Fill Wetlands Application of Tarbell Family Trust at Mill Place West off of North State Street – R. Hebert explained that this permit was on the Conservation Commission's agenda in January, but the meeting was cancelled. The DES has approved the permit. The project is closely tied to the City of Concord's proposed improvements to the Rattlesnake Brook culvert underneath Route 3/North State Street.
- b. Standard Dredge and Fill Application of the State of New Hampshire for proposed impacts to Bow Brook at the State Office Park – R. Hebert provided an overview of the project. The State of New Hampshire is proposing to construct improvements along the portion of Bow Brook that flows through the State Hospital/Office Park.
- c. Application of Ron Ferrante for a Minimum Impact Agricultural Project at 268 Mountain Road – The Commission reviewed the proposal and asked staff to send comments to the DES questioning the appropriateness of the Minimum Impact Agricultural Permit for a four acre residential property.
- d. Correspondence – R. Hebert reviewed the correspondence from the NHDES.

6. Budget – R. Hebert provided a brief overview of the fiscal year 2012 budget. The Commission discussed the street tree and pruning program, and agreed to include funding for this program in the 2012 budget.

Meeting adjourned at 10:05 PM.

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