

**CONCORD CONSERVATION COMMISSION  
MINUTES  
Regular Meeting  
September 14, 2011  
City Council Chambers, City Hall Annex  
41 Green Street, Concord, NH**

**Attendance:**

Members present at the meeting included: Christopher Morgan; Kristine Tardiff; Jim Owers; Pam Hunt; Jan McClure; Tracey Boisvert; Rick Chormann; Chris Kane; and Rebecca Hebert, Senior Planner, also attended the meeting.

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

**1. Minutes:**

The Commission reviewed the minutes of the August 10, 2011 meeting and the minutes were adopted.

**2. Karen Rose – Overview of the easement stewardship internship:**

Karen Rose provided an overview of her internship. She explained that her work involved monitoring conservation easements, organizing the easements files, filing, and prioritizing the properties for monitoring. She explained that she monitored the easements using the GIS maps together with the 2010 aerial photographs. She also created standard forms, including a monitoring report and sample landowner letters, for the Commission to use in the future. She also created both digital and field files for each easement.

Karen discussed the Millstream subdivision conservation easement and the violations observed on the properties along Millstream Lane. She explained that one property constructed an in-ground pool within the easement area and the neighboring properties were encroaching into the easement area with fencing, sheds, lawn and yard waste. She also said that there is a black rubber hose discharging water from the pool into the easement area. R. Hebert said that City's Code Division has notified the landowner of the possible encroachment. She explained that the City issued an "after the fact" permit in November 2010. She spoke with the landowner briefly and he understood that the pool was partially within the easement and not located entirely on his property. The Commission asked staff to contact the City Solicitor to discuss enforcement action.

Ms. Rose also discussed the easement on the South Concord Meadows property. She said that many of the property owners have extended their lawn and gardens into the easement area, but that the easement allows agricultural uses. She said that the Commission will need to determine what constitutes a violation. She also said that it would be helpful if the Commission did some landowner education. She explained that many of the landowners were unaware of the easement on their property. The Commission discussed the project and the City's next steps for establishing an easement stewardship program and thanked Ms. Rose for her hard work.

### **3. Wetlands Bureau:**

R. Hebert reviewed the following correspondence from the New Hampshire Department of Environmental Services (NHDES):

- Letter from the NHDES regarding the issuance of a Shoreland Protection Permit to Harold Turner off of Appleton Street;
- Letter from the NHDES regarding the review of the Alteration of Terrain Permit for Interchange Development off of Whitney Road;
- Letter from the NHDES regarding the issuance of an Alteration of Terrain Permit for the construction of a new parking area at NHTI; and
- Notice of approval for the wetlands permit of NH Fish & Game Department for the reconstruction of the boat ramp and fishing pier at Hot Hole Pond.

### **4. City Council / Planning Board Action:**

- a. Conditional Use Permit Request of Concord Country Club for disturbances to a wetland buffer for the reconstruction of golf tee boxes at the 12<sup>th</sup> hole - Dan Geiger of Oak Hill Environmental Services presented an overview of the Conditional Use Permit Application. He explained that the tee boxes at the 12<sup>th</sup> hole need to be reconstructed and there is a small amount of grading that will extend into the buffer area. The tee boxes are separated by a small wetland. He said there would not be any disturbance to the jurisdictional wetland area. He said that the re-graded area would be re-seeded with a wetland restoration mix and fescue grass which does not require mowing. The golf course uses an integrated pest management practice to limit the use of herbicides and pesticides. Mr. Geiger said that this is not an area of high quality wildlife habitat. He explained that it is a fairly isolated wetland and not considered to be part of a main travel corridor. The Commission did not have any questions for Mr. Geiger. C. Kane moved to not object to the Conditional Use Permit as proposed; T. Boisvert seconded the motion; all in favor; motion passed unanimously.

### **5. City Open Space:**

- a. Maplewood Farm – Rob Knight of the Five Rivers Conservation Trust provided an overview of Five River’s fundraising efforts. He said that they have raised approximately \$36,000 that could be used to lessen the transaction costs and lower the amount the City would need to borrow. He also said that the NRCS office thought the project would likely be funded. Mr. Knight distributed a promotional flyer for the Maplewood Farm project. The Commission discussed the project and suggested including the Pierce and Butterworth properties in the overview map included in the City Council report. The Commission discussed the potential of protecting the open fields on the Pierce and Butterworth properties. Mr. Knight would be working with staff to negotiate the details of each transaction.

The Commission reviewed the development scenario comparing the cost of protecting Maplewood Farm with the cost of development. The Commission decided not to submit this to the City Council for the October public hearing. They did not want the details of the spreadsheet to cause confusion at the public hearing and agreed that the

argument could be made that providing services to a new neighborhood in this area of Concord would be more costly than the cost of maintaining and protecting the undeveloped land.

- b. Triacca property – R. Hebert explained that the survey for the Triacca property has been completed, and the next step is to have the Triaccas file the subdivision application. Mr. Knight said that Five Rivers is also working on a fundraising campaign to raise money to help Equity Trust purchase the fee to the property to merge with Dimond Hill Farm.
- c. Rossview Farm – J. McClure and T. Boisvert recused themselves from the discussion. R. Hebert said that Wayne Ross would like the City to proceed with the wetland permitting for the parking area off District #5 Road. She explained that money for this work was included in the Recreational Trails Program Grant, but that the Commission had asked the State to pursue other alternatives. The group discussed the project and alternative locations for the parking area that would not require a wetland fill. C. Morgan moved to reaffirm the Conservation Commission's opposition to locating a trailhead parking area in a wetland. K. Tardiff seconded the motion; all in favor motion passed. J. McClure and T. Boisvert recused from the vote.

## **6. Other Business/Reports:**

R. Hebert said that an RFP has been issued for real estate appraisal services. The last date to submit a proposal is October 14<sup>th</sup>.

R. Hebert reported that the timber sale in the Jerry Hill compartment of the Penacook Lake watershed was awarded to Chuck Rose for \$21,952. She explained that the work is scheduled to start this fall on dry ground conditions.

R. Hebert said that the ground lease for the cellular communications tower off of Locke Road is almost ready to sign. There are no major points of disagreement between the parties. She also said that the lease with the Gold Star Sod farm has been terminated and the company has until the first week in October to leave the property. The Commission should start to seek new proposals to lease the property this winter to ensure that the land is leased for next year's growing season.

R. Hebert said that the Friends of the Merrimack River Greenway Trail are trying to schedule a work day for the construction of the hiking trail along the river this fall.

J. McClure reported that the discussion regarding the Elgland property has been taken off the City Council's agenda.

R. Hebert reported that she spoke the Forest Society regarding the proposed conservation easement on the agricultural land southerly of Gully Hill Road. They did not have any objections to the revised easement document. R. Hebert said that this would be ready to present to the City Council in November or December.

Meeting adjourned at 10:00 PM.

A TRUE RECORD ATTEST:

Rebecca Hebert

Planner, Secretary pro-tem