

**CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
September 11, 2013
Second Floor Conference Room, City Hall
41 Green Street, Concord, NH**

Attendance:

The Vice Chair called the meeting to order at 7:00 p.m.

Members present at the meeting included: Kristine Tardiff; Tracey Boisvert; Pamela Hunt; Karen Rose; James Owers, Vice Chair and Council Representative Jan McClure. City Planner Gloria McPherson, Senior Planner Rebecca Hebert and Patricia Murray, Administrative Specialist from the Planning Division also attended the meeting.

1. Minutes:

Kristine Tardiff moved to accept the minutes of the August 14, 2013 meeting, and Tracey Boisvert seconded the motion; motion passed unanimously.

- a. Discussion of the process for amending conservation easements
Jan McClure moved to enter into a nonpublic session for the discussion of amending easements in accordance with RSA 91-A:3, II(d). Pamela Hunt seconded the motion, and the motion passed unanimously.

The Commission entered into non-public session. Following the discussion, the Commission moved to exit the nonpublic session and seal the minutes. The motion was duly seconded and passed unanimously.

2. Wetlands Bureau:

- a. Standard Dredge and Fill Application by PSNH for impacts related to the construction of a new substation yard off of Farmwood Road –Nick Golon, TF Moran; Walter Bilynsky and Laura Games, PSNH were present to discuss the application. Mr. Golon outlined the project including the placement of the new substation yard, additional overhead power lines and related wetlands impacts. He explained that the project is the result of an ISO report indicating growth trends in the region and the need to add power lines to improve reliability and accommodate that anticipated growth. The substation will include connections to the existing transmission lines within the corridor which will help to limit power loss by providing a new connection to this line. Mr. Bilynsky said the project is intended to serve Concord consumers and is not related to the Northern Pass. They have not found a more suitable site for the project nor better locations for the substations.

Mr. Golon said that the previous wetland impact will be considered as part of this application and the project will require mitigation with the NHDES. The group discussed various possibilities for wetland mitigation including conveying an easement on the strip of

land behind the Farmwood Road residences, payment in lieu to ARM fund, pursuing a conservation easement on an adjacent property or contributing to the purchase of another parcel in Concord.

See 3a for motion.

- b. Correspondence – none
- c. Other business - none

3. City Council/Planning Board

- a. Conditional Use Permit by PSNH for impacts to wetland buffers for the construction of a new substation yard off of Farmwood Road
 - See 2a above regarding the discussion of the Standard Dredge and Fill Application by PSNH for impacts related to the construction of a new substation yard off of Farmwood Road.
 - Kris Tardiff made a motion to recommend that the NHDES accept the proposed mitigation of a payment of approximately \$80,000 to the City of Concord to be used towards the purchase of the Whispering Heights property and to recommend that the Planning Board seek mitigation for the wetland buffer impacts related to the project, particularly the improvements to the culvert crossing over Snow Pond Outlet. Tracey Boisvert seconded the motion. The motion passed unanimously with Jim Owers abstaining.

4. City Open Space:

- a. Public Hearing relative to the proposed acquisition of a conservation easement on property located at 84 Stickney Hill Road (7:30)

Vice Chair Owers opened the public hearing. Tracey Boisvert recused herself from the discussion. Discussion of the potential acquisition of a conservation easement on property located at 84 Stickney Hill Road – Rebecca Hebert provided an overview of the proposal and explained that the public hearing was for the purchase of a conservation easement on the property. She explained that the easement was appraised at \$182,000 and the City and Five Rivers have been in discussions with the Pierce family for over a year and have come to an agreement on the sale of the conservation easement on approximately 19 acres of agricultural land. Five Rivers would be applying for a Farm and Ranchland Protection Program (FRPP) grant, which would fund 50% of the easement value and are requesting a \$91,000 match from the City. Rob Knight, of Five Rivers Conservation Trust, said they would like to apply for the grant in September. The grant funds would be available in March 2016 at the latest or spring 2015. He said the Russell Foundation has offered a grant to cover the transaction costs and Five Rivers would also apply for a Land and Community Heritage Investment Program (LCHIP) grant to cover the City’s portion, but the FRPP grant would need a commitment for the match in order to apply. Five Rivers would not know about the LCHIP grant until after the FRPP application has been submitted. Several supporters of the project were present. Amy Manzelli of the Northeast Organic Farmers Association spoke in favor of the project and said they would like to see New Hampshire producing as much of its own food as possible. Peter Cowan, a neighbor, also supports the easement. The group discussed the area that would be excluded from the conservation easement. Jan McClure suggested that the excluded area be reconfigured to capture as

much of the agricultural land as possible.

Kris Tardiff motioned to close public hearing. Karen Rose seconded the motion. The motion passed unanimously with Tracey Boisvert abstaining.

Pam Hunt made the following motion:

The Concord Conservation Commission, pursuant to its authority and for the purposes so specified in RSA 36-A, and after a duly noticed public hearing on this date, hereby exercises its authority to allocate up to \$91,000 from the Conservation Trust Fund for the acquisition of a conservation easement on approximately 18 acres of land located at 84 Stickney Hill Road, a parcel now or formerly owned by Lorraine Hayes Pierce referred as Tax Map 98 Block 1 Lot 3 on the City of Concord Tax Map, and to recommend that the City of Concord, subject to the approval of the Concord City Council, accept an executory interest in the conservation easement on this property. The Conservation Commission proposes to pay any incidental costs related to the transaction from the funds on deposit in the Conservation Fund.

These funds are being allocated with the understanding that the Five Rivers Conservation Trust will file a grant application with the New Hampshire Land and Community Heritage Investment Program to request funds to reduce the City's contribution.

Jim Owers seconded the motion. The motion passed unanimously with Tracey Boisvert abstaining.

- b. Discussion of the siting of two proposed substations on land owned by Unitil, on which the City of Concord holds a conservation easement– Jacob Dusling and Paul Krell, Unitil and Nick Golon, TF Moran were present to discuss the application. Mr. Dusling outlined the project including the placement of the new substation yard, additional overhead power lines and related wetlands impacts. He explained that the project is the result of an ISO report indicating growth trends in the region and the need to add power lines to improve reliability and accommodate that anticipated growth. The substation will include connections to the existing transmission lines within the corridor which will help to limit power loss by providing a new connection to this line.

Kris Tardiff questioned the timing of the project. Mr. Dusling stated that the increase of load in this area is present. He stated that the easement location is the first location they considered and that all drawings are conceptual and Unitil does not consider this the formal application to the Commission. He explained that construction would not begin until 2015 and wouldn't be complete until 2017. Jan McClure questioned the location of the substations and asked where the lines would start and end. Mr. Dusling stated the Farmwood project lines would go north to Franklin and south to Bow. He also stated the location of the stations and their distance between was determined by the proximity to the wetlands and the topography of the land. The width and location (near beaver pond) of the driveway was questioned. Mr. Dusling reported that the driveway needs to allow for large trucks to maneuver through even after construction. The group continued to discuss the location and size of the proposed substations. The Commission questioned the size and location of the substations and asked if they could be moved closer together or partially

located within the existing PSNH ROW. Mr. Dusling explained that they have looked at alternatives that moved the substations closer together, but the wetlands impacts increased. The Commission suggested showing the equipment that would be located on each of the pad sites. Basically, Mr. Dusling replied that because of the terrain, location of the beaver pond and wetland area, the stations are positioned in the least impacting way. Two stations are necessary because of the separate entities involved; PSNH and Unitil, and the fact that it would cause operating challenges to have a mixed use yard.

After more discussion surrounding size, proximity, and the possibility of considering another location it was decided that Unitil will complete more concept work and come back to the Commission with equipment layout and sizes of the substations. They will also meet with Gloria McPherson and Becky Hebert to discuss the Whispering Heights property and the possibility of moving the substations to the south.

- c. Other Business – Becky Hebert spoke about the Martin property located next to Winant Park. The Martin family would like to sell the landlocked parcel to the City for \$11,000 and would consider a small discount in exchange for naming a trail for Dr. Phillip Martin. Kris Tardiff moved to schedule an October public hearing to approve an amount not to exceed \$11,000 for the acquisition of the Martin property located next to Winant Park. Jan McClure seconded the motion, and the motion passed unanimously.

Motion to extend meeting to 10:15 was made by Karen Rose and seconded by Kris Tardiff. Motion passed unanimously.

5. Easement Stewardship/Monitoring:

- a. Restoration plan for the conservation easement violation at 33 & 39 Locke Road
Donald Jewell presented the Commission with a restoration plan for tree replacement in the conservation easement area at 33 and 39 Locke Road. Becky Hebert reported that many of the cut trees are now showing regrowth. The Commission concluded that with the regrowth, 45 new trees would be sufficient to plant. They agreed on box elder, birch and aspen as the choices. Mr. Jewell was advised to plant the trees within the next few weeks. The Commission will revisit this and inspect the site in June.
- b. Other business - none

6. Reports:

- a. Trails Committee – no update
- b. Upper Merrimack River Local Advisory Committee – no update
- c. Contoocook and North Branch Rivers Local Advisory Committee – no update
- d. Forestry – no update
- e. Street Trees – City Council referral – no update

Meeting adjourned at 10:20 pm.

A TRUE RECORD ATTEST:

Rebecca Hebert, Senior Planner
Secretary pro-tem