

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
April 8, 2015
Second Floor Conference Room, City Hall
41 Green Street, Concord, NH

Attendance

James Owers, Vice-Chair, called the meeting to order at 7:00 p.m.

Members present at the meeting included: Vice-Chair James Owers, Tracey Boisvert, Pamela Hunt, Frederick Chormann, and Kris Tardiff. Assistant City Planner Heather Shank, Senior Planner Beth Fenstermacher and Administrative Specialist Patricia Murray from the Planning Division also attended the meeting.

1. Minutes, March 11, 2015 meeting

Ms. Tardiff moved to accept the March 11, 2015 minutes as written. Ms. Boisvert seconded the motion; motion passed unanimously.

2. New Business

a. Non-public session for the discussion of conservation property in accordance with RSA 91-A:3, II(d)

Ms. Tardiff moved to enter into a nonpublic session for the discussion of conservation property in accordance with RSA 91-A:3, II(d). Mr. Chormann seconded the motion, and the motion passed unanimously. The Commission entered into non-public session.

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

b. Penacook Lake

Danielle Pacik, Deputy City Solicitor, was present to speak to the Commission. Vice-Chair Owers stated Ms. Pacik was asked by the Department of Administrative Services to review the land which is near Penacook Lake and Carter Hill Orchard and whether it is permissible to use the land as a recreational trail. The issue is whether the City of Concord Ordinance, specifically section 9-2.1, needed to be amended.

Ms. Pacik stated it is permissible to construct trails on the tract of land identified as Map 99, Block 2, Lot 32 because it does not “adjoin” Penacook Lake. She also stated there is no need to amend the ordinance and that the Conservation Commission is all set to act.

c. Unutil Site Plan Application (signs, gates, logging access, trails, parking)

Nick Golan, TF Moran, Jake Dusling, Unutil and Atty. Tim Britain, Cleveland, Waters and Bass, were present to speak to the application.

Mr. Golan gave a brief background of the project. The site is 45.2 acres. He stated that there are three

main components to the project; the Broken Ground distribution substation, the Curtisville transmission substation, and the distribution lines which come out of the distribution substation through existing electrical right-of-way and tie into Unitil's existing substation on Old Loudon Road. Mr. Golan presented the site plan pointing out the wetland impact key. He stated that the temporary wetlands impacts are the areas which will have wood mats which allow the distribution of pressure from the track vehicles to be expanded so that rutting is avoided. DES does not consider work on frozen ground to bear any impact to the wetlands but Unitil will use them on the frozen ground anyway. Mr. Golan pointed out an area of approximately 10 acres of land which is really the only dry spot available on the site. There is an existing woods road trail which comes off the existing paved road and winds through the project site. He stated that in order to minimize wetlands impacts they tried to follow the trail route with the intent that that area of wetlands was already disturbed with the woods trail. He stated there is a proposed 20 foot gravel access drive that comes off of the paved road off Portsmouth Street for the access point. He stated there are proposed turning radiuses for emergency vehicle access and for oversized vehicles carrying components that they may need for the construction aspect of the project. He pointed out the proposed layout of the two buildings. He stated there is a certain electrical arrangement that has to take place between the two substations to be certain that the connections between the two work; a certain angle has to be maintained along the lines. The proposed arrangement of the substations allows that to take place. Mr. Golan stated that beyond the electrical needs for the layout there are also environmental components. The buffer associated with where the transmission substation is located along the northern end is essentially untouched with the exception of some tree removal due to the need for a certain distance from the electrical lines from the trees. The proposed layout allows for that border to be protected. He stated there is a dredge and fill permit pending. He stated that the comments from the Conservation Commission helped govern the proposed layout. More discussion regarding layout ensued. With this proposal, total aggregate wetland buffer impact is just over 141,000 square feet, permanent wetland impact is 20,657 square feet and temporary wetland impact is 17,620 square feet. Construction is slated to begin late summer.

Ms. Shank stated that the City Forester asked that the gate be moved to make it more convenient for trucks to make the turn off of Portsmouth St. Mr. Dusling stated the gate could be pushed back 25 – 30 feet. Ms. Shank asked about the possibility of Unitil assisting with creating a parking area. Mr. Dusling stated that they may be able to assist with that if it does not create any hardship for them. Ms. Shank shared concerns regarding visibility of the substation from the highway. Discussion ensued regarding views and visibility of the substation.

Mr. Chormann noted that this project has come a long way and TF Moran and Unitil has done a great job accommodating issues and concerns. He stated the plan is much better and is the best that can be done. The Conservation Commission unanimously agreed with Mr. Chormann's comments and Vice-Chair Owers stated that the Commission has no objection to the plans as submitted and presented.

d. Other new business – Housekeeping items

Ms. Shank asked for updates and information on several items including Bow Street trash dumping; refer to Code for no dumping signage, Bartlett tree fertilizing; refer to General Services, trails at Morono Park and issues at Spears Park; invite Ron Klemarczyk to meeting to discuss. She informed the Commission that Arbor Day ceremony will be on April 24 at 10am at the Thompson Park Play Lot. Discussion ensued regarding the Cluster Ordinance presentation that Ms. Shank will present next month.

3. Wetlands Bureau

Ms. Shank had Dredge and Fill waivers to be signed by the Commission for the following.

- a. **Municipal Boat Ramp Restoration**
- b. **Rte. 13 over Turee Brook**
- c. **Unitil**
- d. **Sewalls falls bridge**

Discussion regarding protocol ensued. Commission members reviewed the applications and had no objections.

4. Reports

- a. **Trails Committee**

Ms. Shank distributed the minutes from the March 25 Trails Committee meeting.

- b. **Upper Merrimack River Local Advisory Committee**

Mr. Chormann stated it was a very successful winter at St. Paul's. All presentations were well attended.

- c. **Contoocook and North Branch Rivers Local Advisory Committee**

Jack Shields was present to introduce himself to the Commission. He stated he is a fourteen month member of the Contoocook and North Branch Rivers Local Advisory Committee. He stated he has been sending Committee minutes to Nancy Larson for distribution. Ms. Shank stated Mr. Shields could send correspondence to her and she would copy Ms. Fenstermacher who will be the staff liaison to the Conservation Commission.

- d. **Forestry**

Ms. Shank handed out reports.

- e. **Street Trees**

A sub-committee has been formed with City Council members.

5. City Council/Planning Board

- a. **Northern Pass**

Commission members reported that a letter of concern was previously written and submitted.

6. Easement Stewardship/Monitoring

- a. **Intern Update**

Ms. Shank stated Sam Durfee will be starting soon as the Planning Intern.

- b. **Monitoring Training Session**

Mr. Kane and Ms. Boisvert may be willing to give a training session for any planning staff or members. They will put something together and send an e-mail.

7. City Open Space

- a. **Morrill Dairy Farm, LLC agricultural lease**

Ms. Fenstermacher gave an update on the revised payment terms for the Morrill Farm lease. Ms. Shank relayed a concern from Mr. Morrill regarding sub-lease terms for agricultural leases on other town properties. Ms. Fenstermacher will follow up.

8. Other Business

Follow up items:

a. Scenic River Designation

Ms. Shank reported that she met with Phil Bilodeau, Deputy Director GS, and Chip Chesley, Director GS about the Scenic River Designation. Ms. Shank also stated she located the Water Master Plan and emailed that to the Commission.

b. Budget FY 2016

Ms. Shank will distribute a copy of the proposed FY16 budget to the Commission.

c. Pierce Resolution

Ms. Shank will make changes to the resolution and email to Commission members for finalization after which point it will go to City Council for approval.

There being no further business, the meeting adjourned at 9:40pm.

A TRUE RECORD ATTEST:

Patricia Murray, *Secretary Pro-tem*