

**CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
March 12, 2014
Second Floor Conference Room, City Hall
41 Green Street, Concord, NH**

Attendance

Christopher Morgan, Chair, called the meeting to order at 7:00 p.m.

Members present at the meeting included: Frederick Chormann; Chair Christopher Morgan; Kristine Tardiff; and Tracey Boisvert. Senior Planner Rebecca Hebert and City Planner Nancy Larson from the Planning Division also attended the meeting.

1. Minutes

Ms. Tardiff moved to accept the minutes of the February 12, 2014 meeting and Ms. Boisvert seconded the motion; motion passed unanimously.

2. Wetlands Bureau

- a. Correspondence – Ms. Hebert reviewed the following correspondence from the NH Department of Environmental Services:
 - Utility Maintenance Notification for minor wetland impacts adjacent to Snow Pond Road;
 - Letter regarding the Alteration of Terrain Permit for the Executive Health & Sports Center off of Garvins Falls Road; and
 - Shoreland Impact Permit for Kara Realty Associates, LLC off of NH Route 106.
- b. Other business - None

4. City Council/Planning Board

- b. Conditional Use Permit for impacts to wetland buffers for the construction of a single family home at 36 Snow Pond Road – Tim Bernier explained he was here representing Tom and Sandra Perry in their request for a Conditional Use Permit for impacts to the wetland buffer. He said the lot had been subdivided in the 1960's and contains a mobile home originally constructed in 1963. The property is in the RO District and mobile homes are not permitted in the district.

Mr. Bernier said that the Perrys are proposing to remove the mobile home and construct a stick built house with a deck and new septic system. He said the house has been located as far forward as possible. The Perrys have received a variance to permit the building encroachment into the front setback. The new septic system will also be located in the front setback and the owners have received NHDES approval for the new septic system. The buffer area is already impacted by the mobile home, driveway and improvements around the home.

Mr. Bernier said that the new house only has a slight increase in overall impact to the buffer and also only a slight increase in the amount of impervious surface on the property.

The house will be 28' x 34' and the deck is 22' x 22'. Ms. Boisvert asked how much of the existing buffer area is proposed to be open lawn. Mr. Bernier said the site does not have a large area of lawn. He also explained the existing forested wetland acts as a buffer to Snow Pond. The site is also in the Shoreland Protection District, but there are no impacts proposed to this buffer. He also said the proposed improvements do not require additional clearing within the buffer and there is an area near an old dug well that will be allowed to revert back to natural vegetation.

Ms. Tardiff moved to recommend to the Planning Board approval of the Conditional Use Permit as proposed. Ms. Boisvert seconded the motion; motion passed unanimously.

3. Reports

- a. Trails Committee – no update
- b. Upper Merrimack River Local Advisory Committee – Mr. Chormann reported that the Committee hosted a successful “Give Me Green Event” this past week. He also said a committee is proposing legislative changes to extend the terms of committee members from 3 years to 5 years.
- c. Contoocook and North Branch Rivers Local Advisory Committee - no update
- d. Forestry – Ms. Hebert distributed the forestry report from Ron Klemarczyk.
- e. Street Trees – no update

4. City Council/Planning Board (continued)

- a. Budget - Ms. Hebert provided an update on the Conservation Commission’s budget. She said the budget meeting with the City Manager would be on Thursday. There were two program change requests, including funding for the update of the open space plan a second for snow removal at trailhead parking lots at Marjory Swope Park, Winant Park and Oak Hill. She said that General Services would add the plowing to one of the private contracts for snow removal. The estimated cost per trailhead is \$3,000. There was discussion regarding whether the cost was a set amount regardless of the number of storm events and whether the plowing would occur when only a certain amount of storm built up. Ms. Hebert said the amount was for the season, regardless of the number of snow storms. She would follow up with General Services to ask how much snow would build up before the trailheads were plowed.

5. Easement Stewardship/Monitoring – no update

6. City Open Space

- a. Whispering Heights proposed conservation restrictions – Ms. Hebert distributed copies of the revised version of the conservation restrictions which she worked on with Ms. Pacik. She said the only comment she had was whether or not Section 2F and 2G should be moved to Section 4, Reserved Rights. The group discussed the whether or not this language

should be a reserved right or use limitation. The group agreed to move the language into the Reserved Rights section. It was also suggested that the document be reviewed to refer to “Conservation Restriction” rather than the plural “Conservation Restrictions” and to review the use of “Purposes” vs. “purposes”.

- b. Gully Hill/West Portsmouth Street agricultural leases – Ms. Hebert said the City Council approved the land swap at their meeting on March 10th. The item was on the consent agenda and there was no discussion. The next step is to finalize the new lease agreements with the farmers. The Commission agreed it would be important to remember to put an RFP out for the lease of the Gully Hill land in four years, because the Green Gold Lease would only be for a five year term.
- c. Other Business – Ms. Hebert said she received an inquiry from the owners of 29 Portsmouth Street asking if the City would be interested in purchasing their property. The parcel is located adjacent to Merrill Park and across from Forest Society land. The group decided that the parcel was too small to qualify for conservation land and the land also contained an existing residence. It was suggested that the inquiry be forwarded to the Parks and Recreation Department.

Ms. Hebert also provided an update on the discussions with the Hallers regarding the protection of their property off of West Parish Road. Ms. Boisvert suggested scheduling a site walk once the snow melted.

7. Other Business – Ms. Hebert said that the Saving Special Places conference is on April 5th, the Commission has money in their budget for members to attend. She asked members to send her an email if they were interested in registering for the conference.

Mr. Kane updated the Commission on the status of the Merrimack River Greenway Trail. He said the Friends of the Merrimack River Greenway Trail group are ready to sign a contract with VHB for design and permitting of the section between Manchester Street and Loudon Road. They would like to start by doing exploratory borings. He asked who from the City would be able to sign a wetlands application for the borings. The borings would be on the city-owned conservation land. Ms. Hebert said she would need to look into whether or not the City Manager would need to sign the application. The group discussed Gully Hill agricultural land and the need for a larger riparian buffer. It was suggested that language be included in the new lease agreement permitting the City to renegotiate the lease area if the greenway trail is constructed. The Commission unanimously agreed with allowing the borings on the conservation land. Mr. Kane also said the Friends of the Merrimack River Greenway Trail are also drafting a memorandum of understanding with the City to clarify the roles and responsibilities of each party.

Meeting adjourned at 8:35 pm.

A TRUE RECORD ATTEST:
Rebecca Hebert, *Secretary Pro-tem*