

**CONCORD CONSERVATION COMMISSION
MINUTES
Special Meeting
March 20, 2013
Second Floor Conference Room, City Hall
41 Green Street, Concord, NH**

Attendance:

Members present at the meeting included: Christopher Morgan; Tracey Boisvert; Kris Tardiff; Chris Kane, Jan McClure; Rick Chormann; Gloria McPherson, City Planner and Rebecca Hebert, Senior Planner, attended the meeting.

C. Morgan, Chair, called the meeting to order at 5:30.

1. Public Hearing to consider and receive testimony relative to the proposed disbursement of up to \$975,000 from the Conservation Trust Fund for the acquisition of 270 acres of conservation land northerly of Portsmouth Street and southerly of Curtisville Road

R. Hebert explained tonight's public hearing is to discuss the purchase of the 270 acre Whispering Heights property and to receive public testimony on the proposed land acquisition. She explained that the Conservation Commission is authorized by RSA 36-A to appropriate up to \$975,000 from the Conservation Trust Fund to acquire land for the City. Land acquisitions are also subject to the approval of the City Council for acceptance of the land, and if the Commission votes in favor of the acquisition, the City Council would then hold a public hearing to accept the land.

She provided an overview of the property, including the location off of Curtisville Road and Portsmouth Street. She said that the three parcels of land proposed for acquisition are collectively known as the Whispering Heights Subdivision which was granted final conditional Planning Board approval in 2008, but the plan has not been recorded or finalized. She explained the subdivision proposal includes a cluster development of 85 new residential lots, 178 acres of open space, 2.24 miles of new public streets and 33,408 sq. ft. of wetland impact. The approval has received four one-year extensions from the Planning Board and the latest extension is set to expire on April 16, 2013.

R. Hebert said that the Commission has been talking with the landowners for several years and had the property appraised in 2012. The value was determined to be \$3,600 per acre or \$975,000. She said the Commission did not have this much money available in the Conservation Trust and would be asking the City Council to issue bonds and notes to cover the purchase of the land.

R. Hebert explained that the landowners have accepted the offer of \$975,000 with the contingency that they retain the right to conduct a one-time timber sale to recoup some of their investment. The timber sale would be based on a forest management plan prepared by a licensed forester and reviewed by both the Conservation Commission and the City's consultant forester. The scope of the timber sale would also need to be approved by the Commission and reviewed by the consultant forester. The details of the timber sale are being developed and any binding agreement to purchase the land would be subject to the City's approval of the timber sale and the forest management plan. She explained that the

Commission has made it clear that the land would need to be harvested in a manner that is consistent with the City's best management practices for forestry. The land could not be clear cut or degraded.

C. Morgan opened the public hearing.

Sandra Morrison asked about the timber sale. C. Morgan explained that the timber sale would be overseen by the City's consultant forester.

Greg Heine, of East Concord, asked if Unutil owned the adjacent property to the west. C. Morgan explained that the City holds a conservation easement on the property and Unutil owns the land.

Fran Philippe, of East Concord, talked about the history of the property which was recently outlined in the Concord Monitor and included a list of failed developments. She asked the group if someone was telling us the property should not be developed. She he has a petition with at least 25 signatures in support of the City purchasing the land and is strongly in favor of the land being protected.

Gail Page, of East Concord, said that the City's Master Plan strongly supports the protection of this land as open space. East Concord has not seen as much land protection as West Concord and this land is great for wildlife habitat and recreation.

Christopher Nelson, of Hampshire Drive, expressed concerns about what the City will look like in the future and felt that Concord should not project an image of suburban sprawl. He is in favor of land protection and felt the open space land in close proximity to downtown and shopping centers would help give Concord a unique image.

Michelle Kirsleai said that she thought the City should move forward to buy the land and also suggested that this might persuade other landowners in Broken Ground to protect their land.

Mark Cornell said that he came tonight with both of his kids. He feels that additional development would burden East Side Drive with traffic and that he was in favor of the land being protected.

Betsy Peabody, of Cranmore Ridge, said that she enjoys snowshoeing out her backdoor and Curtisville Road is a great place for children to ride their bikes. She feels this is an opportunity to conserve land for the kids of Concord.

Steff Mattlage said that he frequently sees moose, otter and other animals and that this land is Concord's wildlife preserve. He said it should be protected for wildlife. The people of East Concord think of this land as their woods and the East Concord has not been able to preserve as much land as West Concord. He said the land should be protected.

Ellen Kenny said she is a teacher at Broken Ground School and uses the marsh as an outdoor classroom. She would like to see the land protected.

Leslie Winshop, of Cranmore Ridge, said she would like to see the land protected.

Don Degranier, of Curtisville Road, said the land is very popular for hiking and walking. He is in favor of the land being protected.

Fred Sprague, of Curtisville Road, said that he used to hunt on the property and does not want to see the property developed.

Matthew Paul, said that he used to live in Nashua but moved to Concord to be closer to open space. He said preserving land is key and this would be money well spent.

Dan Panuske, spoke of the extensive wildlife on the property and that he has walked most of the site.

Fran Philippe said that this purchase may prevent further development of the Broken Ground land in the future.

Ann Winterly said she lived on Portsmouth Street for years and her children used to play in the woods. She is in favor of the City purchasing the land and against more development.

Wendell Manning, of Cranmore Ridge, said that of all of the places he has lived, Concord has the best quality of life and the protection of this land would add to this.

Steven Fox, of North Curtisville Road, said that he believes protecting this land would save the City money in the long run by not increasing demands on city services.

Claudia Rein, of Cranmore Ridge, mentioned the green movement and asked how much greener could Concord get than buying this land? She also said that the east side of Concord is more than Loudon Road, and Concord is more than bricks and mortar and was in favor of the purchase.

Jennifer Evans lived in East Concord and loved walking in the woods and felt the City needed to preserve natural things.

Sandra Morrison said that she is a photographer and has spent a year documenting a heron family on the property. She said that kids need to get off the buttons and get outside. This would give them a place to go, and once the land is developed we can never get it back.

Don Degranier said that the land is full of interesting natural features including gorges, meadows and cliffs. He said he harvested his first deer on the property.

Laurie Rardin, of North Curtisville Road, said that she has had moose in her driveway. She felt the land was important wildlife habitat and did not want to fragment the habitat.

Fran Philippe said that when they were trying to stop the development she reviewed the natural features on the property and noted extensive wetlands and sensitive wetland areas that would be degraded by the development.

Rod Touchy said that he moved to Concord in the 1980's and has spent time hiking and hunting on the property. He talked about the extensive wildlife that he has seen on the land. He also mentioned the possibility of the City protecting the land but selling a few estate lots.

Claudia Rein said that she did not feel that anything should be built on the property and the land should be protected.

Udo Rauter said that he is no longer a Concord resident, but lived in Concord for years. He is in favor of the land being protected.

C. Morgan closed the hearing at 6:20.

The Commission discussed the draft motion prepared by staff. G. McPherson suggested including language about the proposed timber sale.

K. Tardiff said that as long as she's been on the Commission the property has been a priority for protection. They have talked with landowners for years and finally have a willing seller.

K. Tardiff moved that 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 acquire in the name of the City of Concord, subject to the approval of the Concord City Council, the following properties:

One parcel of land now or formerly owned by Brian R. Bollinger and Larry R. Bollinger containing approximately 94 acres legally described as Tax Map Parcel 113/3/3, and described in deeds recorded at the Merrimack County Registry of Deeds as Book 3359, Page 1674, and two parcels of land now or formerly owned by Links Realty Trust containing approximately 176 acres of land on parcels 113/2/10 and 113/2/9, and described in deeds recorded at the Merrimack County Registry of Deeds as Book 2889, Page 1064.

Furthermore, the Concord Conservation Commission hereby allocates no more than the sum of \$975,000 from the Conservation Fund, using \$975,000 of the \$5,000,000 in bonds and notes appropriated to the Conservation Trust Fund by the City Council on September 13, 2004, subject to the City Council's approval. The Concord Conservation Commission hereby declares its purposes in taking these actions to acquire this interest and allocate the funding for the same, are to maintain, improve, protect, limit the future use of, and otherwise conserve and properly utilize this property as open space together with other land and water resources within the City, consistent with the purposes of the Conservation Fund.

Furthermore, the Sellers may reserve the right to conduct a one-time timber sale on the property subject to the Commission's approval of a forest management plan prepared by the Seller for the one-time timber sale. At the Sellers expense, the forest management plan and timber sale need to be prepared, managed and overseen by a licensed professional forester and approved by the Commission.

The motion was duly seconded and passed unanimously.

Meeting adjourned at 6:30 PM.

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