

**CONCORD CONSERVATION COMMISSION**  
*draft* **MINUTES**  
**Regular Meeting**  
**April 13, 2011**

**Second Floor Conference Room in City Hall**  
**41 Green Street, Concord, NH**

**Attendance:**

Members present at the meeting included: Christopher Morgan; Tracey Boisvert; Pamela Hunt; James Owers; and Jan McClure (who joined the meeting while in progress at 7:55 PM). Douglas Woodward, City Planner, also attended the meeting.

C. Morgan, Chairman, called the meeting to order at 7:15 PM when a quorum was present.

**1. Minutes:** The group reviewed the minutes of the March 9, 2011 meeting. J. Owers moved to accept the minutes of the March 9, 2011 meeting; T. Boisvert seconded the motion; motion passed unanimously and the minutes were adopted.

**2. Wetlands Bureau:**

- a. Standard Dredge and Fill Permit of NH Fish and Game for a Public Boat Access at Hot Hole Pond – The Commission examined the plans and had no comments on or objections to the work as proposed.
- b. Correspondence – The Commission members circulated recent correspondence received from the NHDES Wetlands Bureau. No item was brought forward for discussion by the Commission as a whole.

**3. Open Space:**

- a. Gully Hill Road Agricultural Land – SPNHF Conservation Easement. The Commission discussed the draft provided by SPNHF. There was a brief review of the summary that the Chair had provided to the SPNHF based on an initial discussion by the Commission in October 2010. That summary noted that agriculture is intended to be the primary use of the land and other uses should not interfere or supplant the agricultural use. Recreational uses and trails should be allowed in a manner consistent with the agricultural use. Farmstands and hoopouses are deemed acceptable along with parking and support facilities.

It was agreed that walking trails were acceptable in the vegetative buffer as long as there would be no loss of trees. Any multi-use path should be behind the vegetative buffer along the farm maintenance road.

There is a need to clarify the relationship of the DOT easement to the SPNHF easement, and exactly what the DOT Easement will allow

It was agreed that there should be no hunting given the proximity to homes, a park, commercial development, and a highway. It was also agreed that this was not an appropriate site for snowmobiles. The installation of a dock was left as an allowable item.

Events were not to be scheduled during growing season or to interfere with any agricultural use of the premises. Any farm stand should not exceed 2,000 square feet in size, and related parking should not exceed 20 spaces at a rate of one per 100 square feet (standard contained in the Zoning Ordinance). Temporary hoop houses may not have a floor of any type; however, a tarp or ground cloth may be employed.

The reference to Forestry BMPs on page 5 need to be updated to reference a 2010 document.

D. Woodward and R. Hebert were requested to edit the SPNHF draft in accordance with the Commission's guidance and review the edited version with the Legal Department and the SPHNF prior to returning to the Commission.

J. McClure indicated that there may be a need to meet with Councilor Nyhan so that he may gain a better understanding of the Commission's goals and purposes in relation to the easement.

- b. Proposed Conservation Easement on land of P&M Realty. D. Woodward explained the background of the easement over the remaining private portions of land around the South End Marsh, which itself a protected water body of the State. The easement was to be conveyed as a condition of approval of the proposed Concord Steam Plant, and trails were to be constructed to and through the easement area, but the plant has not proceeded as yet, and now there is a new application to subdivide the property and develop a lot northerly of the Marsh. The new application has brought about an agreement that the easement will be conveyed by year's end, with or without the steam plant being initiated. He noted that Richard Uchida, attorney for P&M Realty, will attend the May meeting to discuss an updated draft of the easement.

D. Woodward indicated that the Brownfield studies on this property had been made available to the City as had the location of monitoring wells. J. McClure noted that limitations on liability for the City should be written into the easement.

- c. Conservation easement proposed by the Concord Cooperative Recycling Facility on Whitney Road. The Commission reviewed a map of the easement area. The lines had been adjusted to include the land up to the top of the steep slopes along Burnham Brook. The Commission found the easement area, as displayed, to be acceptable.
- d. Internship. An Antioch graduate student, Karen Rose, will begin in May to work on monitoring of the Commission's easements.

- e. Rossview Farm – Annual Meeting. J. McClure recused herself from the discussion as an abutter. Both D. Woodward and T. Boisvert attended the meeting on April 6, 2011. T. Boisvert indicated that her role there had been in an official capacity on behalf of NHOEP. She deferred to D. Woodward to report to the Commission. He related the list of attendees and noted that the Rosses were represented by counsel and did not themselves attend. The meeting included a report on the agricultural productivity of the farm, as well as the status of trail development, and issues raised by the landowner about vandalism. As legal counsel for all parties were present, the discussion of the latter item turned to what needed to be done to address the concern, and posting of signs providing information to the public about access and behavior on the premises was the first step. That would provide the basis for the Concord Police to identify violations. Work associated with the City's trail construction grant is still in progress.

D. Woodward reported that Mr. Ross called him to discuss the need for an access control gate somewhere on the Old Dimond Road which is a southerly approach to the Rossview Farm. D. Woodward spoke with Tim Golde, developer and resident of Timberline Drive, who had indicated he believed the neighbors would agree to a gate just off of Reserve Place. K. Morgan suggested that a sign indicating no motorized vehicles might be a good starting point before investing in a gate.

f. Other business

- i. Triacca Land Acquisition. D. Woodward reported on the cost apportionment of the cost of the surveyor between establishing the property bounds for easement purposes, and preparing a subdivision plat. The City will pay for the former, and the Triaccas for the latter. The Commission found this to be acceptable.
- ii. Lassonde property on Bog Road. D. Woodward reported that Mr. Lassonde has passed away, and this is a property over which the Commission has a trail easement from an old tax title case. The Tax Collector has talked with the family and they would like to talk to the Commission about possibly acquiring some or all of the land. The old rail bed runs through it from the Deoss land to other City land along Bog Road. The Commission expressed interest and asked the Planning Division to make contact with the family.
- iii. Wilber land on Oak Hill Road. K. Morgan indicated Mr. Wilber approached him to discuss a conservation easement on a sugarbush on his land. The Commission members expressed interest in pursuing this.
- iv. Swope property on Long Pond Road. The Five Rivers Trust has been discussing a conservation easement with John Swope in memory of his late wife, and former Commission Chair Marjory Swope. The land would be deeded to the City with the conservation easement in place, and certain trails and improvements would be made to facilitate the public use of the premises. The Commission was interested in pursuing this and Five Rivers has indicated that it will send representatives to meet with the Commission next month. In preparation for that meeting, Commission

members agreed to review a draft Memorandum of Understanding to be signed by Mr. Swope, Five Rivers, and the City.

- v. Other matters. D. Woodward gave updates on Bunten and Crosby.

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

- a. Wild and Scenic River designation. J. McClure suggested scheduling a meeting with herself, B. Hebert, and R. Chormann to finalize a draft report for distribution to interested City committees. She indicated that the Commission should aim for the fall to get this matter before the City Council.
8. **Other Business.** D. Woodward passed out a budget schedule noting that the Commission's budget is scheduled for consideration by the Council on May 23, 2011. J. McClure suggested that the Commission prepare an Annual Report to handout to the City Council at that time.

There being no further business to come before the Commission, the meeting was adjourned at 10:05 PM.

A TRUE RECORD ATTEST:

Douglas G. Woodward  
City Planner, Secretary pro-tem