

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

MINUTES

The regular monthly meeting of the Conservation Commission was held on June 9, 2021, via Zoom, at 7:00 p.m.

Attendees: Chair Kristine Tardiff, Vice-Chair Jim Owers, Councilor Brent Todd, Members Chris Kane, Kathy Healy, Stefan Mattlage. Jeff Lewis arrived at 7:50 p.m.

Absent: Rick Chormann

Staff: Beth Fenstermacher, Assistant City Planner
Lisa Fellows-Weaver, Administrative Specialist
Cathy McComish, Forestry Intern

Call to Order

The meeting was called to order by Chair Tardiff at 7:00 p.m. at which time Ms. Tardiff read the following statement:

As Chair of the Concord NH Conservation Commission, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Commission is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, we have provided public notice of the necessary information for accessing the meeting, and instructions are provided on the City of Concord's website at:

www.concordnh.gov/planning

With Regard to providing public access to the meeting;

We are utilizing the Zoom platform for this electronic meeting. All members of the Commission have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through visiting the following website address: <https://us02web.zoom.us/j/89103102691>.

If you do not have website access, you may dial the following phone number 929-205-6099 and enter the webinar id **891 0310 2691**.

For those calling in who want to provide public testimony, *via* the website, you may click on the chat icon to ask, or click "raise hand" to be recognized as authorized by the Chair. For participants, dialing in on a phone, you may dial *9 to alert the Chair that you want to testify. Please note that testimony only applies to public hearings, and public participation may not be authorized in a public meeting which is not a public hearing.

With Regard to providing the public with a way to alert us about access problems;

If anybody has a problem, please call 603-225-8515 or send an email to: planning@concordnh.gov

With Regard to adjourning the meeting if the public is unable to access the meeting;

In the event the public is unable to access the meeting, we will adjourn the meeting and have it rescheduled at that time.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Roll Call attendance was taken with each member indicating whether there is anyone in the room with them during this meeting, which is required under the Right-to-Know law.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

MINUTES

Reminder for the public

If you have a question or any trouble accessing this meeting please call the planning department at 603-225-8515.

For those calling in who want to provide public testimony, *via* the website, you may click on the chat icon to ask, or click “raise hand” to be recognized as authorized by the Chair. For participants, dialing in on a phone, you may dial *9 to alert the Chair that you want to testify. Please note that testimony only applies to public hearings, and public participation may not be authorized in a public meeting which is not a public hearing.

Reminder to Commission members

- Please mute yourself when not speaking.
- Please raise your hand in the participants section of your Zoom screen.
 - Also, if viewing in gallery view, wave your hand in front of the camera to make sure you are heard.
- In your zoom screen, change your view in the upper right corner from speaker view to gallery view to see all panelists.

1. Minutes

May 12, 2021

A motion was made by Mr. Owers, seconded by Ms. Healy, to approve the May 12, 2021 minutes, as written.

The motion passed unanimously, with a roll call vote as follows:

Ms. Tardiff – in favor

Mr. Owers – in favor

Mr. Kane – in favor

Mr. Matlage – in favor

Ms. Healy – in favor

2. Public Hearing - addition to W. Locke Road Trails.

Fran Philippe of the Trails Subcommittee member and project manager for the addition to the West Locke Road trails met with the Commission along with Subcommittee member Scott Daniels.

Ms. Philippe met with the Commission last month to discuss the proposed addition to the West Locke Road trail. Members have since walked the trail. Ms. Philippe reviewed the existing trail network and noted that she heard feedback from trail users there was some confusion as to where the existing trail was. The trail maps have been updated to clarify trail locations. She stated that at the last Conservation Commission meeting, it was recommended that an additional step be added and NH Fish & Game was contacted as well as the Natural Heritage Bureau (NHB) to make sure there are no wildlife concerns or issues. The response from NHB requested that a survey of the trail area be completed to look for Spotted and Blanding’s turtles as well as the American Climbing Fern. Trail committee members will do the survey walk-through on June 22nd. She stated that the subcommittee did go through the checklist process for this trail. The subcommittee felt that this trail has great access from Heritage Heights, and to the neighboring business complex on West Portsmouth Street. The area is very interesting with the wetlands and many trout lilies; it will be a great addition to the City’s trail system.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

MINUTES

Ms. Tardiff opened the hearing at 7:12 p.m. With no public comments, the public hearing was closed at 7:13 p.m.

Mr. Kane asked if this is a new trail loop. Ms. Phillippe replied that there is an existing trail and the new trail is about 1/3 mile long, and will create a loop for the existing trail. Mr. Kane stated that there may be sensitive habitat in the area that could be impacted. Ms. Tardiff replied that the Mr. Klemarczyk has been out there.

Ms. Fenstermacher stated that since the proposed trail is not in a wetland, there is no permit requirement; however, as part of the trail checklist, the Natural Heritage Bureau data check was completed to determine if there are any sensitive habitats or species. Ms. Phillippe stated that she hopes that there will be some written communications to show that the survey was done and a response from NH Fish & Game and NH Heritage Bureau would be received. Ms. Fenstermacher replied that she will submit a letter response upon completion of the survey and will request a formal response.

Mr. Owers stated that this is a nice area and explained the potential for future trail development in the area heading north of the farm fields connecting to Sewall's Falls Road.

Mr. Owers made a motion, second by Mr. Kane, to accept the proposed addition to the W. Locke Road trails as recommended by the Trails Subcommittee, contingent upon the completion of the survey and receipt of a report from NH Fish & Game and the National Heritage Bureau, and approval from the Forest Society.

The motion passed, with a roll call vote as follows:

Ms. Tardiff – in favor

Mr. Owers – in favor

Mr. Kane – in favor

Mr. Matlage – in favor

Ms. Healy – in favor

3. Concord-Lake Sunapee Rail Trail, requesting license to construct and manage a trail through two Conservation properties along the existing rail corridor: Map36Z Lot 2 (Lehtinen Park) and Map 33Z Lot 36 (parcel north of Mast Yard State Forest).

Boyd Smith and Tim Blagden, members of the Friends of the Concord-Lake Sunapee Rail Trail, met with the Commission asking for support of their request to add two parcels into their trail license agreement with the City.

Mr. Boyd provided an overview of the project and a map was shown of the proposed trail extension and the existing 2.4 miles that was recently completed between Fisherville Road and Carter Hill Road. He stated that this began two years ago. A parking lot was added last year at Fisherville Road and the work continues to expand the trail along the rail corridor.

Mr. Kane recalled that when the conservation properties were acquired, there was a provision for the rail corridor to be maintained for future trail development.

Mr. Owers made a motion, second by Mr. Kane, to approve the license request to add two parcels, 36Z/2 and 33Z/36 and move forward with the legal process as outlined in the memo received, dated May 13, 2021.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

MINUTES

Mr. Owers commented that this is a tough project due to private land. Tim Blagden replied that it is tough; however, there is potential for larger sections and it will become a great project. Councilor Todd agreed; however, added that it does make sense to move forward. The trails are very popular and the City has a direct investment; he noted that there is an item in the capital improvement plan for project set out for 2026 for repairs to the Heroes Park Bridge for \$50,000. He stated that the City sees great value in the trail systems and also wants to maintain the infrastructure.

The motion passed, with a roll call vote as follows:

Ms. Tardiff – in favor

Mr. Owers – in favor

Mr. Kane – in favor

Mr. Matlage – in favor

Ms. Healy – in favor

4. Cluster Subdivision proposal for 458-460 Josiah Bartlett Road.

Ms. Fenstermacher presented the Commission with a plan for a cluster subdivision on Josiah Bartlett Road for consideration for an easement on the open space requirement per Zoning.

Ms. Tardiff stated that the area is small and does not connect with any other conservation area. She added that she does not feel that this is an area to be concerned about for conservation purposes. She stated that she does not want to recommend an easement and feels that the area could just remain as open space for the development. Ms. Fenstermacher stated that without the easement, the open space will be protected through covenants in the deed, enforced by the Code Division.

Mr. Owers stated that this is an awkward space; it is not really a good fit for an easement.

The consensus of the Commission was to not accept a conservation easement for this project.

5. NHDES Items

There were no NHDES items.

6. Reports

a. Trails

Ms. Tardiff attended the Zoom Trails Subcommittee meeting and provided an overview.

Ms. Tardiff stated that the Trails Subcommittee discussed the West Locke Road trail. Members will be doing the survey walk on June 22 looking for the turtles and climbing ferns.

Ms. Tardiff stated that the Knowlton Woods trail head parking lot has been completed and will hold 7 to 8 vehicles. The committee is still working on the trails; not all are connected.

Ms. Tardiff stated that the Subcommittee discussed the naming of trails. Bow's Bowl and Vearlan's Trail were suggested but the committee was not in favor of those names and suggested Knowlton Trail and Bowl Trail. They are holding off on the final naming until the trails are nearer completion. Mr. Owers stated that there should be a bypass hiking trail in the steep section of the biking trail as people will cut off the switch backs. Ms. Fenstermacher replied that Mr. Klemarczyk is looking into this.

It was noted that the Bypass Trail, south of the Rossvie trail, has been completed. Ms. Fenstermacher stated that she will be updating the maps.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

MINUTES

Jeff Lewis arrived at 7:50 p.m.

The Trails Subcommittee has been working hard over the past few weeks on the trails and are requesting people to look at the trail maps for notes, corrections, etc. for an updated Trail Guide.

Ms. Tardiff stated that the Subcommittee has recommended appointing Scott Daniels from an alternate member to a full member in order to serve as Vice Chair and to appoint David Ross from a regular member to an alternate member.

Mr. Owers made a motion, second by Mr. Lewis, to appoint Scott Daniels from an alternate member to full member and Vice Chair for the Trails Subcommittee and to appoint David Ross from a regular member to an alternate member.

The motion passed, with a roll call vote as follows:

Ms. Tardiff – in favor

Mr. Owers – in favor

Mr. Kane – in favor

Mr. Mattlage – in favor

Ms. Healy – in favor

Mr. Lewis – in favor

b. Forestry

Mr. Klemarczyk's report was circulated.

c. Tree Committee

Ms. Fenstermacher stated that Tree Committee is working on signage that will be placed at new tree planting locations to get word out about the Sustainable Tree Program. They have had some discussions regarding a grant for a sustainable tree program.

d. Local River Advisory Committees

Nothing to report.

7. City Open Space and Easements

Mr. Mattlage asked about clearing at the W. Locke Road conservation area. Ms. Fenstermacher stated that this was discussed last month. The model airplane club had done cleanup of their lease area and cleared a road to the floodplain area, which is outside of the leased area. The work required permission from the Forest Society, which was not obtained. A letter was sent to the club president and the Forest Society has addressed the matter.

8. City Council/Planning Board

- a.** Councilor Todd stated that the next Council meeting will be an in-person meeting and is scheduled for June 14, at which time the Council will hold a public hearing to discuss the resolution relative to the purchase of the Pan Am property for the continued development of the Merrimack River Greenway Trail. He stated that the amount is still being put forward for \$100,000. He added that it is the amount that will be paid more attention to and not so much the location of where the funding is coming from.

Ms. Tardiff stated that she is available to attend and could address the Commission's position for more of the funding to be utilized from the bond rather than from the Conservation fund.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

MINUTES

Councilor Todd added that Councilors have received the Commission's letter relative to funding and Commission members could speak to reiterate a few things and definitely to add something that was not in the letter.

Mr. Owers stated that he wants to make sure that the Councilors know that the Commission does support the project.

Mr. Kane asked about requirements for voting on the bond. Councilor Todd replied that there is a 2/3 majority vote required for approval. He stated that there should be 13 councilors present and added that Council is pretty well versed on this project already and it is supported.

b. Councilor Todd noted that a special meeting has been scheduled for Council for June 21 specifically to address the budget.

c. Tax Deeded Property Report

Ms. Tardiff stated that the Tax Deeded Property Report provided lists residential properties. The consensus of the Commission was that the parcels do not have any conservation values or connections.

9. Follow-up/On-going Items:

a. MRGT

Mr. Kane stated the City is waiting on a response for the grant application for the segment in the farm fields. He added that there was a response in support of a petition with over 1,200 signatures supporting the vote for the acquisition of the land on the Council agenda. He stated that he is hopeful to have things completed and that everything is moving forward and falling into place.

b. Education/Outreach: ConcordTV videos, 50th anniversary ideas

Continued to next month.

c. Trail Master Plan Update

Ms. Fenstermacher stated that a draft is complete. She will send out a link to members for their review.

d. Conservation Preserves

Mr. Kane asked if Mr. Klemarczyk has had a chance to review these yet. Ms. Fenstermacher replied yes and she will set up a time for a morning meeting.

Continued to next month.

e. Conservation Easement Standard Templates

Continued to next month.

10. Other Business

Mr. Kane mentioned an item that was raised a few months ago where a resident has requested to purchase a City parcel of open space and would like to place an easement on it so he can do sustainable forest management.

This item was continued to a future meeting to allow Mr. Kane to obtain additional information.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

June 9, 2021, 7:00 PM

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Adjournment

There being no further business, Mr. Owers made a motion, second by Mr. Kane to adjourn the meeting at 8:24 p.m.

The motion passed unanimously with a roll call vote as follows:

Ms. Tardiff – in favor
Mr. Owers – in favor
Mr. Kane – in favor
Mr. Matlage – in favor
Ms. Healy – in favor
Mr. Lewis – in favor

Respectfully submitted,
Lisa Fellows-Weaver
Administrative Specialist