

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

MINUTES

August 11, 2021, 7:00 PM

Second Floor Conference Room, City Hall, 41 Green Street

Attendees: Chair Kristine Tardiff, Vice-Chair Jim Owers, Councilor Brent Todd, Members Jeff Lewis, and Kathy Healy.
Absent: Chris Kane, Rick Chormann, and Stefan Mattlage
Staff: Lisa Fellows-Weaver, Administrative Specialist

Call to Order

The meeting was called to order by Vice-Chair Owers at 7:00 p.m.

1. Minutes

July 14, 2021

A motion was made by Mr. Lewis, seconded by Ms. Healy, to approve the minutes from July 14, 2021, as written. The motion passed unanimously.

2. Beaver Brook Planning and Design, on behalf of Joseph Daigle, requests a Conditional Use Permit (CUP) for 2044 sf of impacts to the wetland buffer for the construction of a single family residence at 60 Snow Pond Road (plan).

Andrew Seraikas, of Beaver Brook Planning and Design, gave an overview of the project request. He explained that the property owners are proposing to remove the existing manufactured home, porch, and shed to build a new single-family residence and 24x30 accessory structure. There is an existing woods road accessing Snow Pond Road that runs the length of the road frontage. The existing driveway at the south end of the property will remain and be improved to provide access and parking to the new residence. An additional driveway on the northern end of the property will service the accessory structure.

Mr. Seraikas explained that the construction began prior to the wetland buffer setback changes from 50' to 75'. The current configuration fits outside the 50' buffer but there is no infringement on the 75' buffer, which is why they have submitted a Conditional Use Permit (CUP) due to wetland impacts from the grading and construction. He stated that these impacts are a temporary disturbance to approximately 2,044 sf of the 50-foot Wetland Buffer. A silt fence will be added. Pictures were reviewed.

A discussion was held regarding the impacts. Mr. Lewis stated that the impacts are really not temporary, they are permanent impacts because of what exists now and what the property will become. Mr. Seraikas stated that the area has been surveyed and was mapped by a wetland scientist.

Mr. Seraikas mentioned that the intent will be to probably merge the two lots.

Ms. Tardiff asked if there are other locations better for building to offset the buffer. Mr. Seraikas replied that the wetland continues throughout the property; overall, this is the best location and the driveway exists.

Ms. Tardiff asked how much clearing would be done in the rear of the property. Mr. Seraikas stated that they are working with Landscape Architect Susanne Smith-Meyer for all of the onsite landscaping. He explained that there is an existing tree line. They are proposing very little tree removal in the buffer. He noted that the impact is 8 feet off from the edge of the deck. Typical is 6-10 feet. They are proposing to move the house back because of the setback which is encroaching into the buffer.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

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Ms. Healy asked if the original house is within the road setback. Mr. Seraikas replied yes. Ms. Healy stated that she would prefer to see the house closer to the road. It was noted that the applicant would probably need to apply for a variance.

Ms. Healy asked about the drainage as it is not shown on the plan. Mr. Lewis stated that the drainage will add to the impacts and it has not been accounted for.

Mr. Lewis stated that the area is very tight and they need to make sure there is enough area. He mentioned that the wetland is adjacent to Snow Pond and they should be trying to improve and restore the buffer as it has been impacted. This is pushing the area towards the pond. He expressed concern with the potential of future impacts to the area. He added that he too would like to see the house closer to the road. He stated that he would like to know if there are other areas of buildable land on the property. Mr. Seraikas replied that there is an existing house with the driveway in this location. Mr. Lewis replied that from the Conservation Commission's perspective of protecting the pond, the proposed location is not the best option for the house. He asked if there were other areas where there would not be any impact to the buffer. Mr. Seraikas stated that he has walked the woods road and the wetland stays consistent along the road and it also runs parallels with the road.

Mr. Owers stated that the property is 6.2 areas. He expressed concern with the lawn that is near the pond. He asked about lawn maintenance that will take place that will also be an impact. Mr. Lewis added that the Commission has no ability to enforce anything to try to keep a 50 ft buffer. He stated that the buffer is already thinned out and will now be pushed back further towards the pond. Mr. Owers commented that it will be the same problem even with a variance and moving the house will not solve the problem either.

Mr. Lewis stated that he does not have enough information to show that the house could not be built elsewhere on the lot. If there is no other area on the site then this is the best alternative or they could apply for a variance. He added that the Commission should request that the buffer be delineated with permanent markers. If this is a temporary impact, then it will not be mowed or maintained; once it is mowed it is a permanent impact. He commented that the activity is inevitable.

Councilor Todd stated that if the lot was undeveloped where would the house be located; it would not be in the place that it is. Mr. Lewis commented that the Commission's job is to look at what is being developed and then look to protect the buffer; this is a redevelopment.

Mr. Seraikas stated that the driveway will need to be redone and that will be a large impact. Discussion ensued regarding other locations for a driveway. Mr. Lewis stated that there could be another curb cut if there were room.

Ms. Healy stated that she supports finding other location for the house or suggested building a smaller house.

Ms. Tardiff agreed with Mr. Lewis that the proposed house location is very tight and the proposed design would be pushing into the buffer. Although it is stated to be temporary, it will become a permanent impact as this area will likely become a backyard; therefore, making the buffer lose its intent. Mr. Seraikas noted that they have filed all necessary permits with the City and NHDES including Shoreland Protection.

A motion was made by Mr. Lewis, seconded by Mr. Owers, before the Commission can support the CUP request, the Commission recommended that the applicant demonstrate there is no other opportunity to build a house and barn without impacting the wetland buffer.

The motion passed unanimously.

CONCORD CONSERVATION COMMISSION

REGULAR MEETING

MINUTES

August 11, 2021, 7:00 PM

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3. Pitco Frialator, LLC, requests Conditional Use Permit approval for the expansion of impervious surfaces in the Aquifer Protection District at 15 Integra Drive in the Industrial (IN) District.

This item was continued to the September meeting.

4. **NHDES Items**

There were no NHDES items.

5. **Reports**

a. *Trails*

The August Trails Committee meeting was cancelled.

i. *Knowlton Woods Sign Quote*

A quote has been received from Advantage Signs to add a double-sided King Colorcore sign at the entrance of Knowlton Woods. This material is much more durable than wood signs and should last substantially longer than the standard wood signs used elsewhere. The quote includes the sign, post, bracket and installation.

A motion was made by Ms. Tardiff, seconded by Mr. Owers, to approve the expenditure of \$1,214. for a new sign at the entrance of Knowlton Woods, including the bracket, post, and installation.

The motion passed unanimously.

b. *Forestry*

Mr. Klemarczyk's report was circulated as well as a trails report from Ms. McComish.

c. *Tree Committee*

Ms. Weaver stated that the Tree Committee has been coordinating with the school district to plant trees. Two trees will be planted by the General Services Dept. at Dewey School. The Tree Committee is hoping to continue to work on more collaborations with the schools in the next few months.

Mr. Owers asked if there is a Commission member that is a representative to the Tree Committee. Ms. Tardiff replied that she does attend most of the meetings.

d. *Local River Advisory Committees*

Mr. Owers stated that there are no Concord residents on UMLAC at this time. Ms. Tardiff stated that there is room for three members. Any recommendations should reach out to Ms. Fenstermacher or the City Manager.

6. **City Open Space and Easements**

Ms. Weaver stated that Ms. McComish has continued to work on the easements and encroachment issues. She stated that Ms. McComish plans to provide a report to the Commission for the September meeting.

7. **City Council/Planning Board**

- Councilor Todd stated that Council will be voting to appoint Emily Landry as an alternate member of the Commission at their September meeting.
- Councilor Todd stated that Ted Diers of the Tree Subcommittee gave a great presentation to the Councilors, which provided an overview of what the Tree Subcommittee has been working on, what

CONCORD CONSERVATION COMMISSION

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they have accomplished, and future goals. He explained that Mr. Diers mentioned the tree inventory that was completed. The inventory identified that there was a substantial loss of 30% of tree canopy compared to past inventories. Councilor Todd stated that the Subcommittee is working on more plantings and working the school districts to promote more tree plantings. In addition, the presentation referenced the financial investment needed for plantings and maintenance of City trees. Councilor Todd stated that Councilor Bouchard recalled a planting/landscaped plan for Loudon Road. He added that planting on Loudon Road is still an item of interest to City Council.

Ms. Tardiff stated that a replacement tree policy is something that should be considered. She added that the Energy and Environment Advisory Committee should be contacted regarding the urban tree cover.

- Councilor Todd stated that Council approved amending the 2018 Trail and License Agreement with the Friends of the Concord Lake-Sunapee Rail Trail to build and maintain additional multi-use rail trails on City property at their July meeting.
- Councilor Todd stated that there is nothing to update relative to the Pan Am land.

8. Follow-up/On-going Items:

a. Trail Master Plan Update

Mr. Owers reminded members to review the draft for the September meeting.

b. Conservation Preserves

This item is ongoing and another work session will be scheduled next week.

c. MRGT

There was nothing new to report.

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

Nothing new to report. To be discussed at the September meeting.

e. Conservation Easement Standard Templates

Continued to next month.

9. Other Business - none

10. Non-Public Session - none

11. Adjournment

There being no further business, Mr. Owers made a motion, second by Ms. Healy, to adjourn the meeting at 7:59 p.m.

The motion passed unanimously.

Respectfully submitted,
Lisa Fellows-Weaver
Administrative Specialist