



## MINUTES OF THE NASHUA CONSERVATION COMMISSION

Tuesday, January 5, 2016

### A. Call to order

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, January 5, 2016 at 7:00 PM, in Room 208, City Hall, and Second Floor - 229 Main Street.

### B. Roll call

Chairman Michael Gallagher, presided;

Members of the Commission Present: Sherry Dutzy  
Donald Cederquist  
Brandon Pierotti  
Richard Gillespie

Members of the Commission Absent: Peggy Trivilino

Also in Attendance: Linda Panny, Planning Department

### C. Approval of Minutes

- November 17, 2015 – regular meeting

Commissioner Dutzy said on Page 1, her name was misspelled. On Page 3, the correct name of the individual who spoke from NHDES should be added. Also on Page 3, "Mr. Prokop" should be changes to "Mr. Craig Birch". On Page 4, "Commissioner Gallagher" should be changed to "Commissioner Gillespie", in reference to discussion of a subdivision plan.

Commissioner Gillespie said on Page 2, the first paragraph should have the following edits: "re-grout" the wall, not "rebuild"; "on contamination" should read "of contamination". On Page 3, "into the glacial till" should be added. A few lines down from that, "may use re-mitigation" should be added. On Page 4, the abbreviation should read "LMRLAC", not "LMRAC".

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, TO ACCEPT AND PLACE ON FILE THE MINUTES OF THE NOVEMBER 17, 2015 MEETING, AS AMENDED  
MOTION CARRIED**

- December 1, 2015 – regular meeting

Commissioner Dutzy said under section "F." the scout leader's name should be listed as Nick Kelley.

Commissioner Pierotti added that they should also identify that Mr. Kelley belonged to Troop #261.

**MOTION BY COMMISSIONER PIEROTTI, SECONDED BY COMMISSIONER DUTZY, TO ACCEPT AND PLACE ON FILE THE MINUTES OF THE DECEMBER 1, 2015 MEETING, AS AMENDED  
MOTION CARRIED**

- November 24, 2015 – Beazer East Property site walk notes

**MOTION BY CHAIRMAN GALLAGHER, SECONDED BY COMMISSIONER CEDERQUIST, TO ACCEPT AND PLACE ON FILE THE SITE WALK NOTES OF NOVEMBER 24, 2015  
MOTION CARRIED**

**D. New Business—none  
E. Old Business**

- 22 Salmon Brook Drive. Hemant & Lekha Oturkar. Sheet B, Lot 2784. Proposal to cut down 13 trees located in the prime wetland buffer of Salmon Brook.
- 20 Salmon Brook Drive. Krishna & Latha Mangipudi. Sheet B, Lot 2785. Proposal to cut down 5 trees located in the prime wetland buffer of Salmon Brook.

Mr. Mangipudi and Mr. Oturkar introduced themselves. Mr. Mangipudi said there are 5 mature trees on his property that pose a threat. The concern is that if the trees do fall, they will land on the neighbor's bedroom. They hired a wetland scientist and the report was submitted to the Commission. The scientist's recommendation was that it would be fine to remove the 5 trees, with remediation; she recommended two trees for every tree removed.

Mr. Oturkar said he hired the same environmental engineer as Mr. Mangipudi. In his case, he has many more trees. Originally, he wanted to take down 13 trees. However, they are only going to take down the trees that are absolutely necessary to maintain safety, and this totals 5-6 trees. They will follow a similar remediation plan.

Commissioner Gillespie said the buffer is very deep into the property. Taking down 5 trees on each property would not be a big problem, as long as the new plantings are spaced out.

Chairman Gallagher said his only concern is that neighbors will assume it is ok to remove trees on their property. He said this has nothing to do with this application, but it would be helpful if the applicants could make their neighbors aware of the process.

Mr. Mangipudi said he and Mr. Oturkar have shared this information with many of their neighbors.

Chairman Gallagher thanked them. He said he would like to see pictures of the trees that specifically show which trees are going to be removed. He also advised the applicants to make sure they hire a tree removal company that is licensed in New Hampshire.

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER GILLESPIE, FOR A FAVORABLE RECOMMENDATION OF THE PROJECT AT 20 SALMON BROOK DRIVE WITH THE FOLLOWING STIPULATIONS: THE APPLICANT SHALL FOLLOW THE**

**RECOMMENDATIONS OF THE WETLAND SCIENTIST; NO MORE THAN 5 TREES ARE REMOVED; WETLAND BUFFER MARKERS SHALL BE PLACED ON THE PROPERTY.  
MOTION CARRIED**

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, FOR A FAVORABLE RECOMMENDATION OF THE PROJECT AT 22 SALMON BROOK DRIVE WITH THE FOLLOWING STIPULATIONS: THE APPLICANT SHALL FOLLOW THE RECOMMENDATIONS OF THE WETLAND SCIENTIST; NO MORE THAN THE 6 TREES IDENTIFIED ARE REMOVED; WETLAND BUFFER MARKERS SHALL BE PLACED ON THE PROPERTY.  
MOTION CARRIED**

- 2 Hills Ferry Road and “L” Concord Street. Beazers East, Inc. and City of Nashua (Owners). Environmental remediation of the former Koppers Wood Treating Site.

Chairman Gallagher asked the applicants to discuss the amendment made to the original proposal.

The applicant said here is a small area in the delineated freshwater wetland that they want to get in with a small rig to inject sodium permanganate. It would be a temporary disturbance of about 930 sq. ft.

Chairman Gallagher said they are hopeful to have an easement to allow for a future trail system. It is important to them to continue to allow public access. They would also like to see some coordination, between the project and the water levels, when lowering of the river occurs. He said the Commission has reached out to NH Fish & Game regarding the possibility of a boat launch in Greeley Park, as part of the mitigation process.

The applicant said one of the potential hurdles is whether or not the State would view the boat launch as an appropriate form of mitigation.

Gene Porter, of the LMRLAC, said granting an easement along the shoreline should not be difficult. He asked why the applicant felt it would be a challenge.

The applicant said, until remediation is complete, they cannot allow unrestricted access to the site. He said he is unsure how long the project will take to complete.

Mr. Porter said the State’s Public Water Access Board declared that in Southern New Hampshire, the number one priority is a trailer boat ramp in this stretch of the river. He said he has been unable to pin down DES on the status of the mitigation plan proposal.

The applicant said, when they submitted their application, they included an agreement signed by Beazer and DES which stated that the mitigation aspect of the application had not been prepared. They set a date of January 21, 2016 but as time goes on this might get pushed out a bit. Once the mitigation plan is submitted, there will be an opportunity for Mr. Porter and the Commission to make comments.

Chairman Gallagher said he would reach out to NH Fish & Game and DES to coordinate a conversation.

The applicant said it would be helpful for them to have a copy of the minutes or a letter from the Commission outlining the Commission’s “wish list” for the project.

Commissioner Gillespie asked what the calculated area is for mitigation.

The applicant said they were not sure. They believe they will be using the stream calculator but they will confirm this with DES at their meeting next week.

Chairman Gallagher said 87,391 SF is listed in the impact summary.

The applicant said, for the purposes of DES, the Nashua buffer is not included in their calculation.

#### **F. Other Business and Updates**

- Elections

Chairman Gallagher asked if they should have elections.

Commissioner Gillespie said they should wait until next month.

Ms. Panny said she would add elections to the next agenda.

- Mitigation

Commissioner Dutzy said they need to put together a list of what needs to be done for conservation projects. They may want to bring other people into the discussion, such as Sarah Marchant, Community Development Director, and Roger Houston, Planning Department Manager.

Chairman Gallagher said, for the ARM fund to be considered, it has to be a large projects. These types of projects do not happen very often.

Commissioner Gillespie said there is so much going on at the Beazer site that is not being taken care of. It seems as though the City is not being compensated for this seemingly long-term project.

Commissioner Cederquist asked if the City had an existing list of mitigation needs. He asked if the new Waterways Manager could provide this information.

Ms. Panny said she has a copy of the report created by the Waterways Committee. She said she is unsure what the Waterway Manager's priorities are but this is something the Commission could talk to Sarah Marchant about.

#### **G. NCC Correspondence and Communications—none** **H. Items**

Commissioner Gillespie said Commissioner Pierotti might need an updated member packet. He asked Ms. Panny if she would make a copy of his packet, if she cannot locate the master copy.

Commissioner Dutzy said they need to update their project list.

#### **I. Project Updates by Commissioners**

Commissioner Cederquist said he noticed work has started at the Shell station on Harris Road.

- J. Nonpublic Session**
- K. Adjournment**

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER GILLESPIE, TO  
ADJOURN  
MOTION CARRIED**

Meeting adjourned at 8:37pm.

APPROVED:

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Richard Gillespie, Clerk, Nashua Conservation Commission

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REGULAR OFFICE HOURS OR CAN BE ACCESSED ON THE CITY'S WEBSITE.  
DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS  
ADVANCED NOTICE AND PAYMENT OF THE FEE.

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Prepared by: Mindy Lloyd

Taped Meeting