



MINUTES OF THE NASHUA CONSERVATION COMMISSION

Tuesday, June 7, 2016

A. Call to order

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, June 7, 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

Also in Attendance:

Linda Panny, Planning Department
Roger Houston, Planning Department
Ald. David Schoneman
Bill Parker

C. Approval of Minutes

- April 19, 2016 – special meeting

Commissioner Pierotti said, on page 1, third paragraph from the bottom, "Mr. Pierotti" should be changed to "Commissioner Pierotti".

Commissioner Dutzy said her name is misspelled as "Ditzzy", which she takes offense to. This needs to be corrected. On page 2, the fourth paragraph, "Commissioner Gillespie" should be changed to "Commissioner Dutzy".

Commissioner Pierotti said, on page 2, fourth paragraph, "they" should be clarified as Nashua High North and Nashua High South.

**MOTION BY COMMISSIONER GILLESPIE, SECONDED BY COMMISSIONER CEDERQUIST, TO ACCEPT AND PLACE ON FILE THE MINUTES OF THE APRIL 19, 2016 MEETING, AS AMENDED
MOTION CARRIED**

- May 3, 2016 – regular meeting

Commissioner Dutzy said on page 2, "Mines" should be changed to "Mine" Falls Committee. This is a common mistake but should the name should be correctly reflected in our minutes.

**MOTION BY COMMISSIONER DUTZY, SECONDED BY COMMISSIONER CEDERQUIST, TO ACCEPT AND PLACE ON FILE THE MINUTES OF THE MAY 3, 2016 MEETING, AS AMENDED
MOTION CARRIED**

- D. New Business—none**
- E. Old Business—none**
- F. Other Business and Updates**

- 7 Diesel Road & 270 Amherst Street

Tom Zajac, of Hayner/Swanson Inc., introduced himself. He gave a brief overview of the Peter's Bump Clinic site at 270 Amherst Street & 7 Diesel Road and the proposed access improvements. He recommended setting up a site walk.

Commissioner Gillespie asked what part of the channel is manmade.

Mr. Zajac pointed to the section of the channel on the plan. The channel picks up stormwater from Amherst Street and conveys it down to Colerain Brook.

- 539 Amherst Street

Tom Zajac, of Hayner/Swanson Inc., gave a brief overview of the site at 539 Amherst Street. He said the site is the former Nathaniel's Restaurant as well as a thrift shop. The northerly portion of the site is within a 150-ft. conservation zone associated with an existing pond on the Millstone Condominium site. The proposal is to subdivide the parcel into two separate lots and prepare a site plan for the construction of a new 6500SF building on lot 88. He recommended setting up a site walk.

He said he will be submitted formal applications for both this project and the project at 270 Amherst Street and 7 Diesel Road, for the July 5, 2016 meeting.

Commissioner Cederquist asked for clarification on the fenced-in structure shown in the buffer on the plan.

Mr. Zajac said it is an outdoor tire storage area.

Mr. Houston asked Mr. Zajac to indicate the location of the tributary on the wetland map.

Site walks for both projects were scheduled for Monday, June 27, 2016 at 5pm.

- 15 Kathy Drive

John Pearson, of Kathy Drive Realty Trust, introduced himself. He explained that he was not able to provide application materials to the Commissioners this evening but would like an opportunity to discuss his project. He would like to add a deck to the house and also add fencing to the site.

Commissioner Dutzy asked if the sale of the house is contingent upon the Commission and Zoning Board approving the additions.

Mr. Pearson said no, the buyers are purchasing the home as it is.

Commissioner Dutzy asked why Mr. Pearson is presenting, rather than the potential buyers.

Mr. Pearson said he currently owns the house and the potential buyers asked him to build a deck.

Chairman Gallagher clarified that the entire house is within the wetland buffer. The Commission's original ruling was to approve only the building, without the additions of patios, decks, sheds, etc. He would not be in favor of approving this proposal, had there been a formal application made this evening.

Commissioner Dutzy said at some point, the Commission needs to take a stand against homeowners wanting to alter or construct in wetland buffers on their properties. She would not be in favor of the proposal.

Mr. Pearson said one option is to build a deck coming off of the house without footings.

Chairman Gallagher said he would appreciate a wetland scientist's opinion on the proposal, and whether the deck could be considered impervious surface.

Commissioner Cederquist said he sees a potential issue with the yard itself, as the homeowners would not be able to use any chemicals on the lawn.

Mr. Pearson said that issue has been taken care of when four yards of quality loam was added.

Ms. Panny said a formal application was received from Mr. Pearson. However, it was not completed by a wetland scientist, which is required. It is also the applicant's responsibility to send copies of the materials to the Commissioners.

G. NCC Correspondence and Communications

Chairman Gallagher said the Commissioners were given a copy of the letter regarding the Army Corps project at Mill Pond. Commissioners were also given a letter from Mr. Gene Porter.

**MOTION BY CHAIRMAN GILLESPIE, SECONDED BY COMMISSIONER DUTZY, TO ACCEPT AND PLACE ON FILE THE LETTER FROM MADELEINE MINEAU RE: MILL POND AND THE LETTER FROM GENE PORTER OF LMRLAC.
MOTION CARRIED**

H. Items

Commissioner Dutzy asked if the by-laws have been changed to include a new student member position.

Commissioner Gillespie said he would like to revisit the reasoning behind adding a student member to the Commission.

Commissioner Dutzy said it is an opportunity for the Commission to mentor students interested in the environment and civil service. Student members could also be a liaison with the schools to help coordinate volunteer projects.

I. Project Updates by Commissioners

Commissioner Cederquist said he spoke to the project manager for the Beazer East project and they have cleared the areas they will be working in. They will begin working on the slurry wall after the 4th of July.

Chairman Gallagher introduced new member Bill Parker, appointed by Mayor Donchess to serve on the Commission.

Chairman Gallagher said Mr. Gene Porter of LMRLAC was also present at the meeting. He asked Mr. Porter if he had any comments in addition to the letter he submitted to the Commission.

Mr. Porter complimented the Commission on their work on the Southwest Trails project. He said he would appreciate feedback from the Commission regarding proceeding with a Northeast Trails project.

J. Nonpublic Session

MOTION BY CHAIRMAN GALLAGHER TO ENTER INTO NON-PUBLIC, PURSUANT TO RSA 91-A 3 II (D) TO CONSIDER THE ACQUISITION, SALE, OR LEASE OF REAL PERSONAL PROPERTY WHICH IF DISCUSSED IN PUBLIC WOULD LIKELY BENEFIT A PARTY OR PARTIES WHOSE INTERESTS ARE ADVERSE TO THOSE OF THE GENERAL COMMUNITY

SECONDED BY COMMISSIONER CEDERQUIST

ROLL CALL:

YEA: Commissioner Gallagher, Commissioner Dutzy, Commissioner Gillespie, Commissioner Cederquist, Commissioner Pierotti

NAY:

MOTION CARRIED

MOTION BY CHAIRMAN GALLAGHER THAT THE COMMISSION, BY ROLL CALL, SEAL THE MINUTES OF THE NONPUBLIC SESSION UNTIL SUCH TIME AS A MAJORITY OF THE COMMISSION VOTES THAT THE PURPOSE OF THE CONFIDENTIALITY WOULD NO LONGER BE SERVED

SECONDED BY COMMISSIONER CEDERQUIST

ROLL CALL:

YEA: Commissioner Gallagher, Commissioner Dutzy, Commissioner Gillespie, Commissioner Cederquist, Commissioner Pierotti

NAY:

MOTION CARRIED

K. Adjournment

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

APPROVED:

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.

Prepared by: Mindy Lloyd

Taped Meeting