



City of Nashua
Conservation Commission
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Nashua NH 03061-2019

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NASHUA CONSERVATION COMMISSION

Tuesday, May 5, 2020

A. Call to order

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, May 5, 2020 at 6:30 PM, via Webex virtual meeting.

B. Roll call

Members present: Sherry Dutzy, Chairman
Brandon Pierotti
Richard Gillespie
Gene Porter
Bill Parker
Joel Ackerman
Gloria McCarthy, Alt.
Carol Sarno, Alt. (arrived at 6:42)
Josh Hauser, Alt. (arrived at 6:54)

Members absent: Michael Reinke

Also in Attendance: Scott McPhie, Planner I
Chris Webber, Department Coordinator

COVID-19 Address

Chairman Dutzy addressed the COVID-19 pandemic as follows: Due to the State of Emergency declared by Governor Sununu as a result of COVID-19 pandemic and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically until further notice.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized to meet electronically pursuant to the Governor's order. However, in accordance with the Emergency Order, this is to confirm that we are:

1. Access

The Commission is providing public access to the meeting by telephone, with additional access possibilities by video or other electronic access means.

The Commission is video conferencing utilizing Webex for this electronic meeting. All members of the Conservation Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to listen to this meeting by dialing (978)-990-5298, with password 273974.

Public access to this meeting is also provided via Webex. The link to this meeting is contained in the meeting agenda, available on the city website. The meeting can be streamed thru the city's website on Nashua Community Link and also on Channel 16 on Comcast.

2. Public Notice

The Commission previously gave public notice to the meeting and the necessary information for accessing the meeting through public postings, and where applicable notice to abutters. Instructions have also been posted to the city website, and publicly noticed at City Hall.

3. Public Alert

The Commission is providing a mechanism for the public to alert the Commission during the meeting if there are problems with access. If anybody has a problem accessing the meeting via phone or channel 16, please call (603)-589-3115, and they will help you connect.

4. Adjourning the Meeting

In the event that the public is unable to access the meeting via the methods above, the meeting will be adjourned and rescheduled.

5. Procedures

The Chair is in control of the meeting, and to the extent practicable and advisable the Commission will follow the procedures identified in the Bylaws. The applicant will present the applicant's case, followed by questions by the Commission. The Chair will then allow testimony from persons wishing to

Speak in favor, or with questions or opposition, before the Commission deliberates and determines an outcome.

Applicants and their representatives, and individuals required to appear before the Commission are appearing remotely, and are not required to be physically present. These individuals may contact the Planning Department to arrange an alternative means of real time participation if they are unable to use Webex. Documentary exhibits and/or visual presentations must be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Real-time public comment can be addressed to the Commission utilizing Webex virtual meeting software for remote access. Real-time public comments via audio will be addressed at the conclusion of the public hearing. This application will allow users to view the meeting, and submit questions or comments to the Commission utilizing the Webex software.

The public is also encouraged to submit their comments via email to the Department email at planningdepartment@nashuanh.gov or by mail. Please be sure to include your name, address, and comments. Letters should be addressed to Planning Department, P.O. Box 2019, Nashua, NH 03061.

Please note that all votes taken during this meeting will be done by roll call. Conservation Commission meetings will be held electronically until further notice, when it is deemed safe to conduct meetings at City Hall.

The Planning Department and Conservation Commission thank you for your understanding and patience during this difficult time.

C. Approval of minutes

March 3, 2020

MOTION by Commissioner Porter to table the minutes of March 3, 2020, to clarify the nomination of officers

SECONDED by Commissioner Gillespie

MOTION CARRIED 7-0

D. Treasurer's Report

None

E. New Business

- ***Energy North Natural Gas, c/o Liberty Utilities (Owner) Lindsey White (Applicant) Requesting review on proposed installation of an impermeable cap and changes to onsite parking within the 75-ft "Prime" wetland buffer. Property is located at 25 Van Buren St & 38 Bridge St. Sheet 42, Lot 11, and Sheet 39, Lot 26. Zoned General Industrial "GI". Ward 7.***

Postponed until the June 4, 2020 meeting

- ***Discussion on the creation of subcommittees***

Chairman Dutzy said the Commission is moving away from processing a large volume of applications, and more towards plan and easement management. She suggested the Commission break down into three subcategories: Easement Monitoring, Trails and Land Management, and Digital Marketing. She described asked Mr. McPhie to send out a copy of her proposal to the Commission members.

Commissioner Porter asked Mr. McPhie if the subcommittees are exempt from the Right to Know laws.

Mr. McPhie said no. He cautioned them to start small and treat it as they would a site walk. There are limits to what city staff can provide support to.

Chairman Dutzy and Mr. McPhie led a discussion on improvements that could be made to trail marking and maintenance. She asked the Commission members to decide which subcommittee they would like to volunteer for, and whether they would like to serve as the chair.

F. Old Business

- ***Joyce Park Wildlife Area Maintenance Update***

Chairman Dutzy received a scope of work from the student conservation commission, and asked Mr. McPhie to pass it along to the Commission members.

Chairman Dutzy gave a report on a site walk she and Commissioner Porter performed in April. Zack Colack [spelling

unknown] said that this year they would need to rebuild the staircase and build a trail that would extend from Ingalls St to Burke St, at a total cost of about \$23,000.00. She sent this over to the Community Development Director, Sarah Marchant, who is working on it with the Purchasing Dept to see if they can make this a sole source bid.

Chairman Dutzy said she would like the work to be done in late summer, because prior to that they need to spray for poison ivy. She contacted Parks and Recreation to ask if this is something they would be able to do.

Commissioner Gillespie asked what kind of trail surface it would be.

Chairman Dutzy said that was not included in the report. The staircase will be an aggregate of stone, pressure treated lumber, and rebar.

Commissioner Porter said the last time they covered this Mr. McPhie volunteered to research the ownership of the fence that interferes with the trail. He asked for an update on that.

Mr. McPhie said that it was originally owned by Impco Ingersoll Rand. When the city bought that property, the city by default owns the fence. Depending on what they want to do with it, now is the time to take action before any property sells.

Chairman Dutzy said all of the old fencing should be removed.

Mr. McPhie said from a financial and safety standpoint, maybe they just want to take sections of it down.

Chairman Dutzy said that she asked Ms. Marchant about the easements, and there are no issues from Ingalls St to Burke St.

Commissioner Porter asked for copies of the easement.

Mr. McPhie said he might be able to scan the large scale plans and send them.

Chairman Dutzy read aloud the language describing the easement and trail construction.

Commissioner Porter said in the absence of any additional promises to bring in material, he will assume that the trail will be natural.

Chairman Dutzy said the only material they will be bringing in is 5 cubic yards of stone aggregate for the steps.

Commissioner Ackerman asked if this would be affected by the sale of 141 Burke St.

Chairman Dutzy said they have a conservation easement on that property. The property would be sold with that easement.

➤ ***Update On Barbara Pressley Plaque***

Chairman Dutzy said the plaque is in the process of being created. Once it's finished, they will have it installed. The dedication ceremony was supposed to be for June 6th, but has been cancelled. Whether it will be rescheduled or not depends on COVID-19 and safety restrictions.

➤ ***Update On Southwest Parklands Conservation Easement Violation***

Mr. McPhie said he met with Mr. Lynch, and that he said he was going to send a letter to the Society for Protection of New Hampshire Forests to set up some sort of barrier to prevent future encroachment.

Chairman Dutzy said they will have to address maintenance of those fields.

G. NCC Correspondence and Communications

None

H. Nonpublic Session per RSA 91-A: 3 II (d) concerning land (Roll call vote required).

Nonpublic session was not required.

I. Commissioners Discussion

- **Gilson Road Trail Kiosk:** Chairman Dutzy said Alderman Jette alerted them that the trail kiosk has been tagged by graffiti. Manny Ramirez and members of his association have offered to help clear it.

- **Thoreau's Landing:** Chairman Dutzy said the maintenance company asked residents to refrain from using the wetland buffer as a compost heap, and indicated that it was ok to continue dumping organic yard waste along the riverbank. Mr. McPhie will be sending them a letter indicating that this is not appropriate.
- **Terrell Conservation Area:** Commissioner Gillespie said that two trees have fallen across the fence, and four of the rails would need to be replaced. He would be willing to perform the labor, if he could be reimbursed for the materials. Mr. McPhie said they could contact Parks and Recreation to see if it has already been repaired.
- **New Member Guides:** Commissioner Gillespie requested that Planning Department staff provide copies of the Commission Bylaws and other materials for the new Commissioner. Mr. McPhie said he would mail them. Chairman Dutzy requested to purchase four copies of the Handbook for New Hampshire Conservation Commissions.

J. Adjournment

MOTION to adjourn by Commissioner Porter at 7:27 PM.

SECONDED by Commissioner McCarthy

MOTION CARRIED 7-0

APPROVED:

Richard Gillespie, Clerk, Nashua Conservation Commission

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING 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: Kate Poirier