



**City of Nashua**  
**Conservation Commission**  
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**NASHUA CONSERVATION COMMISSION**

**Tuesday, January 5, 2021**

**A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, January 5, 2021 at 7:00 PM, via Zoom virtual meeting.

**B. Roll call**

Members present:

- Sherry Dutzy, Chair
- Gene Porter, Vice Chair
- Richard Gillespie, Clerk
- Brandon Pierotti, Treasurer
- Bill Parker
- Joel Ackerman
- Gloria McCarthy, Alt.
- Josh Hauser, Alt.
- Carol Sarno, Alt.
- Maya Friday, student member

Also in Attendance:

- Matt Sullivan, Planning Manager
- Chris Webber, Department Coordinator
- Ald. Jette
- Ald. Lu, alt.
- Andrew Smeltz, NRPC
- Jed Brook, resident volunteer

**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 video conferencing utilizing Zoom for this electronic meeting. All members of the Conservation Commission have the ability to communicate contemporaneously during this meeting through this platform. Public access to this meeting is also provided via Zoom. The link to this meeting is contained in the meeting agenda, available on the city website.

## **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, 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 Zoom. 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 Zoom 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 Zoom software.

The public is also encouraged to submit their comments via email to the Department email at [planningdepartment@nashuanh.gov](mailto: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**

December 1, 2020

**MOTION** by Commissioner Ackerman to approve the minutes of December 1, 2020, as amended

**SECONDED** by Commissioner Porter

**MOTION CARRIED 6-0**

**D. Treasurer's Report**

None

**E. New Business**

➤ ***NRPC Online Map Review***

Mr. Sullivan gave a brief introduction to the presentation.

The Board of Aldermen has approved the contract for one year, not to exceed \$10,000, and it allows the Commission to seek support from the NRPC. This is part of an ongoing conversation on what some of those work tasks look like, and what kind of services the NRPC could provide.

Mr. Smeltz provided an in-depth presentation of various mapping tools available to the Commission.

Chairman Dutzy asked about monumenting wetlands along Salmon Brook, and asked how this could be used to find abutters.

Mr. Smeltz explained how it would work. He said it would be better suited for desktop GIS software. This is more about viewing data.

Chairman Dutzy asked if they can overlay trails with wetlands to see which trails could be in wetlands.

Mr. Smeltz said that would be a good application for MapGeo.

Mr. Sullivan asked Mr. Smeltz to explain the source for trails data.

Mr. Smeltz gave an explanation of their data sources, and showed them various data layers they provide.

Commissioner Sarno said this is excellent. She would love to see something similar to the Musquash conservation area, where trail intersections are marked with wayfinding markers. She also said it would be good to scan QR codes and have the map center on her position. She asked why the 100-ft buffer doesn't show up on the app in this area.

Mr. Smeltz said he is using NHDES GIS data source. He would have to get back to her on that. He said this app works on mobile and desktop computers.

Chairman Dutzy requested a workshop to help her utilize the GIS maps in the field. She would like to have this data when doing conservation boundary monitoring.

Mr. Smeltz said they are committed to having as many people use the app as possible. But this is just a viewing tool, and it really depends on how good the GPS in their phones is. It also won't record where you walk.

Chairman Dutzy said they are probably looking for both. This is probably better for analyzing, but it's a great jumping off point.

Mr. Smeltz recommended they start looking at it.

Commissioner Porter asked what would be required to print out a list of every parcel owner that abuts a wetland.

Mr. Sullivan said this is something they would have to collaborate on to create a spreadsheet.

Mr. Smeltz said the adjacent tool is used to map parcels and won't tell them if they intersect a wetland. He can do it on his desktop GIS.

Commissioner Porter asked if the overlays include Nashua specific conservation zones.

Mr. Sullivan said he believes the answer is no. He believes they are referencing specific zoning overlays. Those are not included in the NRPC layers from what he understands. He described an overlay they may be looking for assistance with.

Mr. Smeltz said they have a zoning map, but it's on a regional zoning layer. It's not Nashua specific data.

Mr. Sullivan said they have discussed updates to mapping products, and a lot of the trail data does exist out there already. He thinks the NRPC is uniquely positioned to perform some hard map updates. He asked if there is any attribute data behind the trails, like grade or what uses are appropriate.

Mr. Smeltz said yes. He described some of the attributes they use and data sources.

**F. Old Business**

None

**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**

### ➤ ***Election of Officers:***

Chairman Dutzy said between now and the February meeting, members should contact Mr. Sullivan if they would like to be nominated for Chair, Vice Chair, Clerk, or Treasurer.

Chairman Dutzy nominated Commissioner Sarno to replace Commission Reinke as a voting member. This will leave an alternate seat available.

### ➤ ***Hudson Conservation Commission Discussion:***

Commissioner Porter gave a detailed presentation of the Amazon plans to develop a 36-hole golf course into a distribution facility. He described the Hudson Conservation Commission's efforts, and said they are doing a great job. He described the various projects they have seen in Nashua and ways they could learn from the Hudson's approach.

*\*\*\*Break in recording due to technical difficulties\*\*\**

### ➤ ***Horrigan Park Discussion:***

Chairman Dutzy led a discussion on a potential conservation easement and ways they could protect this area. She also voiced concerns over destruction of wetlands for bike parks.

Commissioner Gillespie said there is a public easement when they last looked at this property, and was being used for biking at that time as well.

Commissioner Sarno said the Nashua GIS map shows that property under conservation easement.

Mr. Sullivan said the Planning Dept. did some research and didn't find anything, but they can circle back on it.

Chairman Dutzy said they can do a site visit in late spring to get a feel for the property.

Commissioner Porter asked the contents of the easement on an abutting parcel.

Mr. Sullivan said he will find out.

➤ ***Legendary Oak Preservation Efforts:***

Commissioner Sarno provided an overview of their walking tour of Terrell and Yudicky Park, and described the legendary white oak tree. It is the second largest in the county, and probably 323 years old. She thinks they should have an arborist look at it to determine what needs to be done to sustain the long term survival of this tree.

Chairman Dutzy said the tree is not located in conservation land, but Yudicky Park. They want to get permission from DPW to get possession of the tree and maintain it. It's a jurisdiction issue.

Mr. Sullivan said they are working with DPW and the Parks Dept. They hope to work with the incoming staff in the coming months to resolve any jurisdictional issues. Based on early conversations he is hopeful they can take stewardship of the tree.

Commissioner Sarno said in the past Nick Caggiano said it would be ok to informally remove invasives, but she sees the need for a more formal arrangement.

Mr. Sullivan said he was aware of that. What they are talking about is a more formal, long term relationship.

Chairman Dutzy said if they take stewardship of this tree it will take some money for an arborist. She recommends they visit the tree to get a feel for it.

➤ ***Imagine Nashua Master Plan***

Mr. Sullivan distributed a draft of the vision statement for the Master Plan, and encouraged the members to attend the community engagement meeting tomorrow. He provided an update on the process, and briefly presented a feedback mapping tool. He explained how they could use this to find protection opportunities in the city.

Commissioners Porter and McCarthy led a conversation of what the goals and objectives of the city should be relative to protection and preservation of natural spaces.

➤ ***Education/Environmentally Sensitive Area Signage***

Chairman Dutzy said it has been brought to their attention that a resident on Musket Drive has created a walking trail along Gilson Rd and refuses to walk on the existing trail because it takes her out of her way. The path is in the area of a brook, and so the trail is being made in an environmental sensitive area. They don't want to discourage people from walking in the woods, but they don't want people making new trails wherever they want. They decided to come up with a sign to educate people that this is a sensitive area and should not be disturbed.

Chairman Dutzy presented a draft design of the sign. She wants to do more signage to educate the public.

A detailed discussion of the draft signage ensued.

Ald. Jette said it is a good idea, but it seems like a passive aggressive way of dealing with one woman making her own trail. Has anyone spoken to her?

Chairman Dutzy said there is a history here. She described former commissioner Dan Sloan's efforts to speak with her and close the trail. He is bringing the Commission into the situation to see what they may be able to do, since it was a wetland.



Mr. Sullivan asked why the city has not had a direct conversation with her. He is not sure if this is a violation of city ordinance or restrictive deed, so he is not sure if they have a real violation upon which to base the conversation. It may be worth an educational conversation with this individual.

Commissioner Sarno said from her conversation with Mr. Sloan she got the impression that someone from the city had spoken to this woman because she called to complain about him closing the trail. Someone from the city helped her open it back up. She said it is also not just one person, that there is another person who made a biking trail all along the wetland. They want both of those trails to be not used in the wetland area. She wouldn't have an issue with this trail she built if it entered the property further away from the wetland. If you close it off, she creates another trail right next to it.

Ald. Jette said it sounds like she is getting mixed messages from the city.

Mr. Sullivan said they can investigate on their end. He agrees that they need a unified response.

➤ **67 Musket Drive wetlands violation**

Mr. Sullivan provided an update on the existing wetlands violation at this property. They understand that a plan and application are forthcoming.

Commissioner Ackerman asked what has changed since their site walk.

Chairman Dutzy provided backstory to the wetland violation.

Mr. Sullivan said it has been implied by their emails that there is an issue that needs to be resolved. They have said they intend to submit an application.

➤ **Subcommittee Reports:**

- o Easement Monitoring: Commissioner Gillespie gave an update on the northwest property monitoring. They are up to date on their submittals. Chairman Dutzy described their findings.
- o Digital Marketing: Commissioner Hauser said he plans to connect with Mr. Sullivan.
- o Land and Trail Management: Commissioner Sarno gave an update on beaver activity. There has been an increase of dog waste baggies being left behind, and trail monitors have requested waste receptacles.

*\*\*\*Audio recording ends here\*\*\**

**J. Adjournment**

**MOTION** to adjourn by Commissioner Porter at [Unknown] PM

**SECONDED** by Commissioner Pierotti

**MOTION CARRIED 6-0**

APPROVED:

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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.

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Prepared by: Kate Poirier