



NASHUA CONSERVATION COMMISSION

Tuesday, February 5, 2019

A. Call to order

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, February 5, 2018 at 7:00 PM, 229 Main St, City Hall in Room 208.

B. Roll call

Members present: Sherry Dutzy, Chairman
Brandon Pierotti
Gene Porter
Richard Gillespie
Dan Sloan
Bill Parker
Michael Reinke (joined at 7:06)

Also in Attendance: Linda McGhee, Planning Department
Shoshanna Kelly, Alderwoman-at-large

C. Approval of minutes

January 8, 2019

MOTION by Commissioner Sloan to approve the minutes of January 8, 2019, as amended.

SECONDED by Commissioner Parker

MOTION CARRIED UNANIMOUSLY

D. Treasurer's Report

Commissioner Pierotti said that in November the Commission had \$1,340.00 reserved for encumbrances, which then transitioned to the year to date spending of \$1,340.00, the same amount for land improvements. This posted in December. Their total balance is \$1,937,464.73.

E. New Business

- ***John J. Flatley Company (Owner) Requesting Conservation Commission review for temporary and permanent impacts to the 40-foot "other" wetland buffer and wetland itself to allow for the construction of a climate controlled storage facility. The wetland is over 9,000 square feet. Property is located at 200 & 10 Innovative Way. Sheet A, Lots 798 & 713. Zoned "PI" Park Industrial. Ward 8.***

Chris Guida, Certified Wetland and Soil Scientist of Fieldstone Land Consultants, introduced himself as the representative of the owner, John J. Flatley Company.

Mr. Guida recapped the previously discussed proposal. They are proposing a climate-controlled, self-storage facility, with the majority of the building footprint in the pre-existing parking lot. There will be a temporary wetland buffer impact to connect to an existing sewer line. There will be grading around the perimeter to provide access, but the actual building is not proposed to be in the wetland area. The reworked parking lot will see a reduction in impervious area.

They have received some comments from the Planning Board regarding parking and drainage. The proposed amount of parking meets all requirements. The area is currently utilized for parking, as seen during the site walk. The proposed building location is partly to maximize parking. The stormwater runoff from the building will be captured in a stormwater basin, which is built partly in the wetland buffer. The disturbed area will be revegetated. They are planning on performing an invasive species inspection prior to construction, so that they can identify and address them in accordance with best management practices.

Commissioner Pierotti asked if they know where the dumpster would be sited.

Mr. Guida said he is certain it will be on the site plan for the Planning Board. The plan is currently under revisions and will be updated. He asked if there were any specific issues to the dumpster location.

Commissioner Pierotti said he hopes it is placed so that if it starts to overflow, people won't toss trash down the slope into the wetland.

Mr. Guida said that the owner keeps a tight rein on their facilities. Wherever it is located it will most likely be locked. Most dumpsters around the city are locked now to keep random people from throwing their trash into them.

Commissioner Gillespie asked if the building could be moved so that the proposal is entirely out of the buffer.

Mr. Guida said that he raised the question with their project engineer. Parking would definitely be an issue, and the other is that no matter how far over they moved it, there would still be some impact.

Commissioner Pierotti asked if there would be lights on the building, and requested them to be downward facing.

Mr. Guida said that he didn't see any lighting proposed on the plan, but he knows that any lighting would be downcast. There are existing lights in the parking lot, and he is sure that there will be lights around the main entrance for safety purposes. He will make a note of Commissioner Pierotti's request.

MOTION by Commissioner Gillespie to make a favorable recommendation for the approval of a climate controlled storage facility with the following stipulations:

1. Removal of invasive plant species from the surrounding parking lot and wetland.
2. Revegetation of impacted wetland buffer areas with native species.

SECONDED by Commissioner Porter

MOTION CARRIED UNANIMOUSLY

- ***City of Nashua (Owner) requesting Conservation Commission review for temporary and permanent impacts to the 75-foot "prime" wetland buffer to reconstruct existing boat ramp, add gravel parking, and build a new gravel access road. Property is located in Greeley Park, accessible from Hills Ferry Rd. Sheet 48, Lot 3. Zoned "RA" Urban Residence. Ward 3.***

Community Development Director Sarah Marchant introduced herself, Kevin Gagne of Stantec Inc., and Waterways Manager

Deb Chisholm to the Commission. Ms. Marchant showed a brief presentation to the Board to outline the proposal.

The project is located on the Merrimack River in Greeley Park. The parcel is behind the railroad tracks off of Hills Ferry Rd, so it isn't what people traditionally think of as Greeley Park. There is an existing boat ramp, and New Hampshire Fish and Game, Nashua Department of Parks and Recreation, Waterways Committee, and Lower Merrimack River Local Advisory Committee (LMRLAC) have all advocated for site improvements. In 2016 they successfully applied for a land and water conservation grant, but it was contingent on resolving issues with the railroad crossing. Since then they have worked with the New Hampshire Department of Transportation and the railroad company, and in 2017 it was declared a quasi-public crossing that they can now use to access the boat ramp.

The grant is \$400,000.00 total, with a 50% match from the city. For the past year they have held public meetings and extensive public outreach.

The goals are to resurface and regrade the boat ramp, relocate the stormwater outfall pipe, develop a parking area, provide emergency access to the Merrimack River for Police and Fire departments, improve accessibility for all users, improve and reroute the access road, improve safety, and maintain the natural aesthetic.

Ms. Marchant showed the Commission the existing conditions.

Mr. Gagne gave an overview of the property. The site is 32.4 acres, with 31.4 acres vegetated and approximately one acre of impervious surfaces in the form of gravel access and parking. The proposed project features a direct straightened access way, so that the longer hairpin component of the road will be gated off. Three feet of width in the gated off section will be seeded and turned back to a natural condition, and the remainder will be left for foot traffic and the occasional emergency vehicle. After the site is constructed, they expect 30.8 acres of the parcel to be vegetated, with 1.6 acres impervious surfaces.

Mr. Gagne said that the footprint of the proposal fully utilizes the existing disturbed areas. The site will have a total of 24 parking spaces, with 12 for trailered vehicles and 12 for car top usage. There will be 2 van accessible spaces;

one of each type. They plan to follow the existing drainage patterns, and used grade breaks to divide impervious surfaces into several bio-retention areas. Traffic will circulate one-way in a clockwise direction, and parking spaces are angled. There will be an ADA accessible pre-loading platform to increase user-friendliness to disabled boaters. Annual onsite conditions do not make a floating or fixed dock a feasible option.

Mr. Gagne said that impacts to onsite wetlands which require dredge and fill permits from the New Hampshire Department of Environmental Services (NHDES) are only those required for the construction of the ramp. Mr. Gagne showed the Commission photos of the proposed ADA ramp, which would be the first of its kind in the state.

Ms. Marchant said that they are currently in the process of finalizing designs, plans, and permitting. They hope to send out a bid for construction soon so that they can start construction in the summer.

Commissioner Sloan asked what the distance between trailered and regular parking spots was.

Mr. Gagne said that the lane is 20-feet, which is standard for one-way traffic.

Commissioner Reinke asked why traffic is clockwise instead of counterclockwise.

Mr. Gagne said that when driving a trailer clockwise, the driver is able to see out his window to turn. Counterclockwise turning is the blind side. The parking lot is designed for ease of use.

Commissioner Reinke asked if the area was mostly gravel currently.

Mr. Gagne said that there is quite a bit of gravel at the approach. He showed the Commission what is currently paved.

Ms. Marchant said that the proposal will be entirely gravel.

Commissioner Sloan asked if there will be more paving or pervious surfaces.

Mr. Gagne said there will be less pavement overall, but because of the grade there will be a continuous paved surface along the launch area to prevent spinning out.

Ms. Marchant said that the parking area will be a planned gravel parking lot, instead of just parking in the woods. They never intended to pave the parking area.

Commissioner Porter asked if there is any significant change from current to proposed grade.

Mr. Gagne said no. The grade will be the average of the steep and shallow part of the slope today. He showed the Commission the grade profile.

Commissioner Porter asked if the maximum grade will not be steeper than it is currently.

Mr. Gagne said that is correct.

Ald. Kelly asked if the gravel continues on the access road, or is the access road going to be dirt.

Mr. Gagne said that the city is designing the access road. He understands that they will use millings, which is a semi-pervious surface. Millings are made when roads are scoured for repaving. The road will be a lot of stone and gravel compacted together, and let some water through.

Ms. Marchant said it is a pretty solid surface, and hopefully the road won't pit as much as it does today, but it is considered impervious in the drainage calculations.

Ald. Kelly asked if it would be strong enough to hold up in mud season and still allow a fire truck through.

Mr. Gagne said yes.

Commissioner Porter asked to what extent the city is committed to keeping the road reasonably maintained and serviceable.

Ms. Marchant said that the millings is much more sturdy than gravel, and will be filled with more millings when it needs repair. It is a more stable surface, so they should see much less damage than at present.

Commissioner Reinke asked what will be done to address random dumping.

Mr. Gagne said he can't speak to what kind of presence the city would have there, but in general when a site like this is developed and sees more regular traffic, that presence strongly discourages more nefarious activities.

Ms. Marchant said that as part of the plan, the neighborhood asked for boulders and deterrents from people being able to drive off the road as easily as they can now. They don't have boulder placement yet, but the plan is to install boulders and retaining walls. This will change the topography of the area, and hopefully will cut dumping down a bit.

Mr. Gagne added that they will be adding new gates to that area. The side areas will be regraded uphill to help with ADA compliance, and the swales will be difficult to drive vehicles across.

Commissioner Porter said he is on the State Public Water Access Board, and can confirm that the more the ramps are used, the less trash there is. Coupled with some strategic boulders to keep the ATVs out of the woods, he has confidence that this will work.

Commissioner Parker asked if the area will be open year round, and if there will be any bathroom facilities.

Ms. Marchant said they do not plan to keep it open year round. If there is a point where police or fire departments need to get down there during the winter, they will plow it. She doesn't believe they will be adding this to the plow rotation. There is no plan for electricity, lighting, or bathrooms.

Commissioner Parker asked if there was no possibility of pit toilets. If this is going to attract the amount of cars she thinks it will, there will be people parking their cars and immediately looking for restrooms.

Ms. Marchant said they are not part of this project right now. They do plan to have trash cans and regular trash pickup. They will look into some kind of porta potty.

Commissioner Parker said that the state parks have clever pit toilets that are very sustainable.

Ms. Marchant agrees. It's not included in the existing budget, but it's a great idea and she will make a note of it.

Mr. Gagne described the process the state undergoes to create an ADA accessible porta potty.

Ald. Kelly asked about lighting to cut down on nefarious activities on the access road.

Ms. Marchant said that there is no electricity onsite and nothing to connect to, and there is no money in the budget for lighting. She said that they haven't had any luck in the city with solar power, especially in a forested environment.

Commissioner Sloan asked if the parking will be paved or dirt.

Ms. Marchant reiterated that it will be gravel.

Commissioner Sloan asked how they will mark the parking lines.

Mr. Gagne said the spots are delineated with concrete bumper stops. The handicap accessible spots are designated with signage. Boulders will be placed to prevent parking in the drainage swale.

Commissioner Gillespie said that the application states no trees will be removed. Is that true?

Mr. Gagne said that was a mistake. His intention is that there are no trees removed in the state shoreland jurisdiction. They have to count and survey trees in the first 50-ft, but don't survey individual trees beyond that. He apologizes for that. There are trees within the footprint, but they don't typically survey every tree in projects like this.

Commissioner Gillespie said that Shoreland Protection requires a 250-ft area where they have to count the distance and size of the tree.

Mr. Gagne said they only have to count the trees within the first 50-ft for that. The jurisdiction certainly goes out to 250-ft, which they have shown on the plans. They are not cutting any trees within the first 50-ft.

Commissioner Gillespie asked if there will be any Fish and

Game involvement.

Mr. Gagne said that for Fish and Game to be involved, the city would have to turn over ownership of the site by lease agreement for thirty years. Then the NH Fish and Game department would take care of the site and control access.

Commissioner Gillespie said that on the application the permanent impact area has no square footage amount.

Mr. Gagne said it is listed on the plan.

Ms. Marchant said within the 75-ft prime wetland buffer, the total impact is 4,515 square feet.

Mr. Gagne added that impacts are 120-ft for the bank, and 1,835-feet for the riverbed.

Commissioner Gillespie asked when they will submit a Shoreland Permit application.

Mr. Gagne said that they will be able to within the next few weeks. He wanted to wait until after this meeting to see what they might have to change.

Commissioner Gillespie asked where the drainage outfall pipe will be moved to.

Mr. Gagne said that the headwall will be moved to above the high water level. There will be a cleat added so that boats can tie on to it as well. He is still working out with the city whether or not they want to abandon the pipe in place.

Ms. Marchant said that they want to abandon the pipe in place. She does believe that the wetlands have plenty of capacity and that drainage will work. They are in the process of getting confirmation from Engineering Department. All the drainage calculations have been done for this area, so she hopes they can remove the pipe.

Chairman Dutzy asked how disabled people would be able to get into the boat from the ADA ramp.

Mr. Gagne said they can physically climb in, in the same way they would get out of their wheelchair or into their van.

Chairman Dutzy asked if the wheelchair goes into the boat with them.

Mr. Gagne said correct. The family could also help move gear.

Chairman Dutzy said it would probably not be usable by motorized wheelchairs, because they are heavy.

Ms. Marchant said they could use it to get to the top of the ramp, and then sit in the boat.

Chairman Dutzy said they would have to physically be able to do a transfer.

Ms. Marchant said yes.

Commissioner Porter said they don't expect the river to go as low as it used to, but there will still be low water conditions late in August, September, and October. At low river levels, how much water is over the end of the ramp?

Mr. Gagne explained the process they used to obtain a river height for low water elevation. They provide for three feet of depth below that, and have depicted that number on the plans.

Commissioner Reinke asked how climate change will affect that.

Mr. Gagne said that this puts the ramp almost at the bottom of the river, so if the river gets much lower than this it is dry. If you don't accommodate the right depth for that low water condition and see it more often than predicted, the power loading of boats onto trailers undermines the end of the ramp and people end up getting stuck in the ditch. Over the years they have become more conservative.

Commissioner Pierotti asked what material the parking stops will be.

Mr. Gagne said they will be pre-cast concrete blocks. Anything else and they are typically vandalized and removed.

MOTION by Commissioner Porter to make a favorable recommendation for the approval of the Greeley Park Boat Ramp with the following stipulations:

1. Maintain the surface of the access roadways.

SECONDED by Commissioner Sloan

MOTION CARRIED UNANIMOUSLY

F. Old Business

➤ ***Update for LCHIP managed parcels***

Chairman Dutzy said that she has completed and submitted the three reports needed for the LCHIP parcel. Paula Bellemore was pleased with the reports, so Chairman Dutzy hopes this means they will receive funding. This year they will have to come up with a plan of how to monitor each of the three parcels, with particular attention to locating boundary markers.

Commissioner Sloan volunteered to look for them with his GPS.

Chairman Dutzy will make copies of all the warranty deeds, which have the boundaries listed, and hand them out to the members of the Commission in case any of the Commissioners want to begin doing walks to locate boundary markers. That is one of the things they will have to do during this year. LCHIP wants them to walk the boundaries walked within three years and a third of them walked this year, as well as the condition of the boundary markers noted. As they are monitoring the properties, they have to monitor them to the restrictions in the deeds. On Pennichuck Water lot H-635 there is a 400-ft sanitary buffer from the waterfront where there cannot be trails or human traffic.

➤ ***Updated projects list***

13 Curtis Dr: Commissioner Gillespie said that the project has broken ground.

Brian McCarthy Memorial Bridge Sign: Chairman Dutzy said she spoke to Barbara Pressley about the project. She handed out a draft of the sign content written by Kathy Hersh, and sent it to the Mayor's office for review. She will draft it up in large font for the next meeting to give them an idea of what it will look like.

G. NCC Correspondence and Communications

- **Motorcycles Millpond in Mine Falls Park:** Commissioner

Gillespie said that they have been having issues with motorcycles that go and practice racing on the ice. The Mill Pond has been marked as a "no gas" watercraft location, and does not allow vehicles. He wants to research what the regulations mean by no gas restrictions, and whether they can or should restrict this and other gas uses like ice augers.

Ald. Kelly confirmed that Mr. Gillespie was correct, and cited Article 2, sections 15 & 16 under the park and playground ordinance, in that vehicles are not allowed on the pond.

Commissioner Sloan said he's tried Fish and Game, and the officer is stretched thin enough that he would need to know in advance when they would be there.

A brief discussion of enforcement and prevention ensued. Ald. Kelly volunteered to research state RSA's on motorized vehicle restrictions.

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

Nonpublic session was not required.

I. Commissioners Discussion

None

J. Adjournment

Commissioner Porter made a motion to adjourn; the motion was seconded by Commissioner Sloan. Motion carried. The meeting ended at 8:15 PM.

APPROVED:

Richard Gillespie, Clerk, Nashua Conservation Commission

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