



City of Nashua  
Conservation Commission  
City Hall, 229 Main Street, PO Box 2019, Nashua NH 03061-2019  
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**NASHUA CONSERVATION COMMISSION**

**Tuesday, July 9, 2019**

**A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, July 9, 2019 at 7:00 PM, 229 Main St, City Hall in Room 208.

**B. Roll call**

Members present: Sherry Dutzy, Chairman  
Richard Gillespie  
Brandon Pierotti  
Dan Sloan  
Gene Porter  
Michael Reinke

Members Absent: Bill Parker

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

**C. Approval of minutes**

June 4, 2019

**MOTION** by Commissioner Porter to approve and place on file the minutes of June 4, 2019, as amended.

**SECONDED** by Commissioner Sloan

**MOTION CARRIED 6-0**

**D. Treasurer's Report**

None

**E. New Business**

➤ *Weston Associates Development Co. (Owners) requesting Conservation Commission preliminary review for impacts within the 40-ft "critical" wetland buffer of Round Pond and the 50-ft conservation easement. Property is located at 546 Amherst*

**St. Sheet H, Lot 178. Zoned "GB" General Business & "PI" Park Industrial. Ward 2.**

Chris Rice, Project Engineer, TF Moran

Mr. Rice introduced himself to the Commission as representative for the owner. With him is David Mackay of Weston Associates Development Co.

Mr. Rice gave an overview of the proposal. The property was previously occupied by Southern New Hampshire University. He described the property as 3.1 acres in size, and also within the Water Supply Protection District. He described the site's current conditions.

Mr. Rice said that they propose to redevelop the site to include a 16,000sq-ft building along Amherst St and a smaller 5,000sq-ft out building at the southern portion of the lot. They are working with the Planning Dept. to access the signalized intersection at Blackstone Dr. As part of the proposal they will be removing impervious surface from both the 40-ft wetland buffer and the 50-ft conservation easement, with a total area 757sq-ft of impervious surface removed. They also propose to add 714sq-ft of impervious surfaces within the buffer as a result of the redevelopment. The Planning Dept. recommended they come before the Commission to see the viability of their proposal. If the Commission expresses approval, they will apply formally and request a positive recommendation to the Zoning Board of Adjustment.

Commissioner Porter asked if they had considered pervious pavements.

Mr. Rice said that is something they can look into. Given how close they are to Round Pond they will want to treat the stormwater runoff. That treatment is only possible if they have a certain separation from the water table. He can't promise that it would be doable, but he'll look into it. They currently intend to capture all runoff from any impervious surfaces and direct to an onsite infiltration system.

Commissioner Porter said pervious pavements may save some effort on stormwater treatment.

Commissioner Sloan asked if they are planning on any type of retaining wall or regrading.

Mr. Rice said he believes that they can do it all within grade. If anything, they might add a 1-ft decorative stone wall.

Commissioner Sloan said that he knows in the past he has seen that area underwater. That could be an issue if that's going to be the main entrance to that area.

Mr. Rice asked if it was just the one time he saw it flood.

Commissioner Sloan said he's seen it at least twice.

Mr. Rice asked if the flooding was just in this area.

Commissioner Sloan indicated the extent of the flooding in the parking area. He said it was flooded for at least a week until the water abated.

Mr. Rice said he will take that into account.

Commissioner Pierotti asked how they feel about people continuing to fish on the shore.

David Mackay, Weston Associates Development Co.

Mr. Mackay said that they have no objections to it.

Chairman Dutzy asked about driveway access to the site.

Mr. Rice indicated on the plan the curb cut changes they propose.

Chairman Dutzy asked why there is currently impervious space in the buffer.

Mr. Rice said that it's part of the parking lot.

Chairman Dutzy asked if they plan to remove some impervious surface in that area, and add more to the west in order to make the driveway connection.

Mr. Rice said correct. They are proposing to remove more pavement than they are adding.

Chairman Dutzy asked if they are removing any trees.

Mr. Rice said that there will be a small section of tree clearing but they haven't identified any trees yet.

Commissioner Gillespie said that he thinks this pond is large enough to be out of the jurisdiction of the NH Dept. of Environmental Services (DES).

Mr. Rice said they are checking on that to see if Shoreland Protection applies. They don't have any impacts to the wetland so they wouldn't need a Wetland Permit, but they might need a Shoreland Permit.

Ald. Kelly asked the applicant to explain why they want the driveway further down.

Mr. Rice said to bring it in line with the signalized intersection. Currently, people who want to turn left have to first turn right and perform a U-Turn.

Chairman Dutzy asked if the purpose of tonight was to get feedback.

Mr. Rice said yes. He explained their intent, and said they will be meeting with the NH Dept. of Transportation next. Then, they will submit a formal application to the Commission. He asked if scheduling the site walk now would save a month's time.

Commissioner Reinke asked if they had considered pervious parking surfaces.

Mr. Rice reiterated that they will look into it once they get into the design stage. Their application includes an Alteration of Terrain (AOT) permit, so the DES will be looking at their stormwater design.

Chairman Dutzy asked if the purchase of the property includes Round Pond.

Mr. Rice said no, and indicated the property line on the plan. He thinks that the property line is determined by the mean average high water mark.

Chairman Dutzy said there is another building to the west of Round Pond, and people from there tend to use the pond. There

were issues about people leaving garbage. There is a conservation easement there.

Mr. Rice said there is a 50-ft conservation easement on their property too.

The Commission agreed to schedule a site walk on Wednesday, July 17, 2019, at 8AM.

➤ **2019 Monitoring Plan for LCHIP Properties**

Chairman Dutzy said that the Commission manages three properties; H-635, H-577, and three combined lots on Deerwood Dr. The problem is that the monitoring that the Commission has done in the past is no longer acceptable to the people now in charge of the New Hampshire Land and Community Heritage Investment Program (LCHIP). The Commission has traditionally inspected trails and submitted that as their report. Now, LCHIP feels that encroachment most often takes place on the boundaries, so they want the Commission to walk the boundaries, indicate how much of the boundaries they have walked, and mark the boundaries. If they do not comply with LCHIP Monitoring requirements, there will be lasting impacts on the Commission into the future. She said they need to walk a third of the boundaries every year on each of the properties. She said a lot of this would involve bushwhacking.

Commissioner Sloan asked who.

Chairman Dutzy said Pamela Belmore of LCHIP.

Commissioner Sloan asked if they all would have to walk the boundaries.

Chairman Dutzy said no. She suggested that a different person take responsibility for each of these, walk it, and complete a report. The report would include the percentage of boundary walked, a map of the boundary walked, and potential encroachments.

The Commission discussed the logistics of mapping the boundaries, the background of LCHIP's involvement in the properties, and the availability of maps. The Commission also discussed various strategies, and the pros and cons of complying with LCHIP Monitoring. The Commission discussed the merits of hiring a surveyor and recruiting volunteers.

Commissioner Sloan volunteered to look for some of the boundary pins on lot H-635.

Chairman Dutzy said because it does not appear that the Commission, moving forward, would have the talent, expertise, and interest to do this on an annual basis, she will contact some resources, like the Nashua Regional Planning Commission, to find out what can be done, how they might be able to work together, and what it might cost.

Commissioner Porter suggested they ask the Merrimack Conservation Commission how they handle LCHIP requirements.

Chairman Dutzy said she will give them a call.

➤ ***Status of Easements along proposed Joyce Park Wildlife Trail***

Postponed to the August 6, 2019 meeting

**F. Old Business**

➤ ***Conservation Commission Website Meeting***

Chairman Dutzy said she attended a meeting on June 28, 2019 in regards to improving the Commission's online content. She said that the IT Dept. can put the content for the website up on the city website, but the Commission has to write the content.

➤ ***Mowing/Maintenance Plan for Buckmeadow Fields***

Chairman Dutzy said she spoke with Steve Snook from John Brown and Sons and he said it would cost \$1,600/day. He expected the job to take three days. Chairman Dutzy has a meeting set up with another contractor to obtain a second quote. She recommended they do the work in October.

Commissioner Gill said Parks and Recreation has a guy that they use.

Chairman Dutzy said they had talked before, and then she never heard back. They are looking at companies who have experience working with other Conservation Commissions, and experience in maintaining wildlife habitat.

Commissioner Gillespie asked if the land in the Terrell

property will be included.

Chairman Dutzy described the three fields they selected.

The Board discussed adding the Terrell field to the maintenance plan.

Chairman Dutzy said it would probably be an extra day of maintenance, which would cost \$1,600 with the current quote. This would need to be done every five years. She said she will get a second quote for the next meeting.

➤ **Update On Previously Approved Cases**

- **17 Curtis Dr:** Commissioner Gillespie said the house is essentially done, and they have put up posts for the conservation markers. They have dug the swale, and it seems that they are closely following the guidelines the Commission set for the project.

➤ **Addendum to meeting minutes of June 4, 2019**

Commissioner Porter said that the record stated he would provide an addendum to the minutes concerning the Forestry Management Plan.

The Board discussed the content of the meeting minutes, and decided to leave them as is.

**G. NCC Correspondence and Communications**

- Correspondence from Chairman Dutzy to Planning Director Roger Houston re: completion of maintenance work at Lovewell's Pond. A motion to approve the invoice was discussed, but not formally made.
- Email from Patricia Fleuranceau-Morel to Planning Director Roger Houston re: potential development at Gateway Hills. Chairman Dutzy read the correspondence into the record. Ms. McGhee said the owner held an informational session for the abutters, but the Planning Dept. has no plans at this time.

**MOTION** by Commissioner Gillespie to accept and place on file all previously read correspondence.

**SECONDED** by Commissioner Sloan

**MOTION CARRIED 6-0**

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

Nonpublic session was not required.

**I. Commissioners Discussion**

- **Greeley Park Boat Ramp:** Commissioner Porter said the DES was not happy with the stormwater calculations in their application, and sent them back to the drawing board to rewrite and resubmit. Changes to the Wetland and Shoreland permits are due by July 28<sup>th</sup>.

**J. Adjournment**

**MOTION** to adjourn by Commissioner Porter at 8:25 PM.

**SECONDED** by Commissioner Pierotti

**MOTION CARRIED 6-0**

APPROVED:

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Richard Gillespie, Clerk, Nashua Conservation Commission

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Prepared by: Kate Poirier