



**City of Nashua**  
**Conservation Commission**  
229 Main Street  
Nashua NH 03061-2019

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**EXPANDED DRAFT MEETING SUMMARY**

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**THE INFORMATION CONTAINED HEREIN NOT BEEN REVIEWED OR APPROVED BY THE ZBA**

**NASHUA CONSERVATION COMMISSION**  
**Tuesday, September 1, 2020**

**A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, September 1, 2020 at 7:00 PM, via WebEx virtual meeting.

**B. Roll call**

Members present:

- Sherry Dutzy, Chair
- Gene Porter, Vice Chair
- Richard Gillespie, Clerk
- Brandon Pierotti, Treasurer
- Michael Reinke
- Joel Ackerman
- Gloria McCarthy, Alt.
- Carol Sarno, Alt.

Also in Attendance:

- Linda McGhee, Deputy Planning Manager
- 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.

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.

## **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, 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](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**

August 4, 2020

**MOTION** by Commissioner [Unknown] to approve the minutes of August 4, 2020, as amended

**SECONDED** by Commissioner Porter

**MOTION CARRIED 6-0**

August 12, 2020 - 67 & 73 Musket Drive Site Walk

**MOTION** by Commissioner [Unknown] to approve and place on file the site walk notes of August 12, 2020, for 67 & 73 Musket Drive, as amended

**SECONDED** by Chairman Dutzy

**MOTION CARRIED 6-0**

### **D. Treasurer's Report**

None

**E. New Business**

None

**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**

- **Liberty Utilities:** Commissioner Reinke volunteered to be the project manager for the 25 Van Buren St & 38 Bridge St project, approved at the August 4, 2020 meeting.
- **Terrell Conservation Area Fence:** Chairman Dutzy led a discussion regarding the replacement of damaged fencing.

**MOTION** by Commissioner Reinke to approve the expenditure of up to \$500.00 in repair of the fence

**SECONDED** by [Unknown]

**MOTION CARRIED 6-0**

- **NRPC Contractor:** Chairman Dutzy led a discussion regarding hiring someone from the Nashua Regional Planning Commission on an as-needed basis to assist with staff support, including conservation land management, forest management plans, mapping, and other services. The Commissioners expressed support for the proposal.
- **Liberty Utilities:** The Commission held a detailed discussion regarding their desire to develop a walking trail in the area, and their concerns over whether the

site is hazardous.

➤ **Subcommittee Reports:**

- Commissioner Sarno gave an update on trail management at Terrell Conservation Area. She discussed the need to itemize trail standards and maintenance, as well as enlisting trail monitors.
- Commissioner Porter gave an update of the improved machinery pond. He expressed concerns regarding the pending sale of 141 Burke St and the Salmon Brook Dam. A detailed discussion of the dam ensued.

**MOTION** by Commissioner Porter to formally request that the Planning Board defer making a decision on the pending sale, until the City can explain to the Commission how they intend to protect the shoreline easement and the dam that controls the pond level

**SECONDED** by Commissioner Gillespie

Chairman Dutzy recommended they attend the meeting.

Ms. McGhee said the Planning Board isn't approving the sale, they are just providing a recommendation. Further discussion ensued. Commissioner Porter volunteered to draft the letter.

**MOTION CARRIED 6-0**

- **Student Member:** Chairman Dutzy said she was contacted by a resident of Tanglewood Dr that a high school student is interested in applying for student commissioner.
- **Trail Operation Hours:** Commissioner Sarno said they have received a request from the mountain biking association to extend the trail hours in the Southwest Conservation Area beyond dusk. A discussion ensued.

**J. Adjournment**

**MOTION** to adjourn by Commissioner Porter at 8:13 PM.

**SECONDED** by Commissioner Ackerman

**MOTION CARRIED 6-0**

NCC  
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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