



**City of Nashua**  
**Conservation Commission**  
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**EXPANDED DRAFT MEETING SUMMARY**

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**NASHUA CONSERVATION COMMISSION**

**September 7, 2021**

**A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, September 7, 2021 at 7:00PM in Room 208 in City Hall AND via Zoom virtual meeting.

**B. Roll call**

Members present:

- Sherry Dutzy, Chair
- Gene Porter, Vice Chair
- Brandon Pierotti, Treasurer
- Richard Gillespie, Acting Clerk
- Gloria McCarthy
- Carol Sarno
- Jed Crook
- Ald. Elizabeth Lu, Alt.
- Josh Hauser

Also in Attendance:

- Matt Sullivan, Planning Manager
- Chris Webber, Department Coordinator
- Andrew Smeltz, NRPC

**Meeting Procedures**

**1. Access**

This meeting is accessible in person in Room 208 in Nashua City Hall and via Zoom. Members of the public and representatives of the applicants have been urged to attend the meeting via Zoom, but they may attend in person at City Hall. Real time public comment can be addressed to the Board utilizing Zoom or in City Hall, Room 208.

**2. Public Notice and Access**

If anybody has a problem accessing the meeting, please call (603)589-3115, and they will help you connect.

**3. 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. Please note that the Commission will continue to take vote via roll call.

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

**C. Approval of minutes**

July 6, 2021

**MOTION** by Commissioner Gillespie to approve the minutes of August 3, 2021, as amended

**SECONDED** by Commissioner Porter

**MOTION CARRIED 5-0**

September 1, 2021 - Special Meeting

**MOTION** by Chairman Dutzy to table the special minutes of September 1, 2021, in order to include correspondence

**SECONDED** by Commissioner Pierotti

**MOTION CARRIED 5-0**

**E. New Business**

- ***Elizabeth Lu & Matthew Plante (Owners) Requesting preliminary review of permanent and temporary impacts to "Prime" wetland buffer of Salmon Brook for driveway retaining wall construction. Property is located at 17 Roby St & "L" Roby St. Sheet 126, Lot 100 & Lot 103. Zone RA. Ward 6.***

Matthew Plante, 17 Roby St

Mr. Plante said this Commission approved the house as proposed. In order to construct the driveway access they need a 60-ft long retaining wall. This will be maybe 150-sqft of wetland impact. It will be no more than 18-inch high.

Chairman Dutzy said several of them visited in January. She asked for orientation to the proposal.

Mr. Sullivan showed the subject location and retaining wall in relation to Salmon Brook. He said most of the structural elements are within the 75-ft buffer.

Commissioner Gillespie asked which way the retaining wall faces.

Ald. Lu said the wall will sit to the northeast.

Mr. Sullivan said the south will be at a higher elevation.

Ald. Lu said this is to protect the wetlands from any further erosion.

Commissioner Sarno asked if the driveway is highest by the house and will slope towards the street. She is thinking about runoff.

Mr. Plante said the water will flow down the driveway.

Ald. Lu said there is a catch basin in there.

Mr. Sullivan showed an elevation of the proposed grading. There is some flow, but this is not a massive grade change over the slope of the area.

Chairman Dutzy asked if the reason the prime buffer goes in and out is the contour of the land.

Mr. Sullivan said correct. He said that the Commission will notice that part of the land is indicated as once part of a street. They are trying to determine the status of whether or not this is public or private property. They have a lot of good information to make this determination, and he wants to get this to the Commission for their consideration. He believes they will have full clarification of the road status before this goes to the Zoning Board.

Chairman Dutzy asked if Salmon Brook is in good shape at that point.

Ald. Lu said they can't see it much because of the low grade. They haven't noticed any disturbances in this location.

Commissioner Gillespie asked what the wall material would be.

Mr. Plante said that is yet to be determined. He indicated the

direction of water runoff, and said they are attempting to control the additional flow on the surface of the pavement and minimize the impact on the wetland.

Chairman Dutzy provided photos and background on the initial application for the house proposal. The stipulations were minimal new disturbance, keeping lawn area to a minimum, adding natural plantings, best management practices for water infiltration, and installing erosion control devices. Those stipulations would be maintained.

Mr. Plante said correct.

Commissioner **[Unknown]** thanked the Chair for the clarification on how a parcel within the prime buffer could be developed.

Chairman Dutzy said if it had been a totally undeveloped parcel the discussion would have been a lot different. This goes back several decades in terms of land use.

**MOTION** by Chairman Dutzy to favorably recommend the installation of a retaining wall, as proposed, with one stipulation:

1. Proper erosion controls are taken, and best management practices are utilized.

**SECONDED** by Commissioner Hauser

**MOTION CARRIED 5-0**

- ***City of Nashua (Owner) Nashua School District (Applicant) Requesting review of permanent wetland impacts for construction of road and recreational facility. Property is located at 36 Buckmeadow Road, "L" Cherrywood Drive, & "L" Chokeberry Lane. Sheet C, Lots 762, 2851, & 2859. Zoned R40/FUOD. Ward 9.***

Mr. Sullivan provided an overview of the September 1<sup>st</sup> meeting and a discussion he had with the engineer after the meeting. He asked the Commission if they would be amenable to a special focus meeting on the 22<sup>nd</sup> on the school project. An earlier meeting than the October 5<sup>th</sup> meeting would be beneficial, as the ZBA intends to reconvene on September 28<sup>th</sup>.

Chairman Dutzy said it would depend on how drastic the changes are.

Commissioner Sarno asked if they will be able to put in additional culverts for wildlife passage.

Mr. Sullivan said he hasn't heard from them. He has a meeting with them tomorrow, and will pass that along.

The Commission agreed to hold a special meeting September 22<sup>nd</sup>, 2021 to discuss the school.

➤ ***Natural Resource Inventory Scope Review***

Mr. Sullivan said they have an existing \$10,000 technical assistance agreement with the NRPC, and they are fortunate to be graced with Mr. Smeltz expertise. The Commission has expressed an interest in updating the city Natural Resource Inventory, which was last done in 2006. This can be fit into the technical assistance agreement, so long as the time length is extended. Mr. Smeltz has provided a draft based on other communities he has worked with, and he would like the Commission to review it.

Mr. Smeltz said this is not a comprehensively new document; it will fit into the remaining hours of the technical assistance contract. He has a master's degree in conservation, and he has a lot of ideas for what they can do. NRPC has a lot of recreation and trail data, which they can add to the discussion. Nashua doesn't have the same opportunities for land conservation that smaller towns do, so he has discussed with Mr. Sullivan the possibilities of urban natural resources, invasive species, and stormwater management. Largely the report would stay the same in terms of structure and conservation zones. He will be submitting drafts periodically so they can review and provide feedback.

Mr. Smeltz said the NRPC is going to be updating the Lower Merrimack River Watershed Management Plan, so he would like to integrate that into the inventory. He will be using the NH Fish and Game information for trails, as well as the wildlife action plan.

Commissioner Porter asked for increased focus on recreational opportunities. He thinks they are taking a broad view of the natural resources, and they shouldn't just include the parks. They can't use the parks as a shorthand for natural resources, and he encouraged them to include the railroad forested property, which is suitable for trails and swimming. The

existing resource plan is good except that the Salmon River corridor only goes downstream as far as Main St. It should go down to the Merrimack River, and needs additional analysis. The Pennichuck Brook corridor needs to be reassessed now that it is no longer the primary source of drinking water for Pennichuck Waterworks.

Chairman Dutzy asked if this will include known wildlife corridors or any recommendations. A lot of wildlife will be moving because of development.

Mr. Smeltz said they can identify existing wildlife corridors, and look into existing studies or resources.

Chairman Dutzy said she would like to see a wildlife corridor map. She would also be interested in forested land management. They would like to identify areas that may need a forest management plan.

Mr. Smeltz suggested a few types of maps he could do.

Mr. Sullivan showed a map from the previous Natural Resource Inventory. He said it's something they can talk about.

Chairman Dutzy asked if they would be approving a contract tonight.

Mr. Sullivan said this can be the first consideration of this. He recommended that they review and come back in October.

➤ ***Discussion of Mitigation Projects***

Chairman Dutzy asked if there is a deadline for the NHDOT Rail Project.

Mr. Sullivan said he doesn't believe they provided a deadline, just as soon as they can.

Chairman Dutzy said the time has come to identify some areas that may lend themselves to mitigation projects. One of the things they talked about was hiring a wetland scientist to look at the entirety of Salmon Brook to improve flow, water quality, and erosion control. Before they can ask for funding, they need to have a plan in place and know what expert resource they need.

Commissioner Sarno asked if ARM funding would cover removing a

tire dump in a wetland. It's not in conservation land, not too far off of Yudicky trails. It's about 50-100 tires, and they look like they have been there for a long time. She is not sure if it would be more destructive to take them out or leave them there.

Chairman Dutzy said it might fall under water quality.

Mr. Sullivan said there seem to be very few projects that fit their scope. He said it might be best to reach out to the Dept. of Environmental Services to ask someone to come and speak to the Commission on what would be eligible projects.

Commissioner Porter said it seems to him that if within the city limits they are looking for a water related project that needs serious money and planning, the eroding western bank of the Merrimack River would be one. The city gave the builder permission to build on an old landfill, so the state and city have some responsibility to correct that problem. The residents of Thoreau's Landing probably can't come up with the kind of money needed for bank stabilization. It will be even more needed when the passenger rail comes through there. Trains already have to slow down to 10mph to avoid shaking the ground so much that the whole development slips into the river.

Mr. Sullivan suggested they put together ten potential projects, and then speak to the DES about whether they would be feasible.

Chairman Dutzy said she would like to see a study of Salmon Brook to see if something needs to be done. There is a lot of development and there could be incursions they don't know about. She suggested they go onto the Aquatic Resources Management section of the DES website and see if the criteria there triggers any ideas. Then at the October meeting they can see what projects they want to explore.

Mr. Sullivan said on the ARM website there is an Aquatic Restoration Tools which directly relate to project eligibility. This might be a good starting point.

Mr. Smeltz said there is ecological data there too.

Mr. Sullivan said if the DES is willing to join them they can also speak to this tool. They should think of some projects and then see if they align.

Mr. Smeltz said this has a lot of culvert data but only from ones that have been sampled.

➤ **Master Plan Update**

Mr. Sullivan said there should be a formal draft available tomorrow, and he will send out guidance for how to use it. They will have a hearing on September 23<sup>rd</sup> through the Planning Board. If they have any thoughts or concerns, let him know.

**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**

**1. BMX Track Cleanup at Terrell Conservation Area**

Chairman Dutzy she would like to organize removal of the BMX park and restoration of the space. Commissioner Sarno described the park and what would need to be done. The Commission agreed to meet Saturday, September 25<sup>th</sup> and October 2<sup>nd</sup>, at 10AM.

**2. Project Assignment Update**

None

**3. Committee Reports**

- **Land and Trail Management:** Commissioner Sarno said Miguel cleared the overgrowth at the Buckmeadow boardwalk, and John Thompson will be mowing half of the meadow in early October. She and Commissioner Crook visited Joyce Wildlife Park recently, and adjacent to the stairs they are seeing a lot of erosion. They would need water bars. There are some downed trees nearby that they

could use if they had a chainsaw.

Chairman Dutzy said they could hire the SCA to do it as well. There is an area they could also use to create a parking area. They can look into this on Saturday, October 9<sup>th</sup>.

Chairman Dutzy said that Commissioner Crook was able to remove the pool ladder at Joyce Wildlife Park, and thanked him for his efforts. He also removed the homeless encampment. She emailed Swamp Inc, who will do another spraying for poison ivy. If they don't treat for it, the area will be overgrown in two years. They will probably have to do an invasive project in the spring.

- **Digital Marketing:** Commissioner Hause said the website is ready, they just need a domain name. It's \$12 per year. If they have any pictures they want on the website, send them to him.
- **Easement Monitoring:** Commissioner Gillespie provided an update of activity by the airport. Chairman Dutzy said they have two residents interested in joining for the Commission.

#### **4. Miscellaneous**

- Chairman Dutzy said that student member Maya Friday offered to make a facebook page so that the Commission can advertise events and get people involved.

#### **J. Adjournment**

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

**SECONDED** by Commissioner Sarno

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