

LMRLAC – April 23, 2015

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

April 23, 2015

Members:

- ✓ = present

Current:

- ✓ Gene Porter (Chair) – Nashua
- ✓ Nelson Disco (Vice Chair) – Merrimack
- ✓ Karen Archambault (Secretary) – Nashua
- ✓ Michael Croteau (Treasurer) – Litchfield
- Christine Dupree – Hudson
- ✓ Richard LeBourdais – Hudson
- ✓ George May – Merrimack
- Michael Redding – Merrimack

Associate Members:

Mildred Mugica – Nashua

Also in attendance:

Nathan Chamberlin, Fieldstone Land Consultants, PLLC
Tom Zajac, Hayner/Swanson Inc.

Meeting called to order at 7:06pm by Chairman Gene Porter who confirmed there was a quorum present (greater than 50% of members in attendance).

Minutes

The minutes from the February 26, 2015 meeting were approved with no changes.

Merrimack: Anheuser-Busch Proposed Brewery Expansion; Alteration of Terrain Application #20150319-058

Mr. Zajac from Hayner/Swanson introduced himself and the project. The applicant is proposing a new packaging process facility, plus an addition to the brewery and warehouse. The project would add about 55,000 square feet of buildings, which is approximately a nine percent increase. No tree cutting is anticipated for the project. The total area of disturbance is 205,000 square feet and adds about one and a half acres of impervious surface to the site. The additional facility is expected to result in 30 additional truck trips per day. The project includes some parking and sidewalk relocation and stormwater improvements.

Mr. Zajac stated the Merrimack Planning Board had granted approval for the project at a meeting on Tuesday evening.

Mr. Zajac highlighted two points about landscaping and stormwater. He explained that the plowing firm employed by Anheuser-Busch is Green SnowPro certified. He also stated that the landscaping plan will be adding low phosphorus recommendations. He also summarized the stormwater treatment on site. The site, originally constructed in 1970, has minimal stormwater treatment; the runoff is piped to the river in accordance with its EPA permit. The site work for this project includes the addition of a detention basin with oil/water separators. The improvements will provide treatment for pavement runoff and will result in a net decrease in peak flows and volume.

Chairman Porter asked Mr. Disco about the Merrimack Planning Board's response to the proposed stormwater treatment. Mr. Disco responded that the Planning Board considers the

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proposed work a net improvement to the site. Chairman Porter asked whether the new parking lot drainage would be treated and Mr. Zajac replied that it would be. Chairman Porter asked about the use of permeable surfaces on site and stated that modern permeable surfaces can handle automobile traffic. Mr. Zajac replied that the existing automobile parking on the site is not proposed to change for this project.

Mr. LeBourdais asked whether the stormwater flow calculations were available for the entire property. Mr. Zajac replied that a drainage study was not performed for the entire property.

Chairman Porter asked whether the applicant had looked into using rail, rather than trucks, for distribution. Mr. Zajac replied that the railroad spur on the site, which is proposed to be removed, has been discontinued for a long time. Mr. Zajac also stated it's his understanding that the site is well under its NH DOT permit capacity.

Mr. Croteau asked whether the project would have any floodplain impacts, and what herbicides or pesticides are used on site. Mr. Zajac replied that he would look into the herbicides and pesticides. He stated that one part of one building is within the 100-year floodplain as of 2009, but that the FEMA floodplain elevation is about four and a half feet lower than the building and parking area, according to the applicant's measurements.

Mr. May asked about the current patio/courtyard area, and noted the project indicates changes to that area of the site. Mr. Zajac replied that a portion of the area is being removed. Mr. May expressed concern that the area be appropriately restored or improved.

Mr. May asked about access to trails along the river. Mr. Disco pointed out that there are no formal designated trails along that part of the river.

Chairman Porter thanked Mr. Zajac for coming to the meeting and explaining the project.

Members agreed on the following comments:

- LMRLAC encourages the applicant to restore the patio area
- LMRLAC requests the applicant consider a trail easement along the river
- LMRLAC recommends the applicant consider the use of pervious pavers in the parking lot

Merrimack: Flatley Mixed-Use Project

Mr. Chamberlin introduced himself and the project. The applicant is proposing a mixed-use development on the site, which is adjacent to the existing St. Gobain facility on DW Highway in Merrimack. The master plan includes residential and commercial buildings; the applicant is currently proposing construction of just the residential portion of the plan, which consists of 5 48-unit buildings at the southerly end of the site. Dumpling Brook runs through the site and is part of the old fish hatchery. The project is within the Wellhead Protection District and the Aquifer Protection District. The proposed development is outside the protected shoreland area. The project is in preliminary planning stages and has not yet been submitted to DES for review.

Chairman Porter asked about stormwater treatment on site. Mr. Chamberlin explained that the project includes two large infiltration basins, which will provide treatment to on-site flow as well as to stormwater which enters the site from adjacent parcels. The treatment storage is designed for a 2-year storm; there will be no direct discharge to the river, but overflow will discharge to Dumpling Brook. All of the parking lot flow will be treated, but some of the roof flow may be sheet flow.

Mr. May pointed out there are town-owned parcels along the river, and Chairman Porter asked about access from the site to those parcels. Mr. Chamberlin stated the parcels were sold to the

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town of Merrimack, but that there is no mention of an easement (e.g. over the railroad tracks) as part of that.

Chairman Porter asked about the use of permeable pavement. Mr. Chamberlin replied that permeable pavement was not planned for the site, and cited the high cost to construct and maintain it as the reason. He pointed out that the sand layer in the infiltration basins provides the treatment, keeping the oils from getting into the groundwater.

Mr. May asked about snow storage and Mr. Chamberlin pointed to locations on the site where snow could be stored. Mr. May asked about putting rain gardens in the vegetated areas between the parking lots; Mr. Chamberlin replied that vegetated swales are proposed for those areas.

Mr. Croteau asked about impacts to Dumpling Brook, and pointed out that it is a cold water fishery. Mr. Chamberlin pointed out that the brook includes a 24-inch culvert below the pond. Members briefly discussed whether to suggest restoring the brook and settled on a general comment that the project should not have a negative impact on fish habitat.

Mr. Chamberlin stated the project has no wetland impacts but will require an Alteration of Terrain permit. He stated that the site submitted to the NH Natural Heritage Bureau database and that there were several 'hits', meaning evidence of current or historic rare or endangered species on or near the site.

Chairman Porter asked whether there were any conditions on sequencing the project. Mr. Chamberlin replied that there was some discussion of constructing one commercial building before the last residential building. Chairman Porter asked about public access to the river; Mr. Chamberlin replied that it was not likely for this phase of the project.

Members asked whether there would be an impact to the viewshed from the river, or from the Litchfield side of the river. Mr. Chamberlin replied that he hasn't made the calculation yet.

Mr. Chamberlin stated the Merrimack Conservation Commission is awaiting drainage calculations. He also pointed out that the Alteration of Terrain permit application will include drainage calculations.

Mr. May asked whether abutters have been notified. Mr. Chamberlin replied in the affirmative, and that some site layout changes have been in response to public input.

Chairman Porter thanked Mr. Chamberlin for coming to the meeting and explaining the project.

Mr. Disco excused himself to attend the Merrimack Town Council meeting.

Later in the meeting, members discussed submitting the following comments to the applicant and to the Merrimack Conservation Commission, as well as to DES when the application is filed:

- LMRLAC requests locations for snow storage be clearly identified on the plan
- LMRLAC requests the applicant install rain gardens in the landscaped areas adjacent to the parking lots
- LMRLAC requests the applicant consider the use of permeable surfaces
- LMRLAC requests the applicant investigate the rail crossing and provide a trail easement through the site to access the town-owned parcels along the river
- LMRLAC asks the applicant to determine the visual impact of the project from the river
- LMRLAC requests that the project not interfere with the fishery in the brook and to see whether it can be improved
- LMRLAC requests appropriate maintenance of drainage treatment structures

Nashua: Sunset Heights Elementary School Repaving; Alteration of Terrain Application #20150316-053

Chairman Porter stated that this application was received in March and the proposed repaving project is outside the quarter mile corridor. Chairman Porter suggested that LMRLAC provide a “no comment” response when DES provides notice of the application. DES has since requested more information from the applicant.

Financial Report

Chairman Porter provided Mr. Croteau with recent financial statements; Mr. Croteau will prepare a report for the next meeting.

Designated River Signs

Chairman Porter stated he has signature confirmation from Nashua and Hudson that they will install the signs if LMRLAC provides them. He indicated that installing signs on the Sagamore Bridge is under discussion at the State level, because the Sagamore Bridge is a limited-access road and the Memorandum of Agreement for the signage excludes limited-access roads.

Mr. May asked about the size of the signs to be installed, and recommended that signs larger than the standard be installed on the Sagamore Bridge for visibility. The standard size is 30 inches by 12 inches for the primary sign (with the river name) and 24 inches square for the secondary sign (with the Protected River logo).

Developing Relationships with Local Boards and Officials

Chairman Porter encouraged members to attend Planning Board and Conservation Commission meetings. He has been encouraging the Nashua Conservation Commission to explore the possibility of developing Heritage Trail segments in Nashua. He also continues to bring up the topic of boat access points in the city.

Mr. May stated he has spoken with the Merrimack Conservation Commission; he commented that they are involved in trails.

Mr. May also suggested that Nashua look into the feasibility of a trail along Salmon Brook from the Merrimack River to Bishop Guertin High School.

NH Public Water Access Advisory Board (PWAAB) Statement

Mr. Porter handed out copies of a summary of the approved PWAAB statement regarding river access issues in the Nashua region. The points relevant to the Merrimack River were:

- A large population is concentrated on a large body of navigable water in NH without suitable trailer boat access
- Nashua and Hudson have no current plans to fund quality trailer boat access
- There is no mechanism in place to require public access easements as a condition of approval for shoreland development

Lowell: Pawtucket Dam Crest Gate Bladder Project

Mr. Porter stated that a court ruling in February has granted approval for the project.

Mr. Porter also commented that he had learned that the Federal Energy Regulatory Commission (FERC) license for the Amoskeag Dam in Manchester grants the holder the authority to review development proposals upstream. He asked whether the FERC license for the dam in Lowell granted similar authority but was told it did not.

Boott Hydropower is expected to begin construction sometime in 2015.

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Proposed Northeast Energy Direct Pipeline Project

Mr. Porter reiterated that LMRLAC's position on the project, as discussed at a previous meeting, is that any river crossing required by the project be deep enough under the river and far back enough from the river banks so that erosion and scouring would have no effect on the pipeline.

Mr. May remarked that any river impacts should be offset by adequate and appropriate mitigation.

Meeting adjourned at 8:50pm.

Next LMRLAC Meeting

The next LMRLAC meeting is currently scheduled for Thursday, May 28, 2015, at 7:00 pm in the Music/Art/Media room at the Nashua Public Library.

Respectfully submitted,
Karen Archambault
secretary