

LMRLAC – October 25, 2018

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

October 25, 2018

Members:

- ✓ = present

Current:

- ✓ Gene Porter (Chair) – Nashua (current term expires Dec 2019)
- ✓ Nelson Disco (Vice Chair) – Merrimack (current term expires 06/21/21)
- Chris Barrett – Nashua (current term expires 08/22/20)
- ✓ Michael Croteau – Litchfield (current term expires 11/08/20)
- ✓ George May – Merrimack (current term expires 06/14/20)
- ✓ Francis Murphy – Nashua (current term expires 02/18/19)

Pending Renewal:

- ✓ Karen Archambault (Secretary) – Nashua (current term expired 08/12/17)
- Christine Dupree (Treasurer) – Hudson (current term expired 11/25/17)

Also in attendance:

Matt Cardin, Eversource
Bill Collins, Hudson Conservation Commission
Geoff Daly, corridor resident, Nashua
Bernard Plante, Melton Associates, LLC
Tracy Tarr, GZA GeoEnvironmental
Mason Twombly, NRPC

Meeting called to order at 6:58pm by Chairman Gene Porter in the Meeting Room at the Nashua Public Library. It was noted that a quorum was present for the meeting. (Note: Mr. Disco arrived at 7:30.)

Minutes

The minutes of the September 27, 2018 LMRLAC meeting were approved as written.

Current Business

Merrimack:Residences at Edgebrook Alteration of Terrain Permit Application [File #20181025-160]

Chairman Porter introduced the project, which is located east of Daniel Webster Highway across from the Harris Pond Mall and includes four 4-story residential buildings.

Mr. Plante explained that the 35-acre site has four proposed apartment buildings; one 76-unit with age-restricted housing, and three 52-unit buildings. The site will be sewered, with some parking under the buildings, plus surface lots. Mr. Plante also explained that future commercial development, to the north of the proposed residential units, is in the conceptual phase at this time. The site includes a strip of land to the east of the Boston and Maine railroad corridor. The site also abuts a portion of Pennichuck Brook near its confluence with the Merrimack River. Mr. Plante explained that the proposed plan does not disturb any wetlands. He also explained that his firm is obtaining the permitting for the project and will then sell it to another party to build.

Mr. Plante described the stormwater plan for the site. The plans include four infiltration basins, two of which are proposed rain gardens. Despite the increase in impervious cover on the site, the proposed treatment results in no net increase in runoff to Pennichuck Brook. Chairman

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Porter asked about using pervious pavers. Mr. Plante replied that the planned stormwater treatment accomplishes the equivalent results.

Chairman Porter expressed concern about erosion and the steep slopes on a portion of the site. Mr. Plante replied that the steepest area is being left undeveloped and remains naturally vegetated.

Mr. May asked about snow storage and requested that contractors be Green SnowPro certified. Chairman Porter requested that snow storage areas be identified on the plans.

Mr. Daly asked for clarification of the stabilized matting proposed on the plan. Mr. Plante did not have details available. Mr. Daly requested LMRLAC consider requesting the use of expandable matting in a waffle pattern, but he did not have the name of the material available.

Chairman Porter asked about the buffer between the project and Pennichuck Brook. Mr. Plante replied that there a vegetated buffer, with one natural break, which connects to one of the proposed stormwater structures.

Chairman Porter stated LMRLAC would like to see an easement for a non-motorized path. Mr. Plante replied that the purchaser is not opposed to providing easements for walking paths, if connections exist on either side of the site. This led to a brief discussion about trail placement. If it is determined that there is insufficient room between the railroad tracks and the river in this stretch of the river bank, LMRLAC would request the easement be located on the other side of the railroad tracks.

Chairman Porter asked whether there is an existing right-of-way on the site to cross the railroad tracks. Mr. Plante was not certain.

Chairman Porter stated LMRLAC will rely on DES to check the stormwater calculations.

LMRLAC thanked Mr. Plante for coming in and discussing the application.

The highlighted comments during the discussion were as follows:

- LMRLAC requests the use of Green SnowPro certified contractors for snow treatment and removal
- LMRLAC requests the plans identify snow storage, and that it be in areas which drain to treatment areas
- LMRLAC requests a non-motorized trail easement
- LMRLAC suggests use of expandable waffle pattern soil stabilization

Merrimack/Litchfield: Eversource Transmission Structure Replacement Project [File #TBD]

Ms. Tarr presented a summary of the project. The effort will replace 29 wooden utility structures dating to 1966 with steel replacement poles. Nine of the structures are within the quarter-mile corridor. None of the structures within the corridor have wetland impacts, although there are some wetland impacts outside of the corridor. The wetland application is expected to be filed within a couple of weeks. The project is also covered by a Shoreland Permit By Notification (PBN). Ms. Tarr included references to the LMRLAC Corridor Management Plan in her presentation, showing how the proposed project does not conflict with stated objectives in the plan.

The right-of-way width will remain the same and the replacement structures will all be within five feet of the existing structures. The structure height will increase by approximately five feet to provide insurance for clearances.

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Ms. Tarr explained that the archaeological study revealed no artifacts in the work area. Several rare species were identified in the region by the Natural Heritage Bureau, but not in the immediate work area. Ms. Tarr also stated that the project had been presented to the Litchfield Conservation Commission on October 4.

Ms. Tarr highlighted the use of straw wattle for erosion control on the site, preferring that to silt fencing. Ms. Tarr also explained that mitigation for the upland wetland impacts is an in-lieu fee to the Aquatic Resource Mitigation (ARM) fund.

LMRLAC complimented the presenters for their level of preparedness and proactive approach.

Old Business

Hudson: Sparkling River, LLC Shoreland Permit Application (File #2018-01684) and Alteration of Terrain Permit Application (File #20180823-131)

Chairman Porter explained that DES rejected the Alteration of Terrain application, flagging seven issues to address within 120 days. The issues include reviewing stormwater calculations and the level of detail provided on the stormwater plan.

Discussion Items

Nashua: Beazer East

Chairman Porter summarized its location and background, including that there had been earlier seepage of creosote into Greeley Park, which is outside the containment wall installed. Chairman Porter stated that a representative from NH DES is scheduled to attend LMRLAC's January meeting to discuss Beazer East.

Nashua: Greeley Park Boat Ramp

Chairman Porter explained there was a Board of Public Works meeting on October 25 which included an agenda item on the project.

Chairman Porter gave a brief overview of the lack of boat access sites on the Lower Merrimack River.

Hudson: Merrill Park Improvements

Mr. Collins chairs a subcommittee which is looking at ways to improve the function of the boat ramp at Merrill Park. He passed around a copy of a conceptual plan from 1987. He had asked Chairman Porter for information on grant resources, which Chairman Porter had responded to. Mr. Collins asked LMRLAC for feedback or suggestions on how to go about seeking to improve the Merrill Park boat launch.

Mr. Collins also asked whether the steepness of the bank in the area required getting the Army Corps of Engineers involved.

Chairman Porter commented that there is not a lot of funding available for public boat launches. He also stated that LMRLAC wants people to use the river.

Mr. May suggested reaching out to neighbors and highlighting that there is no existing motorized access on that side of the river in this stretch.

Region: Liberty Utilities Gas Line Under Merrimack River

Chairman Porter had researched this issue after the previous LMRLAC meeting, and learned that the project does not require permitting if it is not disturbing shoreland or wetlands. Mr. Daly replied that he believes work on the project will be within 75 feet of the shoreline.

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Merrimack: Flatley Mixed-Use Project

Chairman Porter summarized that the permit for the residential part of the project remains active, but permitting for the commercial part has expired. Mr. Disco indicated the project does not currently have approvals in place for the commercial part of the development from the Town of Merrimack. Mr. Daly stated he understands there was communication requiring more testing on the site.

Region: Per- and Polyfluoroalkyl Substances (PFAS) Contamination

Chairman Porter explained he has sought guidance on LMRLAC's jurisdiction and has learned that LMRLAC has no authority to get involved in the matter. Mr. May responded that he feels LMRLAC has a responsibility to comment on the matter as it relates to river protection, and Chairman Porter agreed. Mr. May also pointed out that the issue will continue for a long time, and that it should influence LMLRAC's review of future projects.

Meeting adjourned at 8:56pm.

Next LMRLAC Meeting

The next LMRLAC meeting is currently scheduled for Thursday, January 24, 2019, at 7:00pm at the Nashua Public Library. If agenda items warrant, a meeting will be scheduled on a December date to be determined.

Respectfully submitted,
Karen Archambault
Secretary