

**LMRLAC – March 28, 2013**

**LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE**

**MINUTES**

**March 28, 2013**

**Members:**

- ✓ = present

**Current:**

- ✓ Kathryn Nelson (Chair) -- Nashua
- Michael Redding (Vice Chair) – Merrimack
- ✓ Karen Archambault (Secretary) – Nashua
- ✓ Michael Croteau - Litchfield
- ✓ Nelson Disco - Merrimack
- ✓ George May – Merrimack

**Pending Renewal:**

Jim Barnes (Treasurer) – Hudson

**Associate Members:**

Mildred Mugica – Nashua

**Also in attendance:**

None

The meeting was called to order at 7:15pm in the Music/Art/Media room of the Nashua Public Library by Chair Kath Nelson. Kath stated that Jim Barnes had notified her that he would be unable to attend the meeting.

**Minutes**

The minutes from the meeting of February 28, 2013 were approved.

**New Business**

**Merrimack – Mast Road Alteration of Terrain Permit Application, File # 13036-020**

This permit application is for 508,000 square feet of disturbance to construct a warehouse/storage facility. Michael R. had received a set of plans in the mail in early March and requested an electronic copy, which was distributed to members for review on March 13.

Nelson commented the plan was originally for a liquor distribution center. The applicant did not win the contract, but told the Merrimack Planning Board that it wishes to proceed with the project.

Kath asked about the existing use on the site and Nelson responded that it was vacant; it had been cleared at one time and now has a secondary growth of small trees.

George commented that the site is very wet; he's aware of trucks tracking dirt on to Mast Road when they leave. Nelson stated the building does not impact wetlands and that the driveway was placed on the adjacent lot to avoid wetlands. He further stated that the proposed building is not within the floodplain.

Kath asked whether Nelson was aware of any comments from the Merrimack Conservation Commission. Nelson replied that he was not aware of any.

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Kath asked if there was potential for any access to trails or recreation. Nelson replied that there was nothing that had been brought to the attention of the Planning Board. George commented that dirt bikes do use that area, and he believes there may be cross-country skiing around there as well. Members reviewed aerial photographs of the site online, looking for possible trail use in the area, and Michael C. commented that there are a couple of easements on the site as well.

Kath asked Nelson about the wetland buffer and disturbance; Nelson replied that the Merrimack no-disturb buffer is 25 feet. Kath suggested LMRLAC submit a comment requesting any work on site stay out of the wetland buffer and members agreed.

Members discussed the wastewater treatment proposed in the application. Nelson stated that the applicant had expressed a preference for onsite septic rather than connecting to the Wastewater Treatment Facility, which is directly across the railroad tracks from the site. Members discussed tradeoffs between treatment onsite, thus keeping the water on the site, versus piping the wastewater off site but getting treatment at the Wastewater Treatment Facility.

Kath asked what the water service is for the site. Nelson replied that it is serviced by Pennichuck. Kath suggested her preference that the treatment stay on site, and members pointed out that the site plan suggests a low water use.

Members then discussed concerns with future use on the site, and the likelihood of a scenario which would increase wastewater volume on the site but not trigger a Planning Board site plan review. In light of that possibility, members agreed on a recommendation that the applicant connect to the Merrimack Wastewater Treatment Facility.

Kath will submit comments to DES on the application as discussed.

### **Merrimack – 35 Railroad Avenue site plan – within corridor**

LMRLAC received notification of a site plan on 35 Railroad Avenue in Merrimack, within the quarter-mile corridor, which is not subject to a state permit application. The project application proposes to construct a warehouse, with associated stormwater treatment. Kath had distributed an electronic copy of the plans to members for review earlier in March, and submitted comments back to the applicant. The applicant replied to the comments and included a project narrative on March 26.

Kath asked Nelson for the application status; Nelson replied that the Planning Board gave its final approval on Tuesday. Nelson stated that one of the conditions imposed was that the applicant respond to any comments from LMRLAC. Members were pleased to learn of that condition; Nelson stated that planning staff had recommended that condition. Kath commented that the wording allows LMRLAC to provide feedback and to ask questions without holding up the applicant.

Nelson commented that the site currently has no infiltration. Karen read from the comment response that stated impervious surface on the site will be reduced from 1.29 acres to 0.968 acres. George and Nelson agreed that the proposed project will provide an improvement over current conditions on the site.

George commended the town and the applicant for submitting a copy of the plans to LMRLAC.

Members briefly discussed trails or recreational opportunities on or around the site, and viewed aerial photographs online to attempt to determine that. Nelson commented that the Merrimack Planning Board waived the sidewalk requirement because the street dead ends at the Jones Chemical property south of the site. Members determined that recreational/trail access does not appear practical for the site.

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Kath asked Nelson whether the proposed stormwater treatment met Merrimack's regulations and Nelson replied that it did. Nelson also commented that the plan includes very little disturbance and therefore would not trigger an Alteration of Terrain permit application.

George suggested a recommendation that hazardous materials be prohibited from the site. Nelson replied that there are ways to safely store such materials, with appropriate review by entities such as the Fire Department; members decided against submitting such a comment.

Kath suggested a recommendation for good maintenance of stormwater structures. Members discussed using a measuring stick in the structure to observe the accumulation of sediment over time, and agreed on a comment to maintain the structures in order to minimize overflow events that would affect adjacent property or the river.

Kath will submit comments expressing thanks for sending plans to LMRLAC, recognition that the plans provide some onsite infiltration, and recommendation for maintenance of the stormwater detention and treatment structures.

Kath will respond to the consultant and will cc. Tim Thompson and Nancy Larson. She asked whether the Conservation Commission should be included on comment distribution; Nelson replied that Tim Tenhave is the chair. George will forward the e-mail address to Kath.

### **Nashua – CSO Screening and Disinfection Facility Wetland Permit Application, File # 2013-00675**

Kath summarized from the application that the portion of the outfall pipe is within the 250 foot shoreland buffer and will be located on the bank of the river, below high water level of the river. The permanent impacts are 400 square feet; temporary impacts are approximately 1600 square feet.

George suggested LMRLAC submit comments commending Nashua for the project and that the LAC looks forward to seeing the CSO projects completed.

Members discussed approaches to handling CSOs, from separating stormwater and sending it consistently to a smaller stream or occasional CSO releases to a larger river and compared those to Nashua's approach with this project of storing and then treating later when the system has the available capacity to handle it.

Kath will submit LMRLAC's positive feedback on the application to DES.

### **Hudson – Library Park intersection improvements – within corridor**

Kath had received information about intersection improvements around Library Park in downtown Hudson, within the quarter-mile corridor, which is not subject to a state permit application. The proposed project includes relocation of a traffic island, repaving, and sidewalk access ramp improvements. Kath had contacted Jim, who responded suggesting a comment that proper erosion controls be in place during construction, which Kath forwarded to the applicant.

### **General Discussion**

#### **Corridor Layer on GIS Maps and Process for Commenting on Local Projects**

Kath stated that she had contacted Chris Sullivan, who is on the City of Nashua planning staff, who put her in contact with Pam Andruskevich in the Assessing Department. The shape file has been added to the Nashua GIS, although it is not viewable by the public at this time. Ms. Andruskevich indicated she would discuss that with Mr. Sullivan.

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Kath also contacted Mr. Sullivan, requesting Nashua send LMRLAC information on projects within the quarter-mile corridor. He responded with the CSO projects, the Renaissance Downtowns project, and one other. Kath will forward the information to the rest of the LMRLAC members.

Kath then started the discussion about relationship building with the member towns to work out the process for providing comment on local projects within the corridor which do not require state permits.

Nelson stated he would speak with Tim Thompson in Merrimack about the shape file. Michael C. will talk to the Litchfield circuit rider.

George suggested that LMRLAC's focus, being on the entire river section, provides a different perspective than the reviews within the individual towns.

Kath suggested LMRLAC needs a presentation defining its focus and purpose.

### **Membership**

David Scaer notified Kath that he will not seek reappointment to LMRLAC. Members expressed their thanks for his service and Kath will send David an e-mail thanking him for his service to the committee.

Members briefly discussed seeking additional representation from Hudson and Litchfield. George suggested LMRLAC contact Tracie Sales at DES, reaching out to the Conservation Commissions in the towns, and putting something in the paper. Karen commented that, with David's resignation, business interests in the corridor are not directly represented. Kath will contact the Hudson planner asking for a posting on the Hudson Web site. Michael C. will ask in Litchfield.

Karen will update the membership list and will contact Jim to verify whether his appointment has been renewed.

### **Brochure**

Discussion of the brochure was deferred to a future meeting.

### **2013 LAC Workshop**

Kath reminded members that the LAC workshop is scheduled for Saturday, April 27 at DES offices in Concord. She stated she is unable to attend but hopes that other members will be able to, and commented that LMRLAC could decide to reimburse members for the workshop fee and mileage.

### **Souhegan Watershed Association Canoe/Kayak Trips**

George commented that the 2013 trip schedule has been put together.

### **RMAC Legislation Tracking**

Kath reminded members that the RMAC tracks proposed legislation. She commented that the current session's bills will soon cross over between houses, and she stated that RMAC is monitoring the progress of several bills.

### **DES Lakes and Rivers Programs Survey**

Members briefly discussed the Lakes and Rivers programs survey which had been distributed earlier in March. Members discussed the purpose of the survey and speculated that responses could be used to prioritize staff resources, capture LAC support for those priorities, and demonstrate support for lakes and rivers programs during the budget process.

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George indicated he had filled out the survey for the Souhegan River LAC and expressed his view that it was difficult to answer, and confusing because it was generic for both lakes and rivers.

Kath asked members for feedback, and it was decided that Kath would fill out a draft of the survey and distribute to members for feedback before she submits the survey response on behalf of LMRLAC.

Meeting adjourned at 9:00 pm.

### **Next LMRLAC Meeting**

The next LMRLAC meeting is currently scheduled for Thursday, April 25, at 7:00 pm at the Nashua Public Library.

Respectfully submitted,  
Karen Archambault  
secretary