

LMRLAC – August 28, 2008

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

August 28, 2008

Members:

- ✓ = present

- ✓ Bob Robbins (Chair) – Hudson
- ✓ Kathryn Nelson (Vice Chair) -- Nashua
- ✓ Karen Archambault (Secretary) -- Nashua
- ✓ Glenn McKibben (Treasurer) – Litchfield
- Cynthia Ruonala (Public Relations) – Nashua
- George May - Merrimack
- ✓ Jim Barnes – Hudson
- Ray Peeples – Litchfield
- Stan Kazlouskas – Hudson

Associate Members:

 Millie Mugica – Nashua

Also in attendance:

- ✓ Lucy St. John, planner, City of Nashua
- ✓ Patrick Colburn, Keach-Nordstrom Associates
- ✓ James Danis, Keach-Nordstrom Associates
- ✓ Rick and Sue Lindquist, corridor residents

The meeting was called to order at 7:05pm in the east wing downstairs at the Nashua Public Library.

Minutes

The minutes from the July 24, 2008 meeting were accepted.

Members agreed to change the order of business and take New Business items next.

New Business

Fleury Estates, Hudson/Litchfield

James Danis from Keach-Nordstrom Associates introduced himself and the project. The site is located on Webster Street and the Charles Bancroft Highway at the Hudson/Litchfield town line and abuts the Merrimack River. This project involves combining and resubdividing 4 lots (two in each town) to make 9 lots on 15.8 acres. The project includes wetlands and buffer impacts. The wetlands impact is for a road crossing. The plan includes a proposed 150' conservation easement adjacent to the river, and a proposed 20' pedestrian easement next to the river for the Heritage Trail. The proposed project is a conventional subdivision with 2 detention basins. The treatment swale is designed for the 10-year storm, with secondary treatment in the extended detention basins. The site also picks up drainage from off-site. The site has no flow directly to the Merrimack River, either pre- or post-development.

There is one house proposed within the 250' CSPA zone but the lot does meet shoreland impervious requirements. One of the proposed stormwater detention basins is within the 150' CSPA zone.

Members asked about the pedestrian easement language and its location. The top of the river bank is roughly 50' from the river in this area, so the proposed 20' trail easement would be along the bank. Kath asked whether there would be tree cutting for the trail. Mr. Danis

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indicated that construction of a trail is not part of this plan, and that the town of Hudson had requested the easement. Jim Barnes explained that Hudson has a long term goal of obtaining pedestrian easements along the river for the Heritage Trail, and does not plan to put a trail together until the easements are all in place.

Lucy asked for clarification on the easements – whether there were two distinct easements proposed, or a conservation easement with a pedestrian right of use. Mr. Danis replied that they were two separate easements.

Members discussed the proposed pedestrian easement at some length. Members expressed concerns with removing vegetation to construct a trail, with possible erosion from increased pedestrian use, and construction of a trail within CSPA guidelines. Members studied the topographic lines on the plans and asked about the steepness of the bank on the parcels. There may be a shelf along the bank, at least in places, that would lend itself to a trail. Kath expressed the view that a pedestrian easement/trail should not be proposed if it's not in a feasible spot. Members also expressed concerns about the bank's stability.

Mrs. Lindquist remarked that they currently have fishermen on their land along the river from time to time. She indicated some people ask permission, others do not. The main concern the Lindquists have is having to clean up trash left behind. The Lindquists expressed concern that public access along the river is a negative impact on the property owner in their experience.

Bob mentioned his experience with the Robinson Pond Watershed Association and how they organize periodic cleanup days. He stated that the cleanup days become social events and raise community spirit.

Bob summarized that the LAC represents a number of interests, including both conservation and recreation. He briefly discussed the survey that had been conducted at the start of the corridor management plan update process, and indicated that the concerns most often given were not in residential areas but in places such as Merrill Park in Hudson, where survey responders felt the town needed to take more responsibility for patrolling the space. Survey responses also included concerns about unofficial trails with dirt biking and noise, for example, in Nashua. Mr. and Mrs. Lindquist indicated that they had not received a survey.

Glenn gave some insights based on his experience with trails along the river in Litchfield. He said the hidden trails are the ones that tend to have issues. He also said a step or shelf in the bank, if it exists, can be a good place for a trail. He reminded members that swales or brooks can get in the way of trails.

Bob asked Jim for Hudson's view on having the trail at the top of the bank, and Jim replied that it hasn't been discussed at the Planning Board.

Bob summarized the discussion so far that the view of the LAC is that a trail on the bank is not something the LAC would recommend.

Bob read from the Corridor Management Plan that among the goals were to increase recreational use of the corridor by at least 20% over the next 10 years in both quantity and quality.

Members wondered where the access points to the trail might be located. Discussion continued briefly on the process of linking the trail easements together over time and getting perpendicular easements for access.

Mr. Colburn pointed out that the Planning Board asked that the easement be dedicated at the recording of the plan, and thus it's a public easement at that time.

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Bob read from the management plan again, asking about the use of LID strategies on the project. Mr. Danis replied that they are looking at LID. He mentioned a specific concern with bioretention, that maintenance becomes an issue. He also stated that per regulations, they cannot increase runoff from the site. He also pointed out the detention basin is being placed in the upland, not in the wetland area.

Lindquist Subdivision, Hudson

Patrick Colburn from Keach-Nordstrom Associates introduced himself. This site is also located on Webster Street in Hudson and abuts the Merrimack River. The project involves consolidating two lots and subdividing them to make 5 lots total, and relocating a lot line to make it a monumentable boundary line. Two of the lots have existing homes on them. Reed's Brook flows through the site and has adjacent wetlands. The site also includes a 150' PSNH easement. The project proposes a split rail fence with placards along the 50' wetland buffer boundary on the three new lots, with a gap for access to Reed's Brook. The project proposes a 20' pedestrian easement along the Merrimack River for the Heritage Trail. Mr. Colburn pointed out that the bank slope is 3:1 or even 4:1 in spots on this site, and that a trail would require a substantial crossing of Reed's Brook and its associated wetlands.

Rick and Sue Lindquist, in attendance at the meeting, are the property owners.

Kath asked whether the project required any variances. Mr. Colburn replied that the site was partially in a residential zone and partially in a business zone, and that the plan needed two variances – one for residential use in a business zone, and one to allow TR zone dimensions in a business zone.

Kath asked about tree clearing on the site. Mr. Colburn mentioned that the site currently has mixed forest and light scrub, with less growth in the PSNH easement.

Kath asked whether the lots with existing structures were considered for delineation so there would be a clear marker where the buffer is for any future owner. Mr. Colburn replied that the plan was to put the fence only on the new lots.

Members discussed the pedestrian easement and the Heritage Trail further. Bob stated that the town has to define what the Heritage Trail will look like, that the LAC does not have enough information to comment on the trail yet, and that it was hard to see where there's a reasonable place to put a trail on this site, between the challenges of the brook, the wetlands, and the steep slopes. Kath added that the LAC's concern would be not to locate the trail in any area that's highly erodable.

Kath asked whether the PSNH easement might also be used as an access to the Heritage Trail. It was pointed out that there is a significant wet area in the PSNH easement, limiting its feasibility as a means to access the trail.

Bob mentioned that it's been voiced that the east bank is less suited for a trail than the west bank in this area of the river.

Members asked about whether this portion of the river bank had a shelf. Mr. Lindquist replied that there was a shelf when the water is low.

Bob asked Mrs. Lindquist about the nature of the easement area on this site. Mrs. Lindquist replied that there is not a uniform high section on the site. Mr. and Mrs. Lindquist estimated a 75' span would be needed to clear the brook and its associated wetlands. It was pointed out that the 100-year flood line on this site would be above such a bridge/boardwalk.

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Mrs. Lindquist pointed out that she had attempted to learn about the Heritage Trail from searching online and had been unable to find out very much information about it. She stated that she has concerns about the negative impact a trail would have on the property owner.

Kath suggested Hudson should define criteria for the Heritage Trail, considering such things as slope and soil in locating it. Bob stated the LAC should talk to NRPC to get funding for trail specifications and feasibility.

Bob asked about stormwater on the site. Mr. Colburn pointed out that there will be silt fencing upstream of the buffer to contain erosion and sediment. Bob asked about runoff after construction. Mr. Colburn replied that a watershed analysis of Reed's Brook has been done, and that runoff from the site enters Reed's Brook before peak flow enters the brook from upstream.

Bob asked about dry wells to slow the speed of the runoff. Mr. Colburn replied that the 50' nondisturbance wetland buffer is being left to perform this function.

Bob asked that LID practices be considered when home construction takes place on the new lots.

O'Loughlin Subdivision, Baker St, Hudson

Mr. Colburn presented this plan as well. The site is located between Baker and Webster Streets and does not abut the Merrimack River, but is within the quarter-mile corridor. The project involves making one new lot out of two existing lots for future investment. The project has no wetland or buffer impacts. The site is in Hudson's TR zone, which requires a 10,000 square feet minimum lot size.

Members briefly discussed whether future development could include further subdividing the new lot. Jim Barnes pointed out that any future change to the proposed plan would require a new review cycle.

Bob asked whether the plan adds impervious surface. Mr. Colburn replied that the relocation of one driveway, removal of a driveway, and construction of a new driveway makes for little or no change in impervious surface on the site.

Bob suggested LID techniques be used for any development that might take place on the site in the future.

Members briefly discussed infiltration within the detention basin for the Fleury Estates project, and asked whether the proposed size was larger than needed. Mr. Danis replied that engineering practice requires allowing additional space for contingencies, but that there may be a way to make it smaller once the soils are known.

Members thanked Mr. Danis and Mr. Colburn for their presentations, and the Lindquists for their input.

Members discussed the plans briefly after the presentations and what the LAC's recommendations might be for the projects. Lucy pointed out that conservation lands do not decrease property values, and suggested the LAC have such information available to educate the public when they voice concerns about having such easements adjacent to their property.

Members agreed that the proposed 20-foot trail easement would not be feasible on the bank, and decided to recommend the proposed easement be along the top of the bank instead. Kath offered to write the letter. Jim abstained from the vote.

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Meeting adjourned 9:10pm.

Next meeting is scheduled for Thursday, September 25 at 7pm at the Nashua Public Library.

Respectfully submitted,
Karen Archambault
secretary