

Members:

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- ✓ Bob Robbins (Chair) – Hudson
- ✓ Kathryn Nelson (Vice Chair) -- Nashua
- ✓ Karen Archambault (Secretary) -- Nashua
- ✓ Jim Barnes (Treasurer) – Hudson
- Glenn McKibben – Litchfield
- ✓ George May - Merrimack

Associate Members:

Mildred Mugica – Nashua

Also in attendance:

Geoff Daly, corridor resident, Nashua

The meeting was called to order at 7:30pm at Margaritas.

Minutes

The minutes of the February 26, 2009 meeting were accepted. A few spelling corrections and wording modifications had been incorporated into the minutes since the first draft had circulated.

Old Business

Followup on Alteration of Terrain or Wetlands Permits

Members discussed at length possible approaches to following up on plans, in order to find out whether LMRLAC's recommendations get incorporated as plans continue through the local review process, and whether the recommendations are implemented in the final execution of the plan.

Kath mentioned that the State has modified its process for Alteration of Terrain and Wetlands permits, so that notification to the LAC from the State is now part of the process. Kath pointed out that the LAC also has the charge to be an advisory body at the local level, and the issue is how to get more feedback at the local level.

Members briefly discussed how, for previous plans, we would on occasion have to 'chase' applicants. Now DES requires applicants to contact the LAC. GI Stone went one better in this, and gave a presentation to LMRLAC at Bob's request. Members also pointed out that the DES response to Pratt Engineering for more information on the GI Stone Alteration of Terrain permit does request comment on LMRLAC's letter of recommendations. Bob pointed out that LMRLAC was cc'd on the letter from DES to the applicant, and that this had never or nearly never happened before.

Members discussed the issue of plan revisions, how different boards see different versions of plans as they change, and what could be done for LMRLAC to continue to get feedback as plans are revised during local review.

Jim pointed out that revisions to plans occur as part of the process, and that there could be a continuing loop of reviewing and revising. Jim suggested LAC members could attend Planning

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Board meetings to get updates on plan status and revisions. Members could also review meeting minutes to keep abreast of plan status. Copies of as-built plans go on file with the town's Engineering Department.

Geoff suggested that plans could include a change status summary as a way for LMRLAC to more easily track plan changes, including whether LMRLAC's recommendations had remained on the plan, and, if not, when and why they were removed. Geoff also mentioned that LMRLAC could use an Excel spreadsheet to keep track of the status of plans as they move through the system.

Kath indicated she would like to put the burden on the applicant to inform the LAC of changes. Jim asked what would be the reason for the applicant to return to the LAC: that is, what enabling legislation would require them to do so.

Kath brought up the issue of inspection and enforcement. Jim pointed out that the town, not the Planning Board, has jurisdiction for enforcement. Jim stated that Hudson has a zoning administrator, who is responsible for enforcing site plan conditions.

Kath brought out a copy of the updated LMRLAC checklist and pointed out the item on the checklist about LMRLAC receiving a copy of the plans. Jim mentioned that the Hudson Planning Board's checklist includes an item requiring the applicant contact LMRLAC for activities within the corridor.

The discussion then turned to forming relationships with the member towns, and continuing to improve communication with their planning departments and Planning Boards. As an advisory body, we want to work on notification.

Bob mentioned that our emphasis is different than the Planning Boards. Members agreed that if the Corridor Management Plan gets adopted by the towns, then the plan, as part of the Master Plan, does come within the Planning Board's goals.

Geoff gave an example of a lack of communication by describing a meeting he had attended recently about the PSNH power plant in Bow. At the meeting it was revealed that PSNH had started work on the plant, located near the Merrimack River, without permits.

George stated he feels that communication is improving between the LACs and the State and that DES has been responsive to the LAC's comments. At the local level, George said we are working on improving communication. George stated in his experience with Planning Boards, the more eyes, the better.

Members discussed LMRLAC's contact with the area Planning Boards, introducing LMRLAC and the updated Corridor Management Plan. At those meetings, LMRLAC gave the primary message that the Corridor Management Plan has been updated. The existence of the plan gives LMRLAC credibility and documents LMRLAC's interests and focus. We can now follow up, focusing more specifically on what we would like to do with the towns, providing review and comment on activities within the quarter-mile corridor, focusing on the river and on actions that impact the river, things that the Planning Boards might not even look at or focus on.

LMRLAC would like to help look at whatever plans there are within the quarter-mile corridor, whether those plans have required a state permit or not. We would like to be another set of eyes, focusing on the river and impacts to the river. George suggested LMRLAC write a letter to the Planning Boards, suggesting just that.

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Kath will write a letter and attach a copy of the updated LMRLAC checklist as a summary of our general areas of interest. Kath will e-mail the letter to the Planning Board chairs and to planning staff. The updated checklist will also be posted to our Web page.

Kath gave some background on the updates she did to the checklist. She mentioned how the State and UNH Cooperative Extension, for example, put out reference materials with valuable information. Kath gave a couple of specific examples: the UNH Cooperative Extension's publication *Landscaping at the Water's Edge* and DES's publication *Innovative Land Use Planning Techniques*. Kath put in references that call attention to some of those materials, both to provide more credibility to the items on the checklist, and to spread the word that these reference materials exist. Kath mentioned that we want to try to inform applicants, not micromanage their plans.

Kath gave an example of a need for continuing to work on communication between LMRLAC and member towns, and increasing the interaction between LMRLAC and the Planning Boards and Conservation Commissions in the member towns. She mentioned that she had read a posting on Nashua's Web site looking for a contractor to work on a waterfront plan for the skateboard park area near the Merrimack River. She contacted Lucy St. John about this, indicating LMRLAC would expect an opportunity to provide input into such a plan.

Geoff mentioned that there are three Brownfield sites in that general area.

Geoff also stated it's his understanding that there is biodiesel and paint manufacturing going on in one of the former Nashua Corporation buildings on Franklin Street in Nashua, and expressed concerns about storm drains that discharge right into the Nashua River on the site. If a spill were to occur, he expressed concern that the spill would get into the Nashua River and therefore into the Merrimack River.

George commented that possible pollution of the river is something we should be involved in.

Jim pointed out there should be a site plan approved for the site.

Members discussed whether to have a representative from the Nashua Fire Department to come in to discuss in general their plans in response to hazardous spills, especially near the river. LMRLAC is interested in the resources the City has, what practices are in place to reduce the possibility of a spill, what substances may be on site, and the likelihood of risk. LMRLAC would generalize the request to make it clear we are not singling out any one site.

Geoff offered to look into this. He will contact the Fire Department/emergency management in Nashua and will e-mail LMRLAC what he learns about the site.

Bob mentioned that if we don't get a response, LMRLAC could consider going to DES about the matter.

Miscellaneous

George mentioned that he had been contacted by someone from the Merrimack River Watershed Council about water monitoring. The MRWC is involved in monitoring on the Massachusetts section of the river and would like to know more about monitoring efforts in New Hampshire. They contacted George to discuss coordinating efforts.

Members agreed that sharing monitoring results with the MRWC is appropriate.

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George mentioned that the funding he currently receives for testing the Merrimack and Souhegan Rivers is minimal – in fact, several of the volunteers pay the costs themselves for monitoring their sites. George mentioned there is additional testing he would like to do and stated he may ask the MRWC if they have funding to support that additional testing.

George briefly listed some of the basic items currently tested for, compared to items not currently tested for: bacteria/e. coli are tested, volatile organic compounds (VOCs), metals such as copper or lead are not tested. George indicated that there had been a little testing for copper on the Souhegan.

Jim asked whether the Nashua River gets tested. Kath replied that the Nashua River Watershed Association (NRWA) conducts water monitoring on the Nashua, including sites in Nashua.

Kath pointed out that substances lodged in sediment in or along the river won't show up in river samples.

George mentioned that a monitoring machine has been purchased, and that it measures conductivity and a few other things. Among the difficulties of having just one machine, though, is that 25 monitors have to share the one machine, among 6 different locations, and the machine has to be calibrated each time it is used.

George summarized that two benefits come out of the water monitoring program, even with the limited testing that is currently performed: The first benefit is public education. The results are published in the paper and George indicated he hears from people all the time about the results. He stated that publicizing the results gets people thinking about the rivers. The second benefit is visual observations. George mentioned that the volunteers report what they see while they are taking their samples. Two examples George gave are animal sightings and oil sheen on the water. George stated that these visual observations are almost as valuable as bacteria counts, and probably more valuable than dissolved oxygen counts, in determining the state of the river.

Geoff mentioned that he has on occasion observed a sheen on the Merrimack River, coming from the Beazer site.

George and Kath gave a couple of specific examples of materials found in the water during monitoring efforts, and the outcomes. George mentioned a time when animal feces were found in the Souhegan, which turned out to be from a farm along the river. Kath mentioned examples of water monitors finding bags of kitty litter in the Nashua, that were apparently dumped in a storm drain in Groton, and bags of dog feces found in the river in Nashua.

Kath pointed out that these examples indicate the need for ongoing education. For example, while it was good that the dog owner had picked up after his/her pet, disposal of the bags was in the wrong place. Kath speculated that the owner put the bags in a storm drain, thinking that the storm drain leads to a treatment plant. LMRLAC can help educate the public that there are better choices for disposal (in this case, a trash can, not the storm drain).

Members agreed that George should invite the MRWC representative to attend our next meeting. We can have a conversation on water monitoring and what the MRWC can do to assist monitoring efforts on the Merrimack in southern New Hampshire. Kath also mentioned LMRLAC's continuing concern about the dam in Lowell as another topic we can discuss with the MRWC. Since the dam is in the MRWC's jurisdictional area we can ask their opinion on the situation and get their view from a watershed perspective.

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Jim mentioned the scheduled Hudson Planning Board workshop on the first Wednesday in June (June 3), at which LMRLAC had been scheduled to attend. Jim stated that the June 3 workshop may include an I-93 Community Technical Assistance Program (CTAP) seminar. If the CTAP seminar occurs on June 3, then LMRLAC will need to reschedule. Jim asked whether the second Wednesday in June would be an acceptable alternative for LMRLAC. Bob indicated he is available on June 10, so members determined that June 10 would also work for LMRLAC if June 3 is no longer available. Jim will keep members updated on this matter.

MRWC Canoe Trips

George reminded LMRLAC that it typically sponsors the MRWC canoe trip from Merrimack to Nashua. Members asked whether a financial contribution was required and George responded it was not. Members agreed for LMRLAC to sponsor the MRWC canoe trip again.

Meeting adjourned 8:50pm.

Next meeting will be held Thursday, April 23, at 7pm, tentatively at Margaritas.

Respectfully submitted,
Karen Archambault
secretary