

LMRLAC – January 24, 2019

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

January 24, 2019

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:

John Boisvert, Pennichuck
Deb Chisholm, Waterways Manager, Nashua
Michael McCluskey, NH DES
Pete Sawchuck, Key Environmental
Alec Sirocki, Tighe & Bond
Mason Twombly, NRPC

Meeting called to order at 7:03pm by Chairman Gene Porter in the Meeting Room at the Nashua Public Library. It was noted that a quorum was present for the meeting.

Minutes

The minutes of the October 25, 2018 LMRLAC meeting were approved with one edit submitted at the meeting.

Current Business

Nashua: Beazer East

Mr. Sawchuck, consultant for Beazer from Key Environmental, introduced himself and presented an overview and status of the remediation on the site. The purpose of the Remedial Action Plan was to address the requirements of the Consent Decree issued for the site. The site is contaminated with non-aqueous phase liquid (NAPL).

Mr. Sawchuck summarized the portions of the project completed since construction started in 2016. He presented maps and diagrams which showed the site layout and work areas on the site. Work included contaminant excavation/removal, treatment in-situ, and construction of barriers to contain the contaminants and to prevent migration to the river. Work remaining includes bank restoration and capping the on-site containment area. The site will also be subject to ongoing performance monitoring. A portion of the remediation work affects a portion of Greeley Park adjacent to the Beazer property.

Mr. Sawchuck indicated that bank restoration will consist of 200 trees and 200 shrubs and is expected to be completed in 2019. Capping the on-site containment area will occur in 2020.

LMRLAC – January 24, 2019

Chairman Porter asked whether any excavated materials were removed from the site. Mr. Sawchuck replied that the solid material remains on site, in the former lagoon area which will be capped. The fluids extracted for dewatering during excavation were processed through a separator and were disposed of off-site.

Mr. Sawchuck stated they expect to be publishing a report soon on groundwater conditions.

Chairman Porter asked Mr. Sawchuck to comment on whether the riverbed excavation had removed all the NAPL. Mr. Sawchuck replied that he felt it had, to the extent practical without causing destabilization.

Mr. May asked about the ongoing monitoring and what actions may occur as a result. Mr. Sawchuck replied that if future monitoring finds unsatisfactory results, then they will be addressed.

Chairman Porter asked about the status of the monitoring on the Greeley Park section of the project. Mr. Sawchuck replied that one of the sampling wells has shown a decrease in NAPL, and a second well still shows NAPL present.

Mr. Sawchuck stated he anticipates activity use restrictions in the contaminated area of Greeley Park for a period of time.

Chairman Porter then asked Mr. McCluskey to comment on the site. Mr. McCluskey indicated DES is currently reviewing the long term monitoring plan. He stated that the primary direction given was to keep NAPL out of the river. He expressed the view that there are multiple layers of protection to accomplish this.

Mr. McCluskey and Mr. Sawchuck were in agreement that the wing wall should prevent the migration of further NAPL into Greeley Park.

Chairman Porter asked who the City of Nashua contact for the project would be. Mr. McCluskey replied that the information on the project (reports, etc.) is available on DES OneStop. Communication from DES on the project is directed to the City, to the attention of the Health Officer, consistent with other projects of this nature.

Ms. Chisholm asked if the state of the site would eventually allow for a trail easement on the site. Mr. McCluskey indicated that, once capped, there should be no exposure to NAPL which would preclude such a use. He emphasized that granting an easement would be up to the property owner.

LMRLAC thanked Mr. Sawchuck and Mr. McCluskey for briefing them on the status of the project.

**Merrimack: Pennichuck Water Expansion Shoreland Application (File #2017-00449),
Dredge and Fill Application (File #2017-00386), Shoreland Application (File #2017-03217);
Dredge and Fill Application (File #TBD)
Litchfield: Shoreland Application (File 2017-02197), Dredge and Fill Application (File
#2017-02305); Dredge and Fill Application (File # TBD)**

The purpose of the presentation is to update LMRLAC on permit amendments for the pipe crossing, and permit updates for the new intake.

Mr. Boisvert introduced himself and explained that, during the water pipe installation portion of the project, executed in 2018, the contractor needed to increase the impacts in order to

LMRLAC – January 24, 2019

effectively and safely accomplish the work. This has led to a modification of the impacts for the new intake installation, scheduled for 2019, as well. The pipe installation work is complete and water is flowing through the pipe to service customers in Litchfield.

Mr. Sirocki introduced himself and summarized the changes needed to implement the river crossing project. The impact was roughly a 50 percent increase to the shoreland and wetland impacts for staging and implementation of the project on each side of the river.

In response to a question about restoration, Mr. Sirocki stated there is a planting plan, but it was not included in his presentation for the meeting. He estimated that roughly 30 trees of 3-to-5 foot stock were proposed on the planting plan.

Chairman Porter asked why the need for expanded impacts was not recognized before the work started. Mr. Boisvert indicated that a review of site conditions led to the need for modifications in order to safely and effectively install the pipe. He stated that Pennichuck was very satisfied with the contractor's work on the project.

Mr. Sirocki explained the modifications to the application for the new intake. The changes are a direct result from the changes needed for the pipe installation.

Mr. Boisvert explained that the existing intake will stay in service during construction of the new intake. It will physically remain in place, and will be shut off when the new intake is completed. He reviewed that the purpose of the new intake is to provide for two redundant sources of water. The project is out to bid and he expects work to start in June of this year.

The discussion briefly turned to concerns about the presence of perfluorooctanoic acid (PFOA)/ per- and polyfluoroalkyl substances (PFOS) in the Pennichuck water supply system. Mr. Boisvert stated that the levels measured are well below standards for treatment. He added that if measured levels do reach treatment standards, then Pennichuck will implement treatment to address that.

Chairman Porter stated that his original concern about the increased impact has been alleviated by the explanation that the modifications provide increased safety during construction.

The highlighted comments during the discussion were as follows:

- LMRLAC requests to see a copy of the landscaping plan
- LMRLAC requests the applicant use a greater planting density and larger caliper trees in the landscaping plan than what was discussed during the meeting

LMRLAC thanked Mr. Boisvert and Mr. Sirocki for coming in and discussing the project.

Other Business

Proposed Changes to Wetland Review Rules

Chairman Porter highlighted some of the proposed rule changes. The changes include expanding the list of project types eligible for Permit By Notification (PBN), and making changes to the review timeline. Chairman Porter stated he has submitted comments with the opinion that the changes are not in the public interest.

Financial Disclosure Filing

Chairman Porter urged members to submit their forms to the Secretary of State's office if they have not already done so.

Nashua: Greeley Park Boat Ramp

LMRLAC – January 24, 2019

Chairman Porter stated the project is an agenda item for the Nashua Conservation Commission in February. Mr. May commented that the project will be a plus for Nashua and for the Merrimack River.

Litchfield: Mel's Funway Park

Mr. Croteau briefed LMRLAC that there had been complications with the review process for recent planned improvements on the site. (Mel's Funway had most recently met with LMRLAC in June of 2017 with a Shoreland application.) Mr. Croteau explained that a site walk led to findings of existing violations and changes to the plan. This will involve follow up reviews with the town and ultimately applications for Alteration of Terrain and Shoreland applications to address the violations. Mr. Croteau also stated that Litchfield issued a conditional permit last week.

Items from the Floor

Ms. Chisholm indicated an expansion of the downtown rail trail in Nashua is out for bid. This portion of the trail would extend east from Main Street.

Mr. May stated that DES has released the 2018 draft 303(d) List of Impaired Surface Waters report. Chairman Porter indicated the report could be a discussion topic at the next meeting.

Meeting adjourned at 8:42pm.

Next LMRLAC Meeting

The next LMRLAC meeting is currently scheduled for Thursday, February 28, 2019, at 7:00pm at the Nashua Public Library.

Respectfully submitted,
Karen Archambault
Secretary