

LMRLAC - April 11, 2019

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

MINUTES

April 11, 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)

Pending Renewal:

- ✓ Karen Archambault (Secretary) – Nashua (current term expired 08/12/17)
- ✓ Christine Dupree (Treasurer) – Hudson (current term expired 11/25/17)
- Francis Murphy – Nashua (current term expired 02/18/19)

Also in attendance:

Deb Chisholm, Waterways Manager, Nashua
Cassie Mullen, NRPC
Mason Twombly, NRPC

Meeting called to order at 7:11pm 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 February 28, 2019 LMRLAC meeting were approved with the corrections circulated prior to the meeting.

Current Business

Nashua: Greeley Park Boat Ramp Alteration of Terrain Application (File #20190412-061), Shoreland Application (File # 2019-00890), Wetlands Application (File # 2019-00937)

Ms. Chisholm described the project by highlighting portions of a presentation given to the Nashua Conservation Commission, Zoning, and Planning Boards. She pointed out that the Greeley Park boat ramp provides the only (motorized) boat access to the Merrimack River in New Hampshire south of Manchester. The project includes an improved access road, parking, and an ADA-accessible boat launch area. The project is funded by a Land and Water Conservation Fund grant and the City of Nashua. The Alteration of Terrain permit application is for 115,900 square feet of disturbance. The Shoreland permit application is for 32,495 square feet of disturbance outside the wetland (dredge and fill) area.

The current status of the project is that the bid document preparation is currently underway, with construction planned for summer 2019. The intent is to perform the improvements while minimizing impact on boat ramp use during the season.

The improved boat ramp will be in the same location as the existing one. Earlier discussions had included speculation on relocating the ramp away from a nearby outfall, but this was determined to be unnecessary. The access road and parking area will be gravel, with paving in the immediate launch area.

LMRLAC - April 11, 2019

There is no lighting planned for the area, with dawn-to-dusk access. Chairman Porter contrasted that to boat launch sites constructed with NH Fish and Game funds, which must be accessible 24x7.

In response to a question on whether the access road will be plowed in winter, Ms. Chisholm replied she was uncertain, but explained that the site will be an emergency access site to the river.

Chairman Porter pointed out the infiltration basins in the parking area, and asked that the City perform inspections after each rainstorm, document the infiltration rate, and to make that data publicly available.

A brief discussion on future plans or amenities included recommendations for a portable toilet, a kiosk or other signage, and a seasonal dock.

Comment Summary:

- The improvements will provide an important public amenity for the region
- Maintain infiltration basins as recommended by DES guidelines
- Make the collected infiltration rate data available to the public

Merrimack: Synergy Self-Storage Alteration of Terrain Application (File # 20190329-048)

This is an application for 125,020 square feet of disturbance to clear a portion of the property to store recreational vehicles, etc. The site also includes a multi-story, climate controlled storage facility. The site is located on Daniel Webster Highway, south of the intersection with Chamberlain Road. Due to a schedule conflict, the applicant's engineer was unable to attend the meeting. The work has already been accomplished; this is an after-the-fact application.

Mr. Disco explained that, according to a town study, drainage from the project does not go directly to the river. It drains to a wetland which is partially on the property and partially on an adjacent property. He indicated the Merrimack Planning Board gave its approval, based on the engineering that was conducted on the project. Mr. Disco also stated that he understood the application was for the full disturbance on the site, not just for the violation.

Comment Summary:

- LMRLAC expresses concern that it was not given an opportunity to review the application prior to the work taking place and encourages DES to consider pursuing mitigation

Water Quality Presentation

Mr. Twombly and Ms. Mullen gave a brief presentation on a study currently underway at NRPC, which concludes in May. The study is funded with a Source Water Protection Grant from NH DES. The grant's deliverables are to include:

- a model ordinance and model site plan regulations for surface water protection
- a uniform standard operating procedure template
- an updated hazardous materials emergency annex (described as a list of contacts and actions to take if a spill took place)

The grant was in part triggered by the Elk River spill in West Virginia in January 2014 which affected the drinking water supply of up to 300,000 residents in that area.

In response to a comment from the floor about how the study might apply to the current per- and polyfluoroalkyl substances (PFAS) concern in the region, Ms. Dupree commented that there is a difference between spill response and mitigation, compared to chemical management and

LMRLAC - April 11, 2019

disposal management.

A summary report of the master plan and corridor management plan statements is complete and might be available on the NRPC Web site.

Mr. Disco asked if there had been interaction with the towns during development of the plan. Mr. Twombly and Ms. Mullen replied that the presentation was part of the outreach to the towns.

In response to questions about impacts to other uses (such as swimming), Ms. Mullen and Mr. Twombly explained that the grant is specific to drinking water.

Ms. Mullen stated they hope to have a draft of the site plan regulations ready in a week or two. Members expressed interest in reviewing and commenting on the model ordinance for a source water protection overlay district (draft copies of which were handed out at the meeting) and the site plan regulations.

Mr. Disco mentioned the Sasaki report from the 1980s which studied the Pennichuck system at the time and encouraged Ms. Mullen and Mr. Twombly to look it up. (Secretary's note: the report is titled "An Evaluation of Pennichuck Water Works Land Holdings as they Relate to Water Quality and Supply", dated 1 June 1980, prepared by Sasaki Associates.)

Old Business

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 #2018-03433)

Litchfield: Shoreland Application (File 2017-02197), Dredge and Fill Application (File #2017-02305); Dredge and Fill Application (File #2018-03615)

Chairman Porter stated the applications have been approved.

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

Chairman Porter stated that DES had requested and received additional information and had approved the application, but he expressed concern that LMRLAC did not have an opportunity to see the additional information.

Proposed Changes to Wetland Review Rules

Chairman Porter stated the new rules ended up being very similar to the current process. He mentioned that there is a shorter timeline for the Permit By Notification review, but that does not affect LMRLAC. Mr. May agreed, that the Souhegan River Local Advisory Committee had reviewed the rules changes and came to the same conclusion.

Financial Disclosure/Conflict of Interest Statement Filing

Chairman Porter commented that there are discussions at the State level whether the requirements for filing these statements may have a negative effect on getting and retaining volunteers on state boards and committees.

Membership

Chairman Porter reminded members with lapsed or expiring memberships to file their renewal applications.

Other Business

Merrimack: NH Plating Superfund Site

Chairman Porter explained that there is an EPA Superfund site north of Horseshoe Pond, which is up for its five-year review by EPA. He asked Mr. Disco and Mr. May to monitor the status of

LMRLAC - April 11, 2019

the review on the EPA Web site. (Reference:

<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.cleanup&id=0101092>)

Hudson: Comcast Facility Emergency Generator Fuel Tank

Chairman Porter stated that LMRLAC was likely to see a permit application for this site at the May meeting.

Merrimack River Watershed Council (MRWC)

Chairman Porter notified members that Rusty Russell is no longer the Executive Director of the MRWC.

Combined Sewer Overflows (CSOs)

Chairman Porter explained that he had been looking into getting information about Manchester CSO discharges, and had been informed that Manchester's federal permit only requires an annual report. He stated that permit is up for renewal this year, as is Nashua's.

Mr. Croteau stated that LMRLAC should stay on top of this issue, and mentioned that the MRWC has a presentation on CSOs. Chairman Porter agreed that it is an excellent presentation, and encouraged members to consider booking it for other organizations. Mr. Croteau suggests LMRLAC, and NRPC, approach state representatives to add more visibility to the CSO issue in Concord. Chairman Porter commented that the deadline has passed for new bills for the current legislative session.

Social Media Presence

Members held a brief discussion on posting to the LMRLAC Facebook page, the reach of Facebook vs. a Web page, improvements or changes to the LMRLAC Web page (currently part of the NRPC Web site), and how best to raise awareness and visibility of the organization and its goals. Mr. Twombly mentioned that NRPC has a new Community Relations person, Sabrina Pedersen, who is the point of contact for Web page changes.

Meeting adjourned 8:52pm.

Next LMRLAC Meeting

The next LMRLAC meeting is currently scheduled for Thursday, May 23, 2019, at 7:00pm at the Nashua Public Library.

Respectfully submitted,
Karen Archambault
Secretary