



# Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## MERRIMACK CONSERVATION COMMISSION

APRIL 6, 2015

### MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, April 6, 2015 at 6:34 p.m. in the Merrimack Memorial Conference Room.

Chairman Tim Tenhave presided:

Members of the Commission Present: Michael Boisvert  
Cynthia Glenn  
Gage Perry  
Councilor Thomas Mahon

Members of the Commission Absent: Matt Caron, Vice Chairman  
Robert Croatti, Alternate  
Lauren Kras, Alternate

Also in Attendance: Joe Mroz, 6 Wastersedge Drive, Nashua  
Earl Sandford, President, Sandford Surveying and Engineering  
Brian Button, Button Homes, LLC  
Tom Zajac, Civil Engineer, Hayner/Swanson, Inc.  
Jody Vaillancourt, 35 Greenleaf Street

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Voting Day is Tuesday, April 14<sup>th</sup> between the hours of 7:00 a.m. and 7:00 p.m. at the James Masticola Upper Elementary School All Purpose Room.

There are two open positions on the Conservation Commission; one full-time member and one alternate member. Individuals interested should contact Becky Thompson in the Town Manager's Office and/or visit the Town's website to learn more about the openings.

Vice Chairman Caron was excused.

PUBLIC COMMENT - None

### APPOINTMENTS

#### **1. Eagle Scout Project at Grater Woods**

Commission to hear from Life Scout Joe Mroz about his proposed project at Grater Woods.

Life Scout Joe Mroz introduced himself as a sophomore at Nashua High School North, and stated his goal for his Eagle Scout project to be the construction of a trail at Grater Woods. The reasons he expressed for wishing to construct a trail were: 1) to help the community by making the forest more usable, 2) to provide safe passage for hikers and mountain bikers to enjoy nature, and 3) was influenced during his time as a Cub Scout when he witnessed his brother constructing a trail at the Horse Hill Nature Preserve (HHNP).

Life Scout Mroz provided a PowerPoint presentation (can be viewed [here](#)). The project proposes a Category B trail half a mile in length (Category B). The trail would stay within the park and would not encroach on any wetlands. It would connect the Red Maple and Brick Yard Trails. A 12 - 20' section bridge would be erected over seasonal runoff. The project would be completed with minimal impact.

Life Scout Mroz informed the Commission he, his Eagle Advisor, and Vice Chairman Caron visited the area. They chose a trail type, defined an end to the trail, and determined where the trail could be laid out, e.g., 250' away from water sources, etc. A second walkthrough was conducted by Life Scout Mroz and his Eagle Advisor on January 3<sup>rd</sup>. During that visit they marked and mapped the trail. On January 20, 2015, he presented his proposal to the Grater Woods Sub-Committee, and gained their approval of the project.

Upon approval by the Commission, he intends to walk the proposed site to look for seasonal runoff and after rain fall. From there he would begin fundraising efforts. The project would begin with the cutting and clearing of the trail, construction of the bridge (in place), and installation of trail markers (blue, triangle shaped). Once completed, he would remove the pink tape flags that were put in place. Chairman Tenhave stated the Commission would supply the trail markers.

Life Scout Mroz would seek to acquire pressure treated wood, galvanized screws or nails, and food for volunteers (scouts from Merrimack Troop 424, other troops, members of the Robotics Team, family and friends). Volunteers will be recruited through email and will be provided a presentation of the project.

Fundraising efforts will include bake sales at local stores. The baked goods would be donated by him, his family members, and volunteer scouts. He may also conduct car washes.

The hope is for construction to begin in the late summer and complete in early fall.

Next steps include gaining the approval of the Conservation Commission. From there the project would be presented to the Town Council. Once approved by the Council, the project would be presented to Troop 424's committee, and then on to the District Advancement Eagle Board.

Commissioner Perry stated Grater Woods has two trails that are running a parallel track. The proposed trail would connect the two and provide for a smaller loop. He commented the area currently sees foot traffic (users going off trail).

When asked how the materials would be brought onsite, Life Scout Mroz stated they would be carried by scout volunteers. Chairman Tenhave noted the Gateway Trail has been improved and should be able to be utilized to bring materials in (vehicle through gates). He stated the need to work with Vice Chairman Caron in that regard. Life Scout Mroz stated his understanding it would be necessary to contact the school in order to have the gates opened. Chairman Tenhave stated it would be necessary to follow the established procedure for the opening of the gates if the desire were to travel by vehicle closer to the site to bring material in.

Chairman Tenhave commented the Commission relies upon the Sub-Committee to provide their recommendation. With their approval, he is confident the project will be a positive addition to the area.

Chairman Tenhave stated a willingness to post fundraising events on the Commission's website.

**MOTION BY COMMISSIONER PERRY TO APPROVE THE PROJECT AS PRESENTED**  
**MOTION SECONDED BY COMMISSIONER GLENN**  
**MOTION CARRIED**  
**5-0-0**

#### STATUTORY/ADVISORY BUSINESS

**1. Button Homes, LLC. (applicant) and Donna Kazmirschuk (owner)**

Review for recommendation to the Planning Board for a minor subdivision of one lot into two single-family residential lots located at 71 Bedford Road in the R (Residential) and Aquifer Conservation Districts. Tax Map 6D, Lot 090.

Mr. Earl Sandford, President, Sandford Surveying and Engineering, informed the Commission the project is a two-lot subdivision off of Bedford Road. There is an existing home with two outbuildings, which may or may not be taken down. The design does not impact any wetlands. He stated his understanding the project was before the Commission because it is located in the Aquifer Conservation District.

He noted the lot has existing water and sewer connections. Mr. Sanford commented the lot is a bit unique in that a large culvert traverses through the property. A visit to the site indicated the culvert is discontinued just before the property line, and then continues on as far he could visualize.

Commissioner Perry questioned the structures that would likely be removed, and was informed all three existing structures are being considered for removal. Chairman Tenhave noted the project plan describes removal of all three structures. Mr. Sanford remarked, tentatively, that is the current plan.

Mr. Brian Button, Button Homes, LLC, stated the end goal is to construct a home in the back and remove the older structures. However, there is the possibility of renting the existing home with the possibility of removing it at some point in the future.

Chairman Tenhave questioned where the new structure would be located, and was informed it would be constructed on the footprint of the existing structure. The garage would be removed as would the shed (currently in wetland). The other lot would have a house constructed set far back in the buildable area (clear area).

Chairman Tenhave commented the existing structures within the buffer zone were the ones he was hoping would be removed.

Commissioner Perry questioned the particulars around the Aquatic Resource Mitigation (ARM) Fund, e.g., whether it is available to the public. He commented the proposed project would entail the restoration of wetlands and riparian zone, and might be something NH DES would consider.

The hope is the new structure would be able to be tied into an easement line running between the property and the church to provide Town water and sewer. Chairman Tenhave questioned what would come of the well located on the property. Commissioner Perry noted there is a New Hampshire Department of Environmental Services Fact Sheet available on the maintenance of inactive wells and decommissioning of abandoned wells. A preference for the well to be maintained was stated.

Commissioner Perry questioned whether the intent is to pave the additional driveway or for it to remain gravel, and was told a decision has not yet been made. Commissioner Perry questioned whether infiltration/runoff has been considered should the decision be reached to pave the driveway. Mr. Button noted there is a good deal of water feeding the pipe, which breaks out of the ground before hitting the property line. In a normal storm scenario, the surge of water that would come from the far extent of the watershed would have subsided before reaching the pipe. The analysis identified, during periods of peak flow, the additional impervious surface did not increase the amount of water. By virtue of the buffer and making things greener, there would be a fair amount of infiltration/treatment before reaching open water.

Commissioner Boisvert suggested the Commission encourage the removal of the shed. When asked about the condition of the garage, Mr. Button stated it to be decent. Commissioner Perry stated agreement with encouraging the removal of the shed. Mr. Button stated the shed has no value, and he has no issue with removing it. If required, the garage could be taken down as well. Chairman Tenhave stated his concern with the garage would be related to the distance to the wetland and the desire to avoid storage of fertilizers, herbicides, gasoline, etc.

Chairman Tenhave remarked, with all of the wet area, he would like to see the residents of the parcels encouraged to avoid the use of deicing and salt in that area as all of the water eventually flows towards Baboosic Brook.

***The consensus of the Commission was to request the removal of the shed and, in the event the garage is not removed, that caution be used with regard to the types of materials stored there.***

## **2. Anheuser Busch, LLC (applicant)**

Review for recommendation to the Planning Board for a site expansion at 221 D.W. Highway located in the Industrial and Aquifer Conservation Districts. Tax Map 3D, Lot 031

Tom Zajac, Civil Engineer, Hayner/Swanson, Inc., stated Lot 031 is 196 acres on the north part of the site. Approximately 60 Acres is the existing brewery. The current building area is about 632,000 sq. ft. On the central part of the site are the athletic fields, where the tours are conducted, and the stable areas. The southern part of the site is undeveloped. There is an additional 100-acre lot owned by Anheuser Busch on the other side of the

railroad, adjacent to the Merrimack River. Lot 031 is abutted by various industrial commercial properties as well as some undeveloped parcels to the south.

The proposed project includes three building additions to the existing facility totaling approximately 55,000 sq. ft.; a 27,000 sq. ft. packaging addition, a 5,000 sq. ft. brewery addition both located in the south west part of the brewery, and a 23,000 sq. ft. warehouse in the northeastern part of the brewery.

Also included are associated site improvements; loading, parking, and sidewalk areas. There is a small amount of utility relocation as well as stormwater management. Total disturbance is about 4.7 acres, which is about 2% of the entire site. It was noted the disturbed areas do not result in new disturbance, e.g., within existing facility.

Mr. Zajac stated there are two key issues related to the Aquifer Protection District. The first relates to salt use. Currently Anheuser Busch contracts with a local company for plowing needs. The contractor is Green SnowPro certified. The other issue is that of storm water. The facility operates under an EPA multi-sector general permit for industrial activities, which includes consistently updating a Comprehensive Stormwater Solution and Prevention Plan. Industrial wastewater flows to an onsite sewer treatment plant, which eventually flows into the Town sewer plant. Existing drainage onsite drains to a headwall outlet located in the southeast corner of the brewery where it then flows to the Merrimack River. There are measures in place, associated with the EPA permit, to prevent the discharge of leaks and spills onsite, which include a dry weather pump system located at the headwall outlet. If a spill were to take place onsite they could shut that down and prevent anything from reaching the river.

In addition, there is an existing detention infiltration basin located on the northern portion of the site, which was constructed in 2004 as part of a trailer parking lot expansion project.

The proposed project adds about 1.5 acres of new impervious area. The approach to stormwater management is to improve the quality and reduce the quantity of stormwater leaving the site from within the project's sub-drainage area. This is accomplished through the use of deep catch basins, two oil/water separators, and a sub-surface infiltration system.

A diagram was provided of the northeast corner of the property where the warehouse addition is proposed. The existing parking area is shown as shifted over to the east to provide the same number of spaces and an additional driveway on the southeast side. In this area they have captured both new runoff from the roof as well as existing and proposed parking lot area, and brought it into a subsurface infiltration detention system located within the grass lawn. The system has been sized to completely store and infiltrate up to the 25-year storm event before it overflows into the existing drainage system onsite. Because of the stormwater improvement, the net result is a decrease in peak flows and volume leaving the site.

Commissioner Perry questioned whether the project includes plantings. Mr. Zajac stated a request has been made for a waiver on a formal landscaping plan for the two areas. There is a good deal of landscaping at the front door of the facility, and the additions, particularly the warehouse addition, will not be visible from the street.

Commissioner Perry spoke of concern with over fertilization. He suggested soil be tested before fertilizing to determine the need. He spoke of the Commission's recommendation for new projects to utilize low-phosphate, slow release nitrogen fertilizer.

Chairman Tenhave noted page 6 of the plan references following Merrimack Village District (MVD) rules for redoing the water main, and suggested the note be amended to reflect Pennichuck rules.

***The Commission recommended use of low-phosphate, slow release nitrogen fertilizer.***

#### OLD BUSINESS

##### **1. NED Pipeline**

Commission to have a general discussion on the NED project and any immediate actions it may wish to take. Discussion to include appointing a member as the single point person for correspondence and information gathering for the MCC in regards to this project.

Chairman Tenhave spoke of the March 26<sup>th</sup> meeting of the Town Council at which Kinder Morgan presented and participated in a public question/answer period.

One of the items discussed was the desire for a scoping meeting to be conducted in Merrimack. Councilor Mahon stated the Federal Energy Regulatory Commission (FERC) is conducting the scoping meetings. Commissioner Perry noted a letter was recently put out stating the number of scoping meetings being scheduled. Councilor Mahon noted the federal regulation is 1 per county. The Town has been told they use a drive time metric to delineate where they might have scoping meetings. Councilor Mahon commented on the potential for the size of the venue to be large given, if conducted in Merrimack, it could be the only scoping meeting for the entire county. The proposed pipeline would go through Cheshire County and Hillsborough County.

Chairman Tenhave stated concern there would not be adequate time allowed to impress upon FERC the issues that would be encountered in Merrimack. He questioned if it would be beneficial for the Commission/Town to provide more input in a written form. Councilor Mahon advised the Commission to provide as much written testimony as possible, and to be able to reference that material, if ready, when the scoping meetings are conducted.

Councilor Mahon commented if there were to be legal action in the future a review would be conducted of the scoping meetings that occurred to identify issues that were raised by the public, and how FERC dealt with them in their consideration of the application. Chairman Tenhave suggested the Commission submit early and often and use the scoping meeting to reference the submittals and highlight those believed to be most important or which were not responded to.

Chairman Tenhave stated his impression the scoping meetings would be used to determine whether it is an EIC or EA; assessment or full study.

Chairman Tenhave questioned the will of the Commission with regard to advocating for Commission properties on the MerrimackOutdoors website.

***The Commission expressed the desire to utilize the website to encourage residents of Merrimack to request a scoping meeting be conducted in Merrimack.***

Councilor Mahon noted he has requested the Town's website be utilized to explain the process.

Chairman Tenhave questioned the impression Commissioners had of the March 26<sup>th</sup> meeting. Commissioner Perry remarked there were two comments in favor of the project and the remaining opposed. Chairman Tenhave stated his appreciation for the Town Council taking a formal position.

Commissioner Glenn informed the Commission, at the next ROST meeting in Milford, a representative of the Amherst Conservation Commission will be present to discuss their Environmental Impact Study. She will provide copies of the agenda when published. At the last meeting, the group discussed scoping comments.

Chairman Tenhave noted the question was asked of whether the Town Council is engaging other towns, and suggested the ROST meetings to be an opportunity for commissions to informally gather.

Councilor Mahon noted the Town Manager had been attending meetings of a group of Town Administrators, Managers, and Administrative Assistants. She stopped attending the meetings as she believed they were not very effective, and the Town of Merrimack was far ahead of others in terms of actions that were being taken, e.g., at a recent meeting the group engaged in discussion of hiring an attorney. The meetings have not garnered attendance by a simple majority of the towns that would be impacted by the project. The Town Council met at one time with a few representatives of the Amherst Selectboard. No further discussions have occurred.

Councilor Mahon stated he received information that the EPA has encouraged Kinder Morgan to seriously consider going together with the Continental Pipeline rather than running one of their own.

Chairman Tenhave questioned if a member wished to volunteer to be the single individual responsible for gathering and disseminating information believed pertinent to the whole group. Commissioner Glenn stated a willingness to take on that role. It was recommended she check with the Town Manager's Office to see if she could be provided with online access to local newsprint under the Town's subscription.

Chairman Tenhave informed the viewing audience, during the break between its last meeting and this meeting, the Commission took action and approved the cost of \$798.00 to purchase radio transmitters, which will allow the

Commission to understand some of the movements of species in the Horse Hill Nature Preserve (HHNP). The desire was to expedite the purchase to take advantage of the spring mating season and all that entails with regard to movement.

Chairman Tenhave requested Commissioners give consideration to other areas for comment and begin crafting remarks to be provided to FERC.

Jody Vaillancourt, 35 Greenleaf Street

Questioned if the Town Council continues to desire residents to request FERC hold a scoping meeting in Town. Councilor Mahon responded "absolutely". When asked, he stated the Council would identify a location to conduct such a meeting if the opportunity is provided.

Ms. Vaillancourt commented she tried to push the timeline issue, without success. What was reiterated at a recent meeting was Kinder Morgan's hope to file its application in September of 2015. They did say between now and September of 2015 the route could change, and there may not be any formal notification of that to FERC. What they would do is send out notices to abutters and property owners as they have in the past.

Councilor Mahon commented it is necessary to keep in mind the scoping process is a FERC process not a process of Kinder Morgan. At some point, they are required to issue a schedule.

## NEW BUSINESS

### **1. Funding Maps for our Properties**

Commission to discuss using an outside printer for our map needs for the various properties.

Chairman Tenhave noted, in the past, maps of Commission properties have been printed in-house. Given the increasing volume and the resulting wear and tear on equipment, he questioned the will of the Commission regarding utilizing an outside printer. The Commission has been billed for the in-house printing.

Councilor Mahon suggested not utilizing office staff for such tasks.

***The consensus of the Commission was to utilize an outside printer.***

Chairman Tenhave suggested, given the savings that can be achieved through economies of scale, that a single order be placed for a year's worth of maps. He stated his belief the map of the HHNP is fairly constant. He questioned if the map of Grater Woods, in its current state, is ready to be reproduced. Commissioner Perry stated the Sub-committee intends to approve the final draft at its April 21<sup>st</sup> meeting.

Chairman Tenhave noted the HHNP Sub-committee has requested additional maps. A request has also been received by the Wildcat Falls Sub-committee (perhaps a smaller number).

Commissioner Perry questioned whether or not the school has to be contacted before producing the map of Grater Woods. Chairman Tenhave suggested Commissioner Perry contact Matthew Shevenell, Business Administrator, notify him of the intent and provide him a copy so that he has the opportunity to make it known if the School District wishes to intervene. Councilor Mahon stated, based on the discussions around the Memorandum of Understanding, he strongly suggested any restrictions/conditions regarding the School District property be included on the map.

Chairman Tenhave stated he would move forward with the maps for Wildcat Falls and the HHNP.

### **2. Funding a Vernal Pool Party in Merrimack**

Commission to discuss the proposed Vernal Pool Party in late April with Jeff Littleton and the NHACC.

Discussion to include use of MCC funds so Merrimack residents can attend this educational event free of charge.

Commissioner Perry stated Mr. Littleton, the Wildlife Ecologist who is performing the Environmental Study for the Commission, is set to provide another vernal pool walk beginning at the middle school area. While planning for the walk, they became involved with the New Hampshire Association of Conservation Commissions (NHACC). The NHACC has stated a desire to participate and advertise for the event. Emily Lord, Program Manager, has created a flyer.

The request is to fund the walk and perhaps a second walk later in the week depending on the level of interest. The NHACC sent an email to all Commissioners. The last event advertised by the NHACC generated participation by 30+ individuals.

April 25<sup>th</sup> is the first day of the school vacation. If a second walk were to be scheduled it would likely be during the week of the 27<sup>th</sup>.

The request is for funding not to exceed \$300.00 to cover costs associated with the first walk, e.g., Mr. Littleton's time, printings, snacks, etc. Costs for a second walk are estimated not to exceed \$200.00. As Mr. Littleton will be in Town for other purposes on those dates, there would be no charge for travel time associated with the walk(s).

The NHACC is going to charge \$10/person for the walk. The cost for participation by Merrimack residents would be paid by the Merrimack Conservation Commission. Teachers will also have an opportunity to attend at no cost to them. It is expected the sum of \$100.00 would cover the cost the Commission would cover to allow for free attendance by Merrimack residents and teachers. Chairman Tenhave remarked the thought process is Merrimack residents have already contributed to the Commission's funding and should not be charged.

**MOTION BY COMMISSIONER PERRY TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED FOUR HUNDRED DOLLARS (\$400.00) TO COVER COSTS ASSOCIATED WITH A VERNAL POOL WALK TO BE CONDUCTED ON APRIL 25, 2015 AND AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) TO COVER COSTS ASSOCIATED WITH A SECOND WALK, IF WARRANTED. FUNDS ARE AVAILABLE IN FUND 53**

**MOTION SECONDED BY MEMBER GLENN**

**MOTION CARRIED**

**5-0-0**

When asked, Commissioner Perry stated the NHACC would restrict registration to 30 individuals. If interest is expressed beyond that, the Merrimack Conservation Commission will coordinate with Mr. Littleton to conduct a second walk.

### **3. ARM funds and Wetland Mitigation Projects in Merrimack**

Commission to discuss future wetland projects in Merrimack. Discussion to include the use of ARM funds to offset/leverage our costs. Commissioners are encouraged to think of projects that may be appropriate for ARM funding.

See the following for more details: <http://des.nh.gov/organization/divisions/water/wetlands/wmp/>

Commissioner Perry commented GZA is looking to do work in Town beyond the Beaver Management Plan. The Commission has provided a list of potential projects. He requested Commissioners who might be aware of projects that could benefit from/qualify for use of ARM Funds bring such projects to his attention.

Councilor Mahon spoke of Vice Chairman Caron having mentioned the ARM Fund during the March 26<sup>th</sup> meeting, and noted representatives of Kinder Morgan were unaware of the possibility of contributing to the ARM Fund as a form of mitigation. After explaining the process to them, they commented whatever you want us to do, e.g., mitigation within the boundaries of Merrimack rather than through a monetary contribution to the ARM Fund.

Chairman Tenhave stated the need for the Commission to be proactive and give thought to a range of projects the Commission would like to occur so that a mitigation project could be easily identified. He suggested a few Commissioners be tasked with familiarizing themselves with the rules associated with the ARM Fund and identify potential projects within the Town. Commissioners Perry and Boisvert volunteered.

Commissioner Perry stated he has spoken with GZA about the Fund, and understands there is the requirement for projects to have a shoreline or wetland restoration quality. If looking to purchase a particular parcel, there would be the need to ensure it fits within the guidelines, e.g., wetlands creation or restoration, stream and river restoration, stream and river enhancement, preservation of upland areas adjacent to wetlands and riparian areas, and the subsequent monitoring and maintenance of such areas.

Chairman Tenhave provided an example of a portion of Grater Woods having been purchased as mitigation for a project that otherwise would have satisfied the mitigation requirement through a monetary contribution to the ARM Fund.

For an applicant to be eligible to provide an ARM fund payment, the other mitigation options must be reviewed and considered. The applicant would have the choice to mitigate by providing an ARM fund payment, if no practicable local mitigation opportunities exist or payment is environmentally preferable. Documentation must be provided that explains why wetland restoration, preservation of upland buffer, or wetland creation is not viable.



Chairman Tenhave reiterated the need for the Commission to be prepared to identify mitigation areas within Town. He touched upon the issue of invasives located next to wetlands, and the desire to address that issue. Commissioner Boisvert questioned if construction of trails around wetland areas would qualify. Commissioner Perry noted restoring riparian and wet areas are what the fund is intended for. Chairman Tenhave reiterated the Red Maple Trail project was done as mitigation. Commissioner Boisvert spoke of the situation at South Grater Road.

#### OTHER BUSINESS

- Beaver Management and Water Level Control Activities

Commissioner Perry stated the Beaver Management Plan Summary information provided the Commission in advance of the meeting was absent some of the tables and figures. He has since received a copy that includes those items. The desire, at this time is to ensure the verbiage is correct. He requested Commissioners forward comments/questions to him no later than the end of the week so that he can submit them to GZA. The intent is that the information be turned around in time for the Commission's next meeting.

Commissioner Perry commented when reading through the information he noted, almost every area has an issue with invasives.

- Earth Day is fast approaching (April 22<sup>nd</sup>). The Audubon Center in Auburn is running an event on April 11<sup>th</sup>.
- A wetland Dredge & Fill Permit has been received; bridge replacement off of Beals Road. The project is in Bedford, NH. Part of the impact area is in Merrimack. Chairman Tenhave questioned the will of the Commission. Commissioner Perry commented he would like to review the plan, but would not want to hold up the project. When asked, Chairman Tenhave stated his belief the Bedford Conservation Commission would be reviewing the project. The item will be placed on the agenda for the next meeting. Chairman Tenhave will inform NH DES of the Commission's desire to review the plan, and extend the comment period by a few days.
- Grater Woods Trails Closed. Commissioner Perry stated he and Vice Chairman Caron hung a few signs stating "trail closed – mud season". Some areas that are being used inappropriately were closed with fallen timber. The areas are monitored, and the signs will be removed when appropriate. Chairman Tenhave noted a few signs were also put up at the HHNP. However, users are not being discouraged by the signs. Chairman Tenhave noted he discussed the signage with the Chair of the HHNP Sub-committee. The Sub-Committee stated a desire to play a more active role when the signs are next installed.
- The Chestnut Hill/Old Blood Property Project will be placed on the Commission's next agenda (overall project). In the event the Vice Chairman is unable to be in attendance to Chair the meeting as the Chairman will recuse himself, it is of the utmost importance a quorum is available for the agenda item. Commissioner Boisvert was uncertain of his availability. Councilor Mahon noted the upcoming election, and the possibility a Liaison from the Town Council may not be available to attend. Chairman Tenhave stated he will make the applicant aware of the possibility of difficulty obtaining a quorum for that evening, and provide the option of postponing the item.

#### PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. . . . . March 16, 2015

**MOTION BY COMMISSIONER GLENN TO TABLE ACCEPTANCE OF THE MEETING MINUTES UNTIL THE COMMISSION'S NEXT REGULARLY SCHEDULED MEETING**

**MOTION SECONDED BY COUNCILOR MAHON**

**MOTION CARRIED**

**5-0-0**

PUBLIC COMMENT – None

### COMMISSIONER COMMENTS

Councilor Mahon commented the Town Council was pleased with how the public meeting with Kinder Morgan was conducted. It was very well attended and well run. The representatives of Kinder Morgan that were present indicated their willingness to work with the Commission to address its concerns.

Commissioner Glenn noted last week she attended the UNH Cooperative Extension meeting regarding the New England Cottontail, which could possibly be on the endangered species list. For this area there has not been a good deal of DNA testing (pellets). Volunteers are required to be trained to conduct that testing. There is also the desire to track the Eastern Cottontail. Commissioner Glenn stated her interest in researching what is required to become a volunteer. Commissioner Perry informed her of the Cottontail reserve located off of Back River Road.

Commissioner Glenn spoke of the NHACC workshop Mitigating Wetland Losses, which is scheduled for April 23<sup>rd</sup>. There is a cost of \$50/Commission. The workshop will run from 6:00 - 8:30 p.m.

Commissioner Perry spoke of receiving photos of baby fox in the Mallard Point area. He has seen Fisher Cat and Bobcat tracks in the area as well.

Chairman Tenhave expressed his gratitude to Councilor Mahon for his work as the Town Council Liaison to the Commission.

### NON-PUBLIC SESSION

**MOTION BY COUNCILOR MAHON THAT THE COMMISSION ENTER NON-PUBLIC SESSION, BY ROLL CALL, PURSUANT TO RSA 91-A:3, II(d) CONSIDERATION OF THE ACQUISITION, SALE OR LEASE OF REAL OR PERSONAL PROPERTY WHICH, IF DISCUSSED IN PUBLIC, WOULD LIKELY BENEFIT A PARTY OR PARTIES WHOSE INTERESTS ARE ADVERSE TO THOSE OF THE GENERAL COMMUNITY  
MOTION SECONDED BY BOISVERT**

*A Viva Voce Roll Call was taken, which resulted as follows:*

Yea: Commissioner Glenn, Commissioner Perry, Commissioner Tenhave, Commissioner Boisvert,  
Councilor Mahon,

5

Nay: 0

**MOTION CARRIED**

*The Commission went into non-public session at 8:42 p.m.*

*The Commission came out of non-public session at 9:48 p.m.*

Chairman Tenhave stated, for the public record, that the non-public meeting minutes were sealed by Roll Call vote during the non-public portion of the meeting.

### ADJOURNMENT

**MOTION BY COUNCILOR MAHON TO ADJOURN  
MOTION SECONDED BY COMMISSIONER BOISVERT  
MOTION CARRIED  
5-0-0**

*The April 6, 2015 meeting of the Merrimack Conservation Commission was adjourned at 9:49 p.m.*

Submitted by Dawn MacMillan