



Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

603 424-3531

Fax 603 424-1408

www.merrimacknh.gov

MERRIMACK CONSERVATION COMMISSION MONDAY, NOVEMBER 14, 2022 MEETING MINUTES

CALL TO ORDER -

A Meeting of the Conservation Commission was called to order on Monday November 14, 2022 at 6:30 pm in the Matthew Thornton Room.

Steve Perkins, Chair, presided:

Members of the Commission Present:

Michael Boisvert, Vice-Chair
Michael Drouin, Alternate Member
Andy Hunter
Ellen Kolb
Gage Perry
David Trippett, Alternate Member

Members of the Commission Absent:

Gina Rosati, Alternate Member
Cynthia Glenn
Eric Starr

Also Participating:

Matthew Peterson, Keach Nordstorm Associates, 10 Commerce Park North, Suite 3B, Bedford NH 03110

*Chair Perkins designated **Commissioner Drouin** to sit in as a voting member for **Commissioner Glenn** and **Commissioner Trippett** to sit in as a voting member for **Commissioner Starr**.*

PUBLIC HEARINGS - None

NEW BUSINESS –

- **Black Diamond Development, LCC (petitioner) and MM Realty Trust (Owner) - Review for recommendations to the Planning Board regarding a Site Plan Review to construct a proposed 102,600 square foot warehouse building. The parcel is located at 734 DW Highway in the C-2 (General Commercial) and Aquifer Conservation Districts. Tax Map 7E, Lot 31.**

Matthew Peterson from Keach Nordstrom presented the project. He highlighted the property line. Due to the property's current use as a vehicle salvage yard with the associated risk of contaminants on site, Keach Nordstrom arranged for evaluation of the site. The resulting environmental report showed containment measures on site and came back clean. The report is about 1200 pages long, and is being submitted to the Planning Board for their review. The current plan shows more parking than will be needed for the anticipated use of the site. Financing has been approved and Keach Nordstrom has completed an existing site conditions plan.

Mr. Peterson explained most of the warehouse would be automated and would not be heavy on employees or parking. They have been working with the Planning Board to reduce the parking spaces noted on the plan by 50% and replace the spaces with grass only to be used if there are future parking needs. They still have to show the full parking on the plan. Even if the area is planted with grass, installation of underground drainage systems for the parking and loading areas will still be completed so that less future work is required.

Because material cannot be removed from the site due to restrictions related to the St. Gobain situation, most material that needs to be moved will be stored near large berms at the rear of the property near the Everett Turnpike. The applicant had some concerns about the visibility from the highway. Mr. Peterson stated that most trees on the highway side of the property will be left alone and some landscaping will be added. Commissioner Perry asked about the planned height of the berms; Mr. Peterson replied that he expects them to be between 10 and 14 feet high. He stated they are proposing a 102,600 square foot warehouse building, with associated parking with access off of DW Highway. NHDOT has been contacted to start the driveway permit process.

Drainage will be managed for most of the property by underground detention due to the amount of ledge on site. There is no infiltration because there is not enough material to do that. The first two systems will be collected in the underground at the front of the property which will daylight to a swale at front and be picked up by the town drainage and go across DW Highway down towards the river. At the northwest end of the property near the Everett Turnpike, there will be a discharge point to the NHDOT system. Pre-development for 25 year storm rate is 27.71 CFS if the pre and in the post 19.96 for a decrease of about 28%. Typically sites have a lot of grass, trees, and leaves that pick up about 25% of runoff water and this site has almost 100% of water hitting the ground and going into a system. That is why the runoff decrease is so much more than usual. The flow is still getting to the NHDOT system over time, just not all at once as it is now.

This property abuts the Maple Ridge Development, with a tree line separating the properties which will be impacted a little bit. Most of the trees are off of the 734 DW property. The Southerly border has a stormwater runoff rate in pre of .15 and post rate of .07 for an overall decrease of 53%. The runoff rate to DW Highway does need to be decreased because of existing undersized piping which may need to be replaced. Mr. Peterson assumes there is going to be a deceleration lane but is waiting for confirmation

from NHDOT. This stormwater rate was 18.53 CFS is the pre and 13.71 in the post for a decrease of 26%. Commissioner Perry asked about a traffic study, and Mr. Peterson replied that one is underway at the request of NHDOT, even though the low amount of traffic anticipated by the plan doesn't require a study. A full traffic study will be submitted once completed.

In response to a question from Chair Perkins, Mr. Peterson said that water from the roof of the warehouse would drain to an area underneath the loading dock. Commissioner Perry questioned if the drainage would be collected from the roof and parking. Mr. Peterson responded yes, roof drains and parking would be collected by this system. Commissioner Perry asked if this was just the retention or the settlement basin as well. Mr. Peterson said it has isolator rows for the State which go into the rest of the system. Chair Perkins then asked about the surfaces currently on the property. Mr. Peterson stated the driveway is the only portion of the site that is currently paved, the rest of the site is gravel with a limited amount of trees.

Commissioner Drouin asked if gravel contaminated due to the nearby St. Gobain plant would be covered with soil to encourage growth. Mr. Peterson clarified that contaminated soil was from St. Gobain, not from the 734 DW Highway site being contaminated. They are not currently allowed to haul soil off site, hopefully this will change in the next year as they have pushed back due to the rules not being consistently enforced throughout the state. They are proposing to cover the gravel with 4" of loam and then seed with grass.

There is also a landscape plan for trees and shrubs to be planted on site, however these do not go on each area of the site. Trees will be planted throughout islands in the parking lot. Commissioner Drouin stated he has seen some construction sites with soil blowing everywhere. Mr. Peterson responded that in the last 4-5 years there are now inspectors, based on the EPA, that are on site almost weekly, this year was different because there was less rainfall. The Conservation Commission and Planning Board help come up with notes for the plans to hopefully avoid issues and to have recourse to address anything issues that do arise.

The plan indicates that the septic system will be for 600 gallons per day, similar to capacity for a single-family home. The warehouse workforce will be small, with most operations automated. Mr. Peterson noted that they've gotten away from hay and straw bales being used on site and favor the silt sock. Notes regarding phosphorus and soil testing beforehand were also included on the plan.

Chair Perkins acknowledged receipt of pre- and post-runoff plans. Commissioner Perry pointed out a discrepancy in references to fertilizer on different pages of the plan; Mr. Peterson acknowledged that no-phosphate fertilizer would be used and that the reference to low-phosphate on page 7 note 8 of the plan would be removed. Commissioner Perry verified from Mr. Peterson that silt socks used during construction would be removed upon project completion. Commissioner Perry asked if Mr. Peterson knew when the Planning Board would response about the front half of the parking field. Mr. Peterson

responded that he is proposing it as grass when he submits the plan. He will be presenting to the Planning Board on December 20, 2022. Chair Perkins to send Conservation Commission recommendations to the Planning Board letting them know they do not have any concerns.

- **Paul Lavoie – Vote to appoint Mr. Lavoie to the HHNP Subcommittee as a full member**

Commissioner Kolb recommended endorsing Paul as a HHNP subcommittee member. She met Mr. Lavoie a month ago, noting that he has worked with Marc Gagnon, the HHNP Subcommittee chair in the past. She noted Mr. Lavoie is very committed to the property and has put a lot of work into it. She recommended that he be accepted to the Subcommittee.

Motion by Commissioner Kolb to approve the membership of Paul Lavoie on the Horse Hill Subcommittee.

Motion Seconded by Commissioner Drouin

Motion Carried

7-0-0.

- **Vote to approve funds for 2023 NHACC Membership dues in the amount of \$1,050 – NH Association of Conservation Commissions (NHACC)**

Motion by Commissioner Perry to approved the expenditure of \$1050 from Fund 51 for NHACC dues

Motion Seconded by Commissioner Kolb.

Motion Carried

7-0-0.

- **Upcoming Eversource work – Submitted by Steve Perkins**

Chair Perkins reported on notice given to the Town by Eversource of anticipated work impacting wetlands in the Town of Merrimack. Work will be completed on H123 transmission lines which stretch from Litchfield into Merrimack. The transmission lines begin up near the Reeds Ferry substation and go South. Chair Perkins corresponded with the person in charge of the project at Eversource. The contact Chair Perkins spoke with confirmed that the project will begin in March 2023 and also confirmed that the wetlands to be impacted by this project are in the Town of Litchfield. While this is not expected to affect MCC properties, Chair Perkins asked ex-officio subcommittee members to notify their subcommittees of this project in order to allay any concerns that might arise when the project begins.

- **Opportunity to serve on Lower Merrimack River LAC – Submitted by Steve Perkins**
The LAC, administered under NHDES, has begun work on an update to its river corridor management plan. The Town of Merrimack is entitled to fill four spots on LAC, with two currently being served by George May and Nelson Disco. The Town Council will discuss LAC at its meeting later this week and the nomination would come from the Town

Council. Councilor Hunter advised MCC members interested in the position to send a letter of intent to Becky Thompson in the Town Manager's office.

OTHER BUSINESS –

- **Update on WFCB Bridge Rebuild – Submitted by Mike Boisvert**
Vice- Chair Boisvert reported that the bridge was rebuilt in October. He thanked all subcommittee members and volunteers, with special thanks to the Michael Loverme Memorial Foundation.
- **NRPC Mapping Project – Submitted by Steve Perkins**
Commissioner Perkins reported that the mapping project has begun with the refresh portion of the work. Commissioner Drouin will assist NRPC with GPS at Sklar at some point. If there are any areas where a trail has moved or a new trail has been created, an email should be sent to Chair Perkins so he can compile and share the information with NRPC when he meets with them.
- **Feedback on the Annual Wasserman LCIP Walk – Submitted by Eric Starr**
Commissioner Starr usually makes and submits the annual report to LCIP after the MCC site walk, which was held this year on October 29. MCC members in recognition of his experience expect that he will do so again this year.
- **Feedback from the NHACC Conference – Submitted by Ellen Kolb**
Commissioner Kolb thanked the Town for the opportunity to attend the recent NHACC conference in Pembroke, where she attended sessions on reviewing wetlands permits, using natural resource inventories, and managing increased use of conservation land.
- **Subcommittee Update: HHNP – Submitted by Ellen Kolb**
Commissioner Kolb reported that four members of the New England Mountain Bike Association (NEMBA) joined three subcommittee members on November 12, 2022 to work on drainage affecting a bridge on the Blodgett Hill Trail. Marc Gagnon of the HHNP Subcommittee plans to complete some work on the bridge himself including getting some rocks underneath to steady the ground and replace a few boards on the bridge. This work will be complete in the near future now that improved drainage will prevent further damage to one end of the structure. Commissioner Kolb thanked NEMBA for its support at the work day.

APPROVAL OF MINUTES –

Motion by Commissioner Kolb to approve the October 24, 2022 Conservation Commission meeting minutes without amendment.

Motion Seconded by Chair Perkins

Motion Carried

7-0-0

Motion by Commissioner Kolb to approve the Conservation Commission minutes from the annual LCIP walk at Wasserman Property on October 29, 2022 with the following amendments:

Page 1, Line 9; replace “The Matthew Thornton Room” with “Wasserman Property”

Motion Seconded by Commissioner Perry

Motion Carried

Abstained: Councilor Hunter

6-0-1

ADJOURNMENT –

Motion by to Adjourn by Commissioner Perry

Motion Seconded by Vice-Chair Boisvert

Motion Carried

7-0-0

The November 14, 2022 meeting of the Conservation Commission was adjourned at 7:16pm.