



Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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MERRIMACK CONSERVATION COMMISSION

AUGUST 16, 2021

MEETING MINUTES

A meeting of the Merrimack Conservation Commission was held on Monday, August 16, 2021, at 6:30 p.m. in the Merrimack Memorial Conference Room.

Steven Perkins, Chair, presided:

Members of the Commission Present:

Michael Boisvert, Vice Chair
Gina Rosati, Secretary
Cynthia Glenn
Gage Perry
Michael Drouin, Alternate Member
Ellen Kolb, Alternate Member
Councilor Andy Hunter

Members of the Commission Absent:

Eric Starr

Also Participating:
Engineering

Austin Turner, Project Manager, Bohler

Chair Perkins designated Commissioner Kolb to sit in for Commissioner Starr.

PUBLIC COMMENT - None

PUBLIC HEARINGS - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS

1. **TC Boston Development, Inc. (applicant) and Rykel Company, Inc. (owner)** - Review for acceptance and consideration of a Site Plan to construct a 323,750 s.f. warehouse/distribution facility & associated site improvements. The parcel is located at 50 Robert Milligan Parkway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 2D, Lot 078. Case #PB2021-32.

Austin Turner, Project Manager, Bohler Engineering, stated the site has been worked as a gravel pit for 20⁺ years. The property owner has a contract in place with the applicant, TC Boston Development, Inc., to sell the property. The applicant will develop the site as an approx. 324,000 sq. ft. warehouse/distribution facility.

The existing access driveway will be maintained and repositioned. Below the area of the building and proximate to the highway will be employee parking spaces. In the rear (opposite of the highway), will be the operational base (location of loading docks). The parking spaces above that area is where trailers will be stored.

The property is located next to Bowers Pond (water supply system). The property falls under the NH DES shoreland provisions. In consideration of that, the improvements have been arranged to stay within the confines of the gravel pit, e.g. not clearing existing vegetation or encroaching into buffer zones further. Grading has been limited as well to respect the vegetative boundaries.

Displayed was a diagram depicting the parcel and proposed design. The extent of pavement (right side of image [displayed](#)) is where the gravel operation had ceased, and where the property starts to drop off quite substantially. No work will be done beyond the existing vegetation boundary.

The upper left corner of the property has a vertical rock face cliff, which will be left alone. There will be requisite fall zones in place (working with the geotechnical engineering consultant). The desire is to leave an appropriate boundary and fencing.

The stormwater management system is pretty robust and quite substantially exceeds the NHDES standard. Understanding this property is located in the Aquifer Overlay District they were cognizant of ensuring appropriate stormwater controls are in place including the infiltration. A copy of the drainage report was provided the Town.

The rock face drops off fairly quickly and pitches off very quickly. That material was used, and the site filled in to create a large flat pad that exists today. Underneath that are some good soils (sandy/high permeability). That is what would be expected in an Aquifer District and was confirmed by the geotechnical evaluation. The pond relies on that groundwater recharge.

Mr. Turner pointed to the map noting the area where a sand filter basin will be located. They are getting close to existing grade with the grading and suspect they will encounter ledge (confirmatory pits being done). They are not expecting a substantial amount of recharge. He noted how that part of the watershed drains and is ultimately collected in the drainage network. It is not directly tributary to Bowers Pond. The surface basin looks and feels above grade as a customary detention infiltration system. Underneath that is about 30" of sand. Stormwater enters and slowly filters through the underdrain and is then conveyed to its ultimate location. It feeds through the wooded area, comes back around, and gets into the existing collection system. That collection system takes the water and has a sort of wetland/drainage feature, which it is filtered through. If shallow ledge is not encountered, they will likely convert that over to a detention and infiltration basin.

Noted was the area of the stormwater basin, which will be the customary infiltration basin. There is a large basin on the flat area outside of the Shoreland buffer, which is the primary workhorse of the stormwater management. Underneath the parking areas is an underground system to take some of the supplemental volume from the roof and portions of the loading area and distribute it between the two stormwater basins.

There are actually 4 stormwater management systems on the parcel, the bulk of which are located on the far right side of the property as that is where the best soils are located, the ledge is the deepest and where the groundwater recharge most approximates the pond and aquifer. The sand filter basin is an interesting thing. They have been talking to NHDES regarding this in the pre-consultation discussions with the Alteration of Terrain (AoT) Bureau. The property has been in active use for so long it may have even preceded the site specific and what is now the AoT program at NHDES. They have no record of this property having had those approvals and think it may have predated it. What they have asked to be done, and what the model suggests, even though the property has been operating like this for decades, is to model the existing conditions

as though it was a wooded area undeveloped. The stormwater system will be substantially oversized as a result.

The trade is the driveway has been in place for a long time. That is the one spot that has a slight/nominal increase in the post development rate of runoff. Mr. Turner pointed to the area of the driveway that is the high point, which drains back down. There is really no feasible way to put any kind of stormwater management in that sliver of land. They put in a vegetated swale along the perimeter inside that vegetation line. They mimicked all the grading, will resurface the roadway, and changed how the road is elevated so it sheds off into a vegetated treatment swale. It gets collected before it gets conveyed into the existing drainage network. Today, it sheets off and goes into the road. They are looking to capture and get additional treatment of the runoff from that one stretch of road.

Mr. Turner reiterated the baseline is a predeveloped/untouched property. The stormwater management systems were oversized at the request of NH DES. When looking at the infiltration comparison, they were targeting some 8,000 cubic feet of infiltration and are at about 194,000 cubic feet of infiltration storage volume.

With grading, it is a big flat pad. There are material stockpiles a portion of which they will utilize for structural material/fill material as it is processed gravel. There are some cuts and fills in certain areas, but generally speaking, they expect it to be an onsite balanced earthwork operation with limited cuts to fills aside from what might need to be excavated for the footings.

They are going back onsite to do a high intensity soil survey. They don't expect anything different as they have been working with the geotechnical company for a long time. They modeled it, in terms of infiltration capacity, as NHDES would have them do it; using 3"/hour for infiltration, which is half the rate you would customarily expect and which NHDES policy would suggest the soils are capable of producing.

Commissioner Drouin asked for clarification the area marked with a half circle on the plan represented the buffer. Mr. Turner responded the 250' offset (outer boundary of the shoreland protection area) was established using a conservative approach; from the mean high water mark of the pond. The interior buffer is 100'.

Commissioner Drouin questioned the regulation for developing inside the buffer and was told it is no degradation; certain percentage they allow over the existing buffer. When a buffer is degraded, you are allowed to work inside that buffer provided you don't exceed or further degrade it by a certain percentage, which is why they structured the application to keep it inside the previously disturbed areas.

Commissioner Drouin asked if there are permits on record showing it is permissible to dump gravel in the buffer. Mr. Hunter remarked the site has been in operation for so long he is uncertain the AoT (formerly called site specific) and also the Shoreland Protection ordinances were adopted or enforced. From a drainage perspective, they were asked by NH DES, to treat it as a predeveloped condition as a conservative measure and because historically when they look at hydraulics, they have to do a pre and post development comparison. They asked for the pre numbers to be treated as undisturbed.

Commissioner Drouin commented it looks as though there is disturbance a little more than half-way through the buffer towards the water. Mr. Turner stated, at its nearest point, the existing limit of disturbance is approximately 80'. Asked why he needs the parking lot that close rather than putting it on the other end, Mr. Hunter responded the other area is the 60-80' tall ledge face wall. Asked if any blasting would be done, he stated "No, the intent is we leave all of that ledge face alone. We pulled everything interior of it, so we didn't have to do the blasting." If of concern for the Commission, he suggested he could shift the geometry of some of the leading edges of the back parking area up a bit. Noted was the elevation break (25-30').

Asked what would be inside the building, Mr. Turner stated that is not yet understood. They are doing the project as a speculative warehouse/distribution facility. It could be one or multiple tenants. They are not expecting manufacturing, etc. It will predominantly be shipping/receiving. The interest in this particular kind of development is very warm right now in the real estate market.

Commissioner Perry asked for clarification the building structure itself has no interior drainage other than bathrooms. Mr. Turner stated that to be his understanding adding perhaps in the fire pump room there could be a floor drain, which would go to the sanitary systems, if there were any.

Commissioner Perry stated the greatest concern would be with the storage of fluids and liquids that are corrosive or dangerous to the ecosystem out there. Mr. Turner stated the intent would be not to do manufacturing. This is more of a conventional kind of distribution center, e.g., dry goods. They don't envision and have not been told that there would be the anticipation for any of those kinds of materials. If there were, he is almost certain there are provisions within the Aquifer Protection District that are prohibitive to that or at a minimum talk about how they are to be handled and treated.

Asked if there would be any truck wash or servicing facility, Mr. Turner stated there would not be.

Asked how many trucks would drive through the buffer a day, Mr. Turner stated the driveway was put in for emergency access (to provide full circulation around the building). The truck route is intended to be on the primary road. Commissioner Drouin stated the desire for vehicle traffic to be limited within the buffer. Mr. Turner suggested the possibility to shift some of the spaces away from the buffer. Commissioner Drouin agreed that would be reasonable.

Chair Perkins questioned, if encountering ledge on the east, how is water being conveyed. Mr. Turner stated the Geotech didn't really probe the area extensively because it is an existing road, and they changed the configuration a bit. The plan is to encounter ledge. If they hit it, it is planned for. The water basin is vegetated. The layer underneath has a soil media that is 50% sand, 20% loamy topsoils, and 30% composted woody fibers and fine fitted bark mulch. The idea is that it still has a certain level of permeability, but it is throttled. The important thing with a filter system is contact time. You want water in contact because that material strips out the things it is supposed to. This kind of composition is what NH DES goes to. Underneath that is a section of 4" underdrain that they have in a grid. Water slowly works its way through that filter course down into the gravel. The underdrains then collect it, take it out. You have a controlled

release with a power control structure and then that slowly wicks and goes back on its natural drainage course.

If they encounter ledge, this is what they will employ because it keeps it high. It accomplishes the same idea as an infiltration system where you get a lot of soil contact time; water going through the soil. The difference is water will not infiltrate, but it will still get you the benefit of the treatment, and where this isn't in the direct topographic influence of the pond, we still get the detention benefit and recharge if they find rock. If not, it will be converted over to a regular basin.

Commissioner Drouin questioned the type of fence that is on the edge (area of drop off – south end of property). Mr. Turner stated it to be a guardrail. Commissioner Drouin requested there be some type of fencing to capture litter. Mr. Turner was agreeable.

NEW BUSINESS

Commissioner Perry spoke of an informational email received regarding someone trying to build trails over in the Fields Farm property. He forwarded it to Timothy Thompson, Director, Community Development Department, asking if he needs the Commission to provide any follow-up information/photos, etc. The Commission is waiting for the transfer to take place before forming the Fields Farm Sub-committee.

Commissioner Rosati spoke of how the property is designated no-motorized use, and offered to post signage, if available.

OLD BUSINESS - None

OTHER BUSINESS

Commissioner Perry spoke of a meeting of the Grater Woods Sub-committee. The Sub-committee's focus is the forestry plan.

Commissioner Drouin commented on some of the rocks at the Sklar Waterfront Park having been moved. He suggested dropping some of the pine trees to serve as a barrier. Vice Chairman Boisvert noted the trees the Flying Eagles RC Club is looking to take down are in line with the runway (along the train tracks on the other side of the driveway).

Commissioner Drouin suggested the Town be asked to down the trees and remove whatever lands on the road.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission.
[August 2, 2021](#)

The following amendments were offered:

In each instance it occurs, correcting the spelling of "leach" and "leaching"

Page 2, Line 45; correct the spelling of "bales"

Page 3, Line 14; replace "too" with "tool"

MOTION BY COMMISSIONER ROSATI TO ACCEPT, AS AMENDED

MOTION SECONDED BY COMMISSIONER GLENN

MOTION CARRIED

6-0-1

Commissioner Perry Abstained

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Perry spoke of the gratitude extended to former Commissioner Caron who continues to receive emails regarding downed trees on our properties and has taken it upon himself to do some work.

Commissioner Drouin asked if the Town conducts any festivals noting opportunities to participate in such events would allow the Commission to showcase its work. Chair Perkins spoke of the Winter Carnival, which the Commission participates in.

Vice Chairman Boisvert noted he would not be in attendance at the September 20th meeting.

Commissioner Rosati commented NH Fish & Game sells a hike safe card (\$25/individual or \$35/family). Hikers having such cards, if becoming lost and needing to be rescued, are not charged unless their behavior is malicious.

TABLED

1. Discussion and vote to re-treat the invasive Knotweed that is taking hold again on property off of

Brookside Drive. This will require a licensed applicator.

Tabled 9-21-20

ADJOURNMENT

MOTION BY COMMISSIONER PERRY TO ADJOURN

MOTION SECONDED BY COMMISSIONER KOLB

MOTION CARRIED

7-0-0

The August 16, 2021, meeting of the Merrimack Conservation Commission was adjourned at 7:22 p.m.

Submitted by Dawn MacMillan