



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

DECEMBER 17, 2018

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, December 17, 2018 at 6:30 p.m. in the Merrimack Memorial Conference Room.

Chair Gage Perry presided:

Members of the Commission Present: Michael Boisvert
Cynthia Glenn (arrived at 6:35 p.m.)
Steven Perkins
Gina Rosati
Tim Tenhave, Alternate Member (arrived at 6:35 p.m.)
Councilor Peter Albert

Members of the Commission Absent: Matt Caron, Vice Chair

Also in Attendance: Mike Sievert, MJS Engineering
Paul Chisholm, Project Mgr., Keach-Nordstrom Assoc., Inc.

PUBLIC COMMENT - None

PUBLIC HEARINGS - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS

- 1. Arne, LLC. (applicant/owner)** - Review for recommendation to the Planning Board for a two lot subdivision. The parcel is located at 63 Wilson Hill Road in the R-1 (Residential, by Zoning Map) and Aquifer Conservation Districts. Tax Map 4B, Lot 130.

Proposed is a two-lot subdivision on an eight-lot parcel. The intent is to create a two-acre lot in the front of the parcel. The project is before the Commission as the lot is identified as being within the Aquifer Conservation District (District).

An existing driveway will be maintained and become the deeded access to the new lot. The buildable area of the new lot will be on the flat section just adjacent to the existing residence. The proposal is for one new single-family home with a standard well and septic system on the lot.

Mike Sievert, MJS Engineering, indicated his uncertainty with whether the lot is within the District

noting it appears to come to the edge of Wilson Hill Road and just outside of the District. Chair Perry commented the project may have been forwarded to the Commission if there was belief a second driveway would be created, which would have resulted in impact(s). It was noted there would be no changes to the driveway in the area of concern.

The area of the parcel slopes back and to the east. Drainage travels along the property line. Most of the property drains to the easterly line and crosses at Wilson Hill Road.

A letter will be sent to the Planning Board indicating the Commission has no specific recommendations relative to the project.

2. WiRed Barn, LLC. (applicant/owner) - Review for recommendation to the Planning Board for a change of use to allow a dog boarding and daycare business in addition to the existing residential dwelling. The parcel is located at 3 Wire Road in the C-2 (General Commercial), Flood Hazard Conservation and Aquifer Conservation Districts. Tax Map 2B, Lot 293-01.

Paul Chisholm, Project Manager/Civil Engineer, Keach-Nordstrom Associates, Inc., stated proposed is a change of use for the property located at 3 Wire Road. The lot area is just under half an acre and features a large red barn and a single-family residence.

The site is commercially zoned, but has a historical residential use. The plan would maintain the residential aspect, but add a commercial aspect for a doggy day care center proposed for the basement and the bottom floor of the barn, and a few playpen areas behind each of the structures.

The site is situated next to a variety of uses; mix of commercial and business to the south and southwest, a multi-family residence located across the street, undeveloped property to the north, and D.W. Highway and the Baboosic Brook to the east.

Proposed improvements include paving of a small area to create ADA compliant parking spaces and fencing for the playpen areas. With regard to stormwater management, nothing exists onsite. Everything along the frontage drains to the street and into a catch basin and the back drains into level terrace areas. There are tiered retaining walls to the easterly side of the terraced areas that create a lip. Water does not run off directly into the Baboosic Brook; it sits in the area and infiltrates into the ground. Soils are sandy, and the area has good infiltration capability.

Comments were received from the Public Works Department (PWD), Town staff, and the Fire Department. Those are being worked through and meetings continue to discuss questions related to stormwater, etc.

The project will be introduced to the Planning Board on the 18th. The hope is that a single design revision will be done based upon any feedback received, and the project will be back before the Planning Board for its January 22, 2019 meeting, for approval.

Asked how dog waste would be handled, Mr. Chisholm stated any fecal matter would be picked up immediately, bagged, and thrown away. Asked if there would be drains in the play area, Mr. Chisholm spoke of options being considered; leaving as grass area, synthetic turf surface having a drainage system underneath, which would filter the water before infiltrating into the ground. Dogs would be in the play area in groups (6-8 at a time).

Asked if the retaining walls were in place prior to the bridge rebuild, Mr. Chisholm indicated he is uncertain not knowing when the bridge was rebuilt. He is aware of a plan to rebuild the bridge in the next few years. They asked for an area of about 15' off the property for a permanent slope easement to support that construction. The retaining walls have been in place dating back to any inventory he can find on the property.

Asked if the anticipation is the Town will request the impervious area be increased in order to have turnaround for emergency access, etc., Mr. Chisholm responded in terms of site access, the only issue raised to date are the three parking spaces where the desire is to rotate them 90° to line up with the side to avoid the need to back out into Wire Road. In terms of fire safety, the Fire Department has requested the buildings be sprinklered.

Asked about additional paving, Mr. Chisholm noted the only additional paving is down by the residence itself. He indicated the area on the plan where drop-offs/pick-ups would occur and the paving that would be created in the area to create a solid surface for ADA compliance.

Commissioner Tenhave questioned if the business would include shampooing, etc. Mr. Chisholm stated the service would be that of daycare and boarding. The owner also owns Pets Choice. If grooming is needed, the intent would be for the dogs to go to the store where they are set up for that type of service.

Evergreen trees are the only landscaping being proposed. Chair Perry noted, given the proximity to the brook, the recommendation of the Commission would be, if fertilizer were to be utilized, that it be no-phosphate, slow release nitrogen fertilizer. Mr. Chisholm stated a note could be added to the plan. Asked about snow storage, he referred to the plan noting an area where there is space for storage. Were there a record amount of snow, it would have to be removed and hauled off site. With regard to ice, Mr. Chisholm indicated they would have to utilize an organic pet safe type ice melt. It was noted the types that would be utilized would be Safe Paw or Paw Thaw.

Commissioner Tenhave commented as long as water is not being directed toward the brook, he has no other concerns. If it turns out that needs to occur, the Commission would be interested in reviewing treatment structures, etc. Mr. Chisholm stated he does not see the need to change the drainage pattern. It may be that they end up changing how it is treated by changing the surface area of the playpen. If that occurs there would be the need for submission of revised plans.

NEW BUSINESS - None

OLD BUSINESS

- Chapter 111 Update

Commissioner Rosati stated she spoke with Yvette Couser, Director, Merrimack Public Library, and was informed they have completed the research on the deeds of 12 of the 18 properties they were asked to assist with. The expectation is that all of the information will be available by December 20th.

Commissioner Tenhave will compile the data highlighting properties having known restrictions. From there, the Commission will review the information to determine whether there are specific controls the Commission wishes to put in place.

The Commission discussed scheduling a workshop as part of its second meeting in January. Councilor Albert noted he would have a conflict with a Town Council budget meeting.

OTHER BUSINESS

- Sub-committee Updates

Wildcat Falls

Commissioner Rosati spoke of the moonlight snowshoe walk and speaking with the Police Department regarding parking in the evening hours. Councilor Albert suggested parking on West Chamberlain Road. Commissioner Tenhave spoke of the dawn to dusk restriction at Wildcat Falls, and questioned if a request needs to be made of the Town Council to permit an exception. Councilor Albert stated his opinion, as a Commission sanctioned event, he would not take issue with it, and in fact would bring it before the Town Council. Chair Perry stated the need to ensure the parking lot on Currier Road is not utilized. Commissioner Rosati will look to have the item placed on the agenda for an upcoming Town Council meeting.

Horse Hill Nature Preserve (HHNP)

Commissioner Glenn informed the Commission Town staff removed the trees that were hanging over and of concern. She stated appreciation for the work that was done.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. December 3, 2018

The following amendments were offered:

- Page 4, Line 1; replace “15” with “18”
- Page 4, Line 3; replace “at its” with “by”
- Page 4, Line 4; delete “meeting”
- Page 5, Lines 20-21; replace “Commissioner Boisvert” with “Chair Perry”

**MOTION BY COMMISSIONER GLENN TO ACCEPT, AS AMENDED
MOTION SECONDED BY COMMISSIONER BOISVERT
MOTION CARRIED**

6-0-1

Councilor Albert Abstained

PUBLIC COMMENT - None

NON-PUBLIC SESSION

MOTION BY COMMISSIONER TENHAVE THAT THE COMMISSION GO INTO NON-PUBLIC SESSION 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 COMMISSIONER GLENN

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

Yea: Michael Boisvert, Cynthia Glenn, Steven Perkins, Gina Rosati, Gaige Perry, Councilor Albert,
Timothy Tenhave

7

Nay:

0

MOTION CARRIED

The Commission entered non-public session at 7:22 p.m.

The Commission came out of non-public session at 7:53 p.m.

**MOTION BY COMMISSIONER TENHAVE THAT THE COMMISSION SEAL THE
MINUTES OF THE NON-PUBLIC SESSION UNTIL SUCH TIME AS THE MAJORITY OF
THE COMMISSION VOTES THAT THE PURPOSE OF THE CONFIDENTIALITY WOULD
NO LONGER BE SERVED**

MOTION SECONDED BY COMMISSIONER PERKINS

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

Yea: Michael Boisvert, Cynthia Glenn, Steven Perkins, Gina Rosati, Gage Perry, Councilor Albert,
Tim Tenhave

7

Nay:

0

MOTION CARRIED

COMMISSIONER COMMENTS – None

ADJOURNMENT

MOTION BY COMMISSIONER GLENN TO ADJOURN

MOTION SECONDED BY COMMISSIONER ROSATI

MOTION CARRIED

7-0-0

*The December 17, 2018 meeting of the Merrimack Conservation Commission was adjourned at
7:57 p.m.*

Submitted by Dawn MacMillan