



# Town of Merrimack, New Hampshire

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Planning - Zoning - Economic Development - Conservation

## MERRIMACK CONSERVATION COMMISSION

MARCH 17, 2014

### MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, March 17, 2014, at 6:32 p.m. in the Matthew Thornton Room.

Chairman Tim Tenhave presided:

Members of the Commission Present: Matt Caron, Vice Chairman  
Thomas Lehman  
Gage Perry (arrived at 6:37 p.m.)  
Simon Thomson  
Michael Boisvert, Alternate

Members of the Commission Absent: Ron Davies  
Councilor Thomas Mahon  
Robert Croatti, Alternate  
Lauren Kras, Alternate

Also in Attendance: Michael Cheever, President, ArchCon-Group, Inc., Bedford, NH  
Robert Baskerville, President, Bedford Design, Manchester, NH  
Mike Fabbiano, Vice President, Highpoint Eng., Inc., Bridgewater, MA  
Kenneth C. Clinton, President, Meridian Land Services, Inc.  
Joe Loiselle, President of Adv. Systems Integration, GT Advanced Tech.

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*Chairman Tenhave appointed Alternate member Michael Boisvert to serve as a voting member. Councilor Mahon and Commissioner Davies were excused.*

PUBLIC COMMENT - None

APPOINTMENTS - None

### STATUTORY/ADVISORY BUSINESS

#### **1. AutoFair Realty II, LLC (applicant) and Naticook Automotive, LLC (owner)**

Review for recommendation to the Planning Board of an application for site plan review to demolish a corner of the building (approximately 4,000 square feet) at the intersection of Route 101A and Continental Blvd. and make related site improvements. The parcel is located at 717 Milford Road in the C-2 (General Commercial) and Aquifer Conservation Districts. Tax Map 2B, Lot 031.

Robert Baskerville, President, Bedford Design, stated the property has always been used for motor sales by special exception. The building was previously occupied by both Harley Davidson and AutoFair Volkswagen. The current intent is for the building to be occupied completely by AutoFair.

Being proposed is the removal of a corner of the building as a way to incorporate a nice façade and improve visibility. As stated in the Drainage Site Plan, all surface areas with the proposed areas of reconstruction are currently impervious. There will be no additional impervious cover added to the site. The plan delineates an extent of cut line (goes through the parking lot). The intent of the cut is to allow for the renovation of the building and change of grades. Approval has been gained to connect to sewer line (site was formerly on septic).

Chairman Tenhave questioned whether the leach field would be removed or left in place. Michael Cheever, President, ArchCon-Group, Inc., responded it would be ideal if the leach field were able to be abandoned in place.

When asked about snow removal, de-icing compounds, etc., Mr. Baskerville responded, during small storm events snow is kept onsite. Agreement has been reached for snow to be trucked offsite during large events. Mr. Baskerville stated the issue of Green SnowPro certification has been discussed, and a willingness to have operators become certified has been stated. Chairman Tenhave noted, with recent changes in State law, such certification is also beneficial in terms of liability insurance. Mr. Baskerville requested additional information. Commissioner Lehman stated State Law enacted last year reduces liability to contractors who are certified.

Commissioner Perry questioned whether the end result would be a reduction in parking spaces. Mr. Baskerville stated at the time the building was approved the number of required parking spaces was 59. Seventy four were striped. Parking calculations have changed since that time. Required for the smaller building are 127 spots. A request was made for a 10% reduction (115 spots).

Chairman Tenhave noted Sheet 6, Note 17 under General Construction Notes and Note 3 under Seeding for Temporary Protection of Disturbed Areas address fertilizer. He stated a concern with Phosphates and informed the Applicant the Commission has been advocating for the use of low-phosphate, slow release nitrogen fertilizer. Although the Commission has yet to identify a standard for low-phosphate, individuals will be present at future meetings to provide advice/assistance in that regard. Mr. Baskerville stated both of the notes could be changed to state "All fertilizers shall be low-phosphate, slow release nitrogen." When asked, Mr. Cheever stated his agreement.

Commissioner Perry remarked Note 19 under General Construction Notes as well as other notes on Sheet 6 address mulching with hay, and should identify straw instead. Mr. Baskerville stated they would be very specific in identifying the use of straw.

Commissioner Perry commented the plan speaks to a maximum undisturbed area of 5 acres; however, Note 2 states "Winter excavation and earthwork shall be completed such that no more than one acre of the site is without stabilization at any given time." Mr. Baskerville responded typically during a pre-construction meeting with NHDES it is known some work may have to be completed during the winter.

Chairman Tenhave stated the recommendations to the Planning Board will include: 1) de-icing compounds be minimized and that applicators be Green SnowPro Certified, 2) use of low-phosphate, slow release nitrogen fertilizer, and 3) use of straw as opposed to hay.

## **2. GT Advanced Technologies**

Review for recommendation to the Planning Board of an application for a site plan for a 45,175 square foot building expansion to the existing facility, parking lot improvements and utility upgrades at 243 and 247 Daniel Webster Highway in the I-1 (Industrial), Aquifer Conservation and Wellhead Protection Districts. Tax Map 3D-2, Lots 041 and 041-01.

Mike Fabbiano, Vice President, Highpoint Engineering, Inc., commented the parcel has been before the Commission in the past and has gone through a number of iterations of improvements over the years. The proposed project is located in the Aquifer Conservation and Wellhead Protection Districts, although no dredging or filling of wetlands or any work within the 25' buffer zone is proposed.

Being proposed is an addition to the existing facility (approx. 23,000 sq. ft. over two stories for a 46,000 sq. ft. administration/office addition). Internal workings within the facility have created a need to display some of the administrative/back office operations. Additional administrative services are being brought into the facility as well. As the square footage of the facility would be increased there is the need to augment the parking ratios as well. The required parking ratios are in keeping with what GT's requirements are for staff.

The addition is across the frontage of the building. A component of the expansion is utility improvements in the back (6 transformer pads and 4 cooling towers located between the building and existing utility infrastructure to the rear). That is the only improvement proposed to the rear of the building and is within the landscape area tucked between the building and existing generators and storage area. There is existing bulk tankage for gas on

the side of the building in between the building and the fire lane. There will be two new bulk gas tanks facing a fenced-in area, on a gravel surface, on pads, in keeping with the same style, shape, and size of the existing tanks.

In order to reconfigure the location of the front door of the building, there is the need to realign some of the parking lot configuration in the front of the building. Some existing islands would be modified and additional island put in, and some perimeter parking along the edge of the parking lot. The only major utility improvement on this side is the addition of roof water recharge. With the need to manage pre and post flows for flood routing and improve water quality, the roof area had to be addressed. He identified the location of the planned stormwater recharge area, and noted what is being proposed represents an improvement to the site. He reiterated the wetland complex remains unchanged. It was previously delineated under the original application. There is no impact to the wetland itself. There is no impact within the buffer zones. Straw wattle and orange construction fence will be utilized to demarcate between any work being performed and the wetland system. On the opposite side straw wattle and silt fencing will be used to bolster work being performed in the area.

Because of the need to augment parking, the only location remaining was the area between D.W. Highway and the existing driveway and wetland area. There will be approximately 128 spaces. The lot will experience approximately 2.38 acres of disturbance. The topography slopes from about 30' from the highway all the way down to the wetland system. The parking lot would be slightly tiered from the high side to the low side. They are taking care of slopes from the highway down to the front end and then dropping an upper lot to a lower lot and dropping down again in order to create a stormwater system that not only controls this parking lot but also has to deal with the discharge coming from the highway.

There is a basin on the other side of the highway that discharges directly onto the lot. That drain line is being picked up and re-routed around the parking lot surface flow, through a swale, collected underneath the driveway and out into a forebay. The system will collect runoff from the parking lot as well as the area that comes from the highway. Recharge will be 100% of storm events up to a minimum of a 25 year event. There is an overflow discharge point where it will be dissipated and enter the wetland. It goes through an existing pipe discharge and out into the PSNH property. He remarked it took a while to reach the point of being able to balance flows between pre and post. He stated there to be an increased amount of impervious surface on the property, but because of that type of design they were able to satisfy the stormwater management rules and regulations.

In order for individuals to park in the lot and walk back to the building, a 4' pedestrian way will be constructed utilizing the 2' area between the guardrail and edge of paved and 2' of the existing driveway. The pedestrian way will be protected by flags on posts that can be removed during winter conditions. The anticipated level of use of the pedestrian way is not aggressive.

Mr. Fabbiano stated Green Snow-Pro certification has been added to the plan, and a point made to provide enough area around the facility for snow storage. He commented he has been out to the site several times over the past winter and witnessed a great deal of snow piled high in a lot of locations. He stated there to be several areas of opportunity to plow snow not only to the edge, but stockpile. There is limited ornate landscaping that will be present at the facility for that very purpose.

Joe Loiselle, President of Advanced Systems Integration, GT Advanced Technologies stated the company is currently running two shifts. Presently they are an R&D facility with some light equipment assembly. The project effort allows for more of the manufacturing work. When asked, he stated he anticipates a rotating 12-hour shift structure (24/7 operation). Commissioner Perry questioned whether additional utilities would be brought to the upper lot. Mr. Fabbiano responded outside of lighting and stormwater, there are no other building structures that are up there that would require any type of utility improvements.

Mr. Fabbiano commented on the need to create a certain amount of volume within the area between the two facilities. They made a point to try to keep things away from the buffer zone as much as possible. There is a retaining wall structure on both sides not only to create an area for biometrics between the two sides, but also because the area is being used for access for maintenance. The area could be used in the future should the company elect to try to move forward with a pedestrian bridge structure through the wetlands as a direct route from the parking lot to the building.

Chairman Tenhave commented Note 14 states: "There shall be no de-icing compounds onsite. Additionally all grass and landscape areas shall comply with the judicious use of pesticides, herbicides, or fertilizers, which shall only be applied by a licensed applicator.", and questioned whether that was intended to identify there would be no de-icing compounds utilized. Mr. Fabbiano stated there to be existing operation and maintenance onsite, and questioned whether de-icing compounds are used today. Mr. Loiselle stated he was unsure. He remarked he imagines there is some type of salting or sanding that occurs. Mr. Fabbiano stated he is aware the parking lot has been sanded. He added, the note stating no de-icing may have been in error, and commented they were not aware of the existing maintenance operation when writing the plan.

Chairman Tenhave stated with a good deal of wetlands in the area it is most advantageous not to utilizing de-icing compounds. Mr. Fabbiano remarked if he had to pick an area he would say it is the pedestrian ways as opposed to the parking lots that would be salted. If the use of de-icing compounds could be limited to that he believes that would be appropriate.

Chairman Tenhave commented if storing snow near the wetland, he would prefer there not be de-icing compounds. Mr. Fabbiano remarked it would be favorable to be stored in a paved area that is tributary towards a basin for water quality. He stated such a note could be added to the plan. He commented having a contractor that is aware of the extent to which they can work the snow around the site and one who is cognizant of the resource areas comes through training.

Chairman Tenhave questioned what would be stored in the new gas tanks, and was informed it would be Helium and Nitrogen (inert gases). When asked to provide additional information on the StormTech Chambers, Mr. Fabbiano explained they operate like any other type of underground recharge system; is an HDPE material, is placed on a stone bed with filter fabric, has availability for maintenance on header pipes, etc. He commented it is almost the same premise as the typical 4 x 4 concrete leaching galley with punch-out holes, but is made out of HDPE pipe. The discharge coming off the new roof (only) comes into a header pipe, and as the water bleeds into the header pipe it goes out and gets discharged left and right on a header pipe and then goes down to the recharge areas. That system will fill up with water and, as the ground underneath cannot accept the water there is an overflow that allows the water to escape out of that area as opposed to backing up towards the building and onto the ground. They are piping underneath there to keep everything nice and clean. It then comes out into a dissipater and gravity flows down towards the wetland system.

The purpose of the recharge was two-fold; 1) assist in managing pre and post flow calculations from a flood standpoint and b) increase water quality where instead of being moved through a pipe directly into a basin or out into the wetland water is recharged and spread out in a more low-impact design manner. One of the largest benefits is that it has sidebar maintenance availability so that sediment can be cleaned out.

Chairman Tenhave stated the recommendations to the Planning Board would include: 1) applicators are Green SnowPro Certified, 2) keep snow storage away from wetland as much as possible, and 3) de-icing compounds limited to pedestrian ways.

### **3. Meridian Land Services – Meridian Land Services (for their clients)**

To present and seek input from the Commission on two different future projects in Merrimack to include the Chestnut Hill development from Old Properties, LLC along Old Blood Road and for a site plan and potential land donation of property located along Tomasian Drive and Amherst Road.

Chairman Tenhave recused himself from the discussion.

***Chairman Tenhave stepped down and Vice Chairman Caron presided.***

Kenneth C. Clinton, President, Meridian Land Services, Inc., stated the Chestnut Hill Sub-division is the 71 lot open space sub-division off of Old Blood Road.

The plan consists of 71 lots. Intended is an access coming off the current cul-de-sac to the North of Madeline Bennett Lane and an access point coming off of Old Blood Road where there was a three-lot sub-division with a hammer head designed. This past fall a fourth lot was added. There are four lots served by a hammer head instead of a cul-de-sac. The secondary or southerly access is to come off via the large loop road, which serves 71 lots. A spur road that heads to the west is a possible future connection.

There are approximately 196 gross acres on the property. What is intended is the creation of four open-space parcels; one is about 5 acres, which is just left over because the new road bisects the property just west of the Old Blood Class VI. The second open space lot wraps around the top half (23 acres). The third is an internal open space lot within the loop (21 acres). The balance of the open space is to the south, which wraps around from the entrance off of Old Blood Road, through all of the south parcels, and then back up to the west (86 acres).

He stated his hope the Commission would be able to relay to the Planning Board they have seen the plan, have touched on it, and believe it to be a reasonable and useful configuration.

With regard to wetland crossings, Mr. Clinton noted inside the property at the very onset coming from the south access, is an old Class VI road, which was recently discontinued. That is where they will have their major crossing to go from the existing Old Blood Road and into the property from the south. The second wetland crossing is a rather narrow crossing. The combined square footage is approximately 10,000 sq. ft., which is the threshold at which NHDES begins talking about mitigation. Generally NHDES looks for a 10/1 ratio of protected upland. In this particular instance that would result in 100,000 sq. ft., which is not a problem when there is an 86 acre open space parcel next to it. He suggested the key to the question might rest with oversight. NHDES generally does not prefer for Towns to oversee the mitigation area. They are happy open space is created, but want another level of protection; third party oversight if possible with a known entity, e.g., Society for the Protection of New Hampshire Forests, Audubon Society, etc.

As part of the project, some level of mitigation will be pursued based on just the internal impacts. It was noted there are four parcels to the west of this property that are owned by a group called the Conservancy Foundation. It is not known if they are an entity that could take another third party oversight. Mr. Clinton noted a Wetland Permit Application would be before the Commission in the next month or two. That permit will identify the exact square footage of all impacts, if mitigation is required, what areas are being looked at for protection through the additional mitigation, and their hopes for who might oversee them.

Offsite improvements have to be done. On Old Blood Road, they are committed to paving all the way from Wilson Hill Road westerly to the bend and then up to the new intersection. East/West on Old Blood Road are about 4 existing culverts. It is believed several are dysfunctional. With any culvert, it is expected there will be wetland on either side; certainly on the inlet side. It is unclear that all have jurisdictional flag wetlands on both sides of the inverts; however, it is his belief there will be 3-4 wetland impacts within the Right-of-Way along the section. Mr. Clinton remarked he has spoken with Kyle Fox, Deputy Director, Public Works Department, and asked if he thought it appropriate, since a Town road, that it would be under a Town application. The consultants would do the design work, complete the permit, have everything ready to go, and then have the Town act as applicant. That may or may not happen. That is another wetland permit that would be associated with the development.

At Madeline Bennett Lane, as you leave the cul-de-sac and head south, there are wetlands that used to cross Old Blood Road (through what appears to have been a ditch), which have been re-routed. That will be another impact. There are a total of 5 road related off-site impacts in addition to the two onsite.

Commissioner Perry noted an area marked as seasonal (last section) is in fact wet all year. Mr. Clinton responded from what he has seen he is unsure it is entirely jurisdictional all year. The flowing of the water makes it jurisdictional where the lack of plant species and the lack of soil conditions would otherwise negate it. He stated the jurisdictional has been flagged and proper permits have to be in place. When the road is brought through it will be fully engineered so that some of the drainage pattern will be changed and treated prior to having it go further downstream.

Mr. Clinton stated, for the purposes of this meeting, it was his hope to provide the Commission a greater sense of future wetland crossings and overall configuration of open space, respond to any questions, and that the Commission would be comfortable sharing with Town staff a simple statement stating the Commission understands the overall approach, and at this time it is satisfactory.

Commissioner Perry questioned the topography of the section to the south (three lots). Vice Chairman Caron stated the area to be wet. Mr. Clinton stated he does not have a breakout of the amount of uplands versus wetlands in any of the wetlands in the open space area. He added he has not walked the area as it is out of the area where they are focusing the design. Vice Chairman Caron commented, having attended the site walk, he is

aware below Lot 4 is standing water; even in the summer months there is ponding in that area. Mr. Clinton remarked when they looked at the overall property from the previous consultant and some of the concepts they had done, they quickly discounted that it should have any development in that area. Not only is it a pretty drastic change between upland and wetland, but the uplands are really steep. The terrain was going to be difficult and it did not make sense to try to approach that southern area.

Mr. Clinton remarked he brought the plan before the Commission as he felt it worthwhile to provide an update. There have been two Planning Board meetings; discussion and preliminary layout, which was a formal hearing where input was provided and indications received the Planning Board was happy with the direction. They have been before the Zoning Board of Adjustment to acquire renewed variances; one to allow a cluster in the zone and one to add 6 additional lots, which was connected to the sewer repair, which has to occur on Baboosic Lake Road for the sub-division to be connected to sewer.

He restated his desire, if believed appropriate, that the Commission would share that a meeting has taken place and questions answered satisfactorily so that they may continue to proceed with the design. Commissioner Perry stated he is pleased the road was moved and good consideration has been given to maximizing the land usage versus impacting the wetlands. Being right in a wetland area he finds it difficult to say it is a great idea. Vice Chairman Caron commented as witness by those who participated in the site walk, the area is a good wildlife corridor.

Mr. Clinton suggested language for consideration: "The Merrimack Conservation Commission has reviewed the Chestnut Hill Sub-division's preliminary layout plans and find them satisfactory with respect to the overall layout and potential wetland impacts. We look forward to the opportunity to review the pending NHDES wetlands permit submission and will forward any additional comments at that time."

Vice Chairman Caron remarked the Commission would likely have an opportunity to revisit the plan prior to the next meeting with the Planning Board. Mr. Clinton responded frequently they don't necessarily present wetland impacts directly to Conservation Commissions; they are generally straightforward and they submit a package, which is provided to the Commission for internal review and comment. He stated he would be happy to return before the Commission when that process is ready to begin. It is within the purview of the Commission to take an advisory role and comment on the wetland permit.

Speaking of the property located along Tomasian Drive and Amherst Road, Mr. Clinton stated the plan to be very much preliminary. The project is a sub-division being proposed at Tax Map 4B, Lot 9-1; 49.5 acres at the corner of Tomasian Drive and Amherst Road. To the west is the Town parcel that was conveyed by the Irelands. It is somewhat diagonal across from the Horse Hill Nature Preserve. The Souhegan River wraps around from the west and along the north side.

All of the base mapping, e.g., survey, topography, wetland flagging, soil testing, etc. has been completed. From there they have a base plan in place. They then look at the overall quality of the land, zoning, etc. to determine the yield of a conventional sub-division. Based on the zone with 100,000 sq. ft. contiguous lots and 250' of frontage, the site yields 20 lots in raw land, but you cannot access all of those 20 lots with the required frontage. The absolute yield drops to 19. Starting at Amherst Road and building four lots in along Tomasian Drive with a proposed road that heads to the west you can then build additional lots and come back around and build four more. Lots 5, 6, 7, 8, and 9 are actually mixed soil lots. Per the regulations, due to the slight soils on the property being in a finger, those lots can qualify as 40,000 sq. ft. lots based on the mixed soil provision in the Ordinance.

The rest of the property is severe soils. Mr. Clinton commented it is pretty unique that you find slight soils. They were all grouped in that one configuration. Each one of the lots meets the required frontage and area, but the design uses all of the property. The entire property is under private ownership, created for lots, and while there may be wetlands in the area, the lot owns through the wetlands up to the property line and up to the Town of Merrimack. Lots 14, 15, and 16 have river frontage along the Souhegan River, which may make them fairly desirable to a buyer. Lot 16 has slopes through wetlands coming down into the flood zone and the river. Nineteen lots on 49 acres is a large impact. It is doable from an engineering and construction standpoint.

Being proposed is a cluster; using that same 19 lot yield. By using a similar location in the road (shortened to approx. 950') and building the smaller lots around it, they end up with open space that starts at the corner of Amherst Street and Tomasian, increases the distance from the Town land to the back of the lot lines, wraps

around with a greater separation, and then protects all of the Souhegan River frontage back down to Mr. Tomasian's house. They then have another section of open space on Tomasian. It creates nearly 28.5 acres of open space (requirement is 50% for an open space sub-division). Utilizing that plan, the property yields the same amount and has a better mix of development and protection.

However, that is not allowed by Ordinance. It is in an R1 zone. A variance is required for a cluster. The Plan has been filed with the Zoning Board of Adjustment and the variance request will appear on its agenda for the meeting on March 26<sup>th</sup>.

Furthermore, although there is MVD water available, sewer is not available. During the testing they inspected test pits on each of the potential lots to verify a suitable 4,000 sq. ft. septic area. The State requirement, with water provided, is 24,000 sq. ft. (lot size). After reconfiguration, the minimum lot size is likely closer to 35,000 sq. ft. Each of the test pits is proven and suited for a leech field design.

Given the benefits of the approach for the protection of the open space it is the Applicant's belief the variance is warranted. Mr. Clinton stated his hope the Commission would endorse such a plan. He commented although the initial design is viable from a conventional standpoint, it is not desirable. It is something that could be done without any variance and by right could be pursued. However, the cluster is the smarter way to go; more efficient use of the land and greater protections.

Mr. Clinton remarked there has been discussion about the ultimate disposition of the open space; whether gifted to the Town, easement, etc. It is not clear yet how that will work, but as open space it would be substantially protected even if not conveyed to the Town in any fashion. Conveyance is something he believes the Applicant wants to consider.

When asked, Mr. Clinton stated his office has created both plans. The original boundary was done by another surveyor in the '80s. That gentleman planned a three-lot sub-division. He is not aware of any previous concepts for the sub-division. When asked if the impetus for the proposed plan was to lessen the impact on the property and gain the protected area, Mr. Clinton commented there are benefits to a developer that there is reduced lineal footage of infrastructure, e.g., roads, utilities, etc. More condensed building means you have less area of clearing and excavation for single lot development, etc. Costs are more controlled in a cluster. When turned over to the Town there are less Town roads and infrastructure to maintain. The tax revenue is not terribly reduced, but the tax to maintenance ratio will drop quite a bit because of the reduction in maintenance.

When asked about soil conditions, Mr. Clinton stated there are five lots that have slight soils. Although in the R1 zone for which a standard lot would be 100,000 sq. ft. contiguous with 250' of frontage, Ordinance 3.02.5 notes on mixed soils if you have 25,000 sq. ft. of the slight soil component you can have the 40,000 sq. ft. lot because of the wetlands. That is allowed by right in the R1 zone as long as soil mapping is completed.

Speaking with regard to the Ireland parcel, Mr. Clinton remarked while conveyed in 2004 he is not aware of any active plan for the parcel at this time. The Deed identifies various restrictions, e.g., cannot be used for athletic fields, no motorized vehicles, etc. It did allow for trails. He stated his belief similar restrictions could be placed on the open space with the same type or level of protection.

Mr. Clinton provided language for consideration: "The Merrimack Conservation Commission has reviewed the Tomasian Drive concepts and supports the cluster variances required to enable an efficient use of the property, which protects the environment and benefits the public." He stated that to be his preferred short statement and acknowledged the Commission could decide what it believes to be reasonable.

Mr. Clinton stated there would be one crossing. In a conventional sense the crossing would be in the vicinity of 1,200 sq. ft. where in the cluster it would be slightly to the south and about 1,750 sq. ft. That is the only wetland impact that would be associated with either concept.

When asked to provide additional information on the septic design, Mr. Clinton responded what he spoke of is a 4,000 sq. ft. box, which is a requirement from NHDES and what they feel any lot should have reserved for not only a designed leech field for a house, but a reserve, secondary replacement field. When designing whether the structure is a 3 or 4 bedroom house, it may be that only ¼ of that area is utilized.

When asked who would make the determination whether open space would be donated to the Town, Mr. Clinton stated the entity developing the property is not the same as the owner. He is of the belief, should the variance be approved, the decision regarding the open space would be made early on in the process. He commented he believes the ownership is secondary and that open space would be protected either way. It is ultimately a matter of who would have more of an oversight or enforcement role and who would pay taxes on it, e.g., it could be 1/19<sup>th</sup> interest of all landowners.

Vice Chairman Caron remarked the cluster configuration keeps all lots out of the wetland buffer. Mr. Clinton stated that to be a good benefit of moving the lot line from the Souhegan River upslope to what is shown for the cluster design. There would be no impacts to Shoreland. It was noted there is an aquifer line and a flood zone line that runs through the area. They have gone from, if a conventional plan, someone owning that river frontage and doing what they may want to do, to moving all private rights back from the Souhegan (over 250').

Vice Chairman Caron questioned the will of the Commission with regard to a recommendation on the site plan for Tomasian Drive. He spoke of the language provided, and questioned whether the Commission was in agreement.

A brief discussion ensued regarding the ability of the Applicant to move forward with a conventional design, which would not require any variances, and the benefits of the cluster design, which is seemingly a better design. Vice Chairman Caron stated his belief the Commission supports the cluster variance required to enable the efficient use of the property, and has reviewed it. Based on that, the suggested language is a factual statement. Commissioner Perry stated a desire to highlight and recognize the fact a larger wetland impact would result. However, it was noted there would be much less of an overall impact as yard space is being pulled out of the Souhegan River.

***The Commission stated agreement with the suggested language along with a statement recognizing cluster zoning has a direct impact on a larger piece of the wetlands, but makes the overall project a much smaller impact on the property.***

***Vice Chairman Caron stepped down and Chairman Tenhave presided.***

It was suggested the Commission place the Chestnut Hill development on a future agenda once in receipt of the wetland permit.

***There being no objection, the Commission recessed at 8:10 p.m.  
The Commission reconvened at 8:15 p.m.***

#### OLD BUSINESS

##### **1. Grater Woods and other Signage**

Commission to discuss sign pricing information and make a recommendation on what signage to purchase for Grater Woods and our other properties.

Vice Chairman Caron commented during its March 3<sup>rd</sup> meeting, the Commission stated a desire for a revised bid, based on specified criteria, from Classic Signs, Inc. out of Amherst, NH. The revised bid has been provided (copy attached).

Vice Chairman Caron commented the shape designs come in at roughly \$1.35/shape (if adding set-up charge and cost of routing per sheet). A sheet of the squares yields approximately 171 signs. It is possible the yellow rectangle would yield less as it is a larger shape.

Commissioner Perry asked for clarification the printed signs are made up of a laminate core material, and was informed that is the case. They are single-sided signs with two holes centered top and bottom. The others are flexible PVC vinyl type (no hole; designed for single nail in center). When asked why the yellow signage is slightly larger, Vice Chairman Caron responded it is to fit the shape (based on Stewardship Plan). Commissioner Perry spoke to the desire for different shapes as well as colors so that the signs are easily distinguishable to those who may not see colors. Vice Chairman Caron noted the 4" white square is more for the Horse Hill Nature Preserve (HHNP) than for Grater Woods. White is not included in the Grater Woods Stewardship Plan. It is what the loop



trail at HHNP is marked with. Commissioner Perry stated his impression the intent is that these should become the basic standardized signage for all trails going forward.

Vice Chairman Caron remarked at the last HHNP sub-committee meeting a discussion took place around going towards something like this, but always keeping the loop trail marked with the white diamond.

8"x 8" Single Sided Signs (with [2] holes centered top and bottom):

***The Commission reached consensus to order the following:***

NO Motorized Wheeled Vehicles; 50 @ \$8.40 each for a total cost of \$420.00

NO Motorized Vehicles; 50 @ \$8.40 each for a total cost of \$420.00

Private Property BEYOND THIS POINT; 25 @ \$10.25 each for a total cost of \$256.25

*It was noted the language included in the quote did not match the proof. As depicted in the proof, the wording should read "Private Property BEYOND THIS POINT" and should be yellow background with black text.*

PVC Shapes:

Vice Chairman Caron informed the Commission of a request made by the HHNP Sub-Committee for three (3) sheets of white squares (would result in 510 white squares at a cost of \$501 plus the one-time set-up charge of \$60).

The question was raised of whether the one-time set-up charge is truly a one-time charge and not one that occurs with each order placed.

A brief discussion ensued regarding the use of blue triangles in areas other than Class B trails. Vice Chairman Caron noted at the HHNP the blue is a secondary trail, e.g., Quarry Trail. Chairman Tenhave stated there to be a need to be careful about identifying trails as B trails. It was suggested a Town wide definition should be utilized. Vice Chairman Caron noted it is currently marked with a blue triangle. Chairman Tenhave commented he has witnessed blue paint markings utilized. He commented on the need to change the standard at the HHNP and make a decision as to when that will occur. He suggested the sub-committee be asked to reconsider signage giving consideration to the standard the Commission is looking to set. Vice Chairman Caron remarked, when the question was last asked the response was a question of why the standard did not follow the very successful example that was set at the HHNP. Chairman Tenhave commended he remembers the discussion. The standard was for white and blue was used for off-shoot trails.

Category A trail; a question was raised of confusion that could be generated by yellow signage for Class A trails in conjunction with the restrictive signage having yellow backgrounds. Several suggestions were made for ways in which the Stewardship Plan could be amended to delineate different colors for some of the trails in order to avoid any confusion. Chairman Tenhave was of the opinion there would not be confusion as the yellow used in the Category A trail signs would not be an exact color match to the restrictive signage (different material/size). It was suggested the size could be altered to a 3" x 4", which would also result in a greater number of signs per sheet. Vice Chairman Caron noted these signs would be used for the largest trails (users further off beaten path), which is why the decision was made to go with a 5" x 4".

***The Commission reached consensus to order the following:***

Blue Triangle; 4 sheets at a total cost of \$728.00

White Square; 4 sheets at a total cost of \$728.00

Yellow Rectangle; 2 sheets at a total cost of \$394.00

Red Circle; 2 sheets at a total cost of \$394.00

Orange Square; 2 sheets at a total cost of \$394.00

The total purchase order cost would be \$3,734.25 (perhaps \$60 less given two of the set-ups are for square shapes).

**MOTION MADE BY COMMISSIONER CARON TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED THREE THOUSAND SEVEN HUNDRED THIRTY FOUR DOLLARS AND TWENTY FIVE CENTS (\$3,734.25) FOR THE PURCHASE OF SIGNAGE AS IDENTIFIED. FUNDS ARE AVAILABLE IN FUND 53  
MOTION SECONDED BY COMMISSIONER PERRY**

ON THE QUESTION

Commissioner Lehman stated a concern with the quantity of signs on the trails. Chairman Tenhave noted a pattern has not yet been determined as to the number of signs on the various trails. Commissioner Lehman stated a concern the area would be flooded with signage identifying the types and path of trails. He stated his belief users of the property are familiar with the trails and signage of that type should be minimal. The key areas for signage are those where certain activities are prohibited. He used the HHNP and the number of requested white squares as an example. Vice Chairman Caron stated the need for intersections to be well marked. He provided examples of the numerous intersections where signage would be heavier than other areas. Commissioner Thomson commented on the fall season when everything is covered. Vice Chairman Caron added, in the snow, if nobody has been out there, the trails are not as easily delineated. Commissioner Perry spoke of the instances where the Commission has adjourned a meeting to assist individuals who became lost on the trails. It was noted care would be given to identifying sign placement.

**MOTION CARRIED**

**6-0-0**

**MOTION MADE BY COMMISSIONER TENHAVE TO AUTHORIZE VICE CHAIRMAN CARON TO SIGN FOR APPROVAL OF THE SIGN DESIGN**

**MOTION SECONDED BY COMMISSIONER PERRY**

**MOTION CARRIED**

**6-0-0**

*Given the lateness of the hour, the Commission agreed, by consensus, to table the remaining items. Items not addressed will be included on the agenda for the Commission's next regularly scheduled meeting.*

**2. Grater Woods – Emergency Lane and Gates along South Grater Road**

Commission to discuss where we are with installing gates per the Grater Woods Stewardship Plan and the creation of an emergency lane. Discussion to include location and timeline along with some options that have come to light.

**3. Gateway Trail Stabilization Project**

Commission to discuss the direction we will want to take related to the project we put on hold late last fall.

NEW BUSINESS

**1. Collaboration with the School District**

Commission to discuss having a joint meeting with the Merrimack School Board to discuss our common interests related to Grater Woods, Wildcat Falls Conservation Area and other areas where we can cooperate for the enrichment of Merrimack.

OTHER BUSINESS

- Blandings Turtle study update
- NRPC GIS and Trail work
- Beaver Management Study update
- Presentation on Pennichuck Brook Watershed Restoration efforts

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. . . . . March 3, 2014

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Caron expressed his gratitude towards a group from the Horse Hill White Pine Swamp area, led by Harry Watt, who installed four new wood duck boxes and repaired several existing boxes.

Commissioner Perry informed the Commission he met with the U.S. Forestry Service, reviewed beaver locations in Town, and walked through a few areas. While they have offered to provide assistance, there are financial issues that may need to be worked out before that can come to fruition. He suggested it would be worthwhile for the Commission to move forward with the plan of getting a management plan drafted. Although the Forestry Service has been very helpful, this project is not a priority for them.

Chairman Tenhave remarked the Commission was looking to other entities to assist in managing beaver and achieving cost savings. He agreed with the need to move forward with the Request for Quote (RFQ). Commissioner Perry will continue work on that, and inform the Commission when the RFQ is posted.

Chairman Tenhave informed the Commission of receipt of the latest version of Town & City, which is available for review. He spoke of the Supply Lines and The Source; newsletters of the NHDES Drinking Water and Groundwater Bureau and a survey request, and stated his intent to complete the survey and provide Commissioners with a copy.

Chairman Tenhave reminded the Commission in the month of July the Commission would conduct its annual meeting during which it will take up any proposed changes to the By-Laws and hold elections for the offices of Chairperson and Vice-Chairperson. He stated he would no longer be Chairman after the July timeframe.

ADJOURNMENT

**MOTION BY COMMISSIONER CARON TO ADJOURN**  
**MOTION SECONDED BY COMMISSIONER THOMSON**  
**MOTION CARRIED**  
**6-0-0**

*The March 17, 2014 meeting of the Merrimack Conservation Commission was adjourned at 9:03 p.m.*

Submitted by Dawn MacMillan