

MERRIMACK CONSERVATION COMMISSION

APRIL 15, 2013

MEETING MINUTES

A meeting of the Merrimack Conservation Commission was held on Monday, April 15, 2013 at 6:36 p.m. at the Merrimack Memorial Conference Room.

Chairman Tim Tenhave presided:

Members of the Commission Present: Ron Davies
Gage Perry
Simon Thomson
Eber Currier, Alternate

Members of the Commission Absent: Matt Caron, Vice Chairman
Thomas Lehman
Robert Croatti, Alternate Member
Councilor Thomas Mahon

Also in Attendance: Katherine Weiss, Bedford Design Consultants
Robert Baskerville, Bedford Design Consultants

Chairman Tenhave appointed Alternate Member Currier to serve as a voting member in the absence of Vice Chairman Caron.

Chairman Tenhave informed the Commission the version (H) of the Grater Woods Stewardship Plan finalized at the Commission's last meeting, has been forwarded on to the Town Council. It is believed its review will be included on the agenda for the Council's meeting of April 25, 2013.

The Commission observed a moment of silence for the victims, families of the victims, emergency responders, and all affected by the bombings at the Boston Marathon.

PUBLIC COMMENT - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS

1. XTL, Inc. (Applicant) and Sam A. Tamposi, Harold Watson, Benjamin M. Bosowski, and Jeffery and Jessica Clegg (owners)

Commission to review a site plan application for a proposed warehouse facility at Mast Road, Tax Map 2D Lot 021, which lies within the Aquifer Conservation District.

Katherine Weiss, Bedford Design Consultants, remarked the project was initially before the Planning Board seeking approval to sub-divide a parcel owned by the Clegg's into two parcels of nearly equal size. She identified the parcel in question (east) on a map and spoke of its proximity to the Boston and Maine Railroad, the Sewerage Treatment Plant, and Anheuser Busch property. She noted the existence of an access easement and the intent to incorporate a driveway (western parcel), which will allow for access.

She provided aerial photographs noting all trees were removed some time ago and what exists today is low growth. She pointed out the location of a trail that runs along the inside of the lot. She identified the areas which would be utilized for trailer storage, parking for the cabs of trucks as well as employee parking, and the high-cube automated warehouse building itself (183,000 sq. ft.). She informed the Commission, with this type of warehouse facility, only the front portion is occupied by employees. The back is comprised completely of computers that move items around and place items in slots.

Access to the property will be through the access drive, which will be equipped with a motorized gate. Employees will be provided a gate key. All visitors to the site would be required to utilize intercom system to gain access.

Fencing surrounds the perimeter of the property. Fire access is available around the back of the parcel, which also has room for a future railroad stop (not yet permitted).

When asked what would be stored in the facility, Ms. Weiss stated the warehouse is being constructed for the Liquor Commission; therefore would serve for the storage of liquor. Robert Baskerville, Bedford Design Consultants, informed the Commission the State Liquor Commission put out a Request for Proposal (RFP) for one large warehouse to handle all of the incoming liquor for the entire State. He stated his belief there were five (5) responses of which the second to lowest bidder was chosen. This has resulted in a lawsuit. The parcel in question was purchased by the lowest bidder as the result of the level of confidence in the lawsuit being successful. The land has been purchased and the desire is to move forward with all engineering and permitting.

Mr. Baskerville stated deliveries would likely be made either via the railroad or large trucks. There are approximately 79 liquor stores within the State, which would suggest medium sized box trucks would be used to make daily deliveries to the individual stores.

Commissioner Currier questioned whether the infrastructure would be constructed regardless of whether or not the lawsuit is successful. Mr. Baskerville responded the Applicant purchased the property and determined he would construct a distribution center regardless. If not for the initial intended purpose, he would likely seek to reconfigure the size of the building. He added part of the RFP for the State was that the winning bidder had to prove they were ready, e.g., had to have a site chosen, design done, permitting in process, etc., and the main argument for the lawsuit is the eventual winning bidder did not have a site chosen on the day of the submittal. The State did an addendum to the RFP 60 days later stating that to be acceptable and chose the second lowest bidder even though at an increase cost of \$5 million/year. The argument is the chosen bidder should have been rejected on day one for not meeting the requirements of the RFP. He noted his remarks are based upon what he himself has read in newspaper.

Commissioner Currier questioned, if successful in winning the bid, would the railroad spur be needed, and was informed they very much want the spur for deliveries. Mr. Baskerville remarked the Applicant currently provides services for the entire State of Pennsylvania and wants deliveries coming up on the railroad to reduce truck traffic. Commissioner Currier commented he does not believe it is currently brought into the State on rail. Mr. Baskerville agreed it is not. He stated the Applicant has already had discussions with the railroad and has verbal agreements for the railroad spur. He would like incoming deliveries to be via rail as he believes it to be cost effective.

Ms. Weiss noted the property has on it a 20' water easement. Underneath the area is a dry line used in emergencies to grab water from the Merrimack River. The project would pave over the area, which is allowed; however, no construction would take place in the area (also within building setback). There is also a 40' sewer easement along the front, which is simply retained in case a sewer is ever installed along the road. The access easement is also a slope and drainage easement, and although it appears as though grading is proposed within the wetland, that is not the case.

The parcel is zoned industrial with a cul-de-sac at the end. Septic is half under the parking lot and half into the grassy area, and is large enough to accommodate the anticipated 19 employees. The property is equipped with a leach field and a bioseptic system. The road is pitched entirely towards the property; therefore, all of the water from the road flows onto the property into the sediment forebays, detention areas, infiltration basins, etc. An Alteration of Terrain Permit has been submitted.

Mr. Baskerville noted wetlands were flagged by Peter Shower last fall. There are no wetlands or floodplain on the parcel being discussed. He informed the Commission he met with the sewer department regarding the septic system as he has never before worked on a septic system so close to a sewerage treatment plant. The lines that go into the plant do not enter by the railroad but rather by the river. By the time they get back up to the railroad line they are either way over behind Anheuser Busch, which would require a very long extension on their line or past the property on the other side of Mast Road, which would require going under a very deep ravine. Even the Sewer Department said don't even try. Due to the type of facility and the limited number of employees anticipated, the proposed septic system is not much larger than what would be utilized for a single-family residence. Mr. Baskerville explained further, per the contract, the facility has to be able to operate 24 hours/day, but only 5 days/week. They plan to work from 8:00 a.m. to 5:00 p.m.; however, have to be prepared to accommodate special deliveries in the middle of the night if required, e.g., 4th of July. He stated his belief there is not much expected outside of normal working hours.

Commissioner Perry questioned whether the ponds identified (numbered) were underground or exposed. Ms. Weiss pointed out the ones open to the air and explained there are openings along the curb lines and water flows into the sediment forebay and over into the infiltration basin. From there, it flows into the underground drainage areas where it is detained (because of the amount of water). They have infiltrated the water required to be infiltrated for Alteration of Terrain (1" storm), and the remaining water is held and comes out over the road to a treatment swale and back out into the wetlands.

Mr. Baskerville stated, per State regulations for Alteration of Terrain, a lot of different treatments have to take place; everything first has to be caught in a forebay where large sand/rocks would be trapped, then another open-air pond is needed to allow for some infiltration. One has been changed slightly into a bio-retention pond. The open air ponds are to clean the runoff, but don't necessarily completely detain it. The underground units detain it to a flow that releases at the same rate as today. Ms. Weiss added when the water in the infiltration area it gets to a certain point where it overflows into the underground areas.

Mr. Baskerville stated the entire parking area is very flat, will be south facing, which will provide for maximum passive use of the sun to melt snow, ice, etc. He stated his belief they have done everything possible to utilize the direction of the sun for stormwater treatment. He stated an expectation they would receive Alteration of Terrain approval within the next 1-2 weeks. He remarked, as part of the process for the Alteration of Terrain permit they are required to check for endangered species. Being it is along the Merrimack it comes up with 5-6 hits. A letter was sent to Kim Tuttle, Wildlife Biologist, New Hampshire Fish & Game who basically provided an all clear letter to the State to accompany the permit application.

Commissioner Currier spoke of the opposite side of the sub-division and commented it is likely; the Applicant will have to address beaver issues at some point in time. He touched upon the size of the building, which has a flat roof, and noted it all drains into the treatment areas. Ms. Weiss stated the runoff does not have to be pre-treated, but has to be treated per regulations. Treatment occurs through a few basins and then travels under the cul-de-sac and out. Commissioner Currier stated he had believed it would go into the underground storage system, and was told some does (front part of building). It was noted there are two rooflines; high cube roofline and regular roof line (35').

When asked about landscaping, Ms. Weiss explained some street trees would be placed in front and the bio-detention area has an associated cost of approximately \$20,000 for plantings alone.

Chairman Tenhave questioned how spillage would be addressed. Mr. Baskerville stated his understanding there would be an extensive plan for that as is the case for fire protection. He noted information such as water pressures, flows, pipelines, etc. has already been forwarded to the fire protection engineer. When asked, Ms. Weiss stated she was unsure whether there would be interior floor drains. Mr. Baskerville stated they do not anticipate any exterior floor drains and have not included any in the plans. He reiterated there is no processing, just storage. The only way liquids should be present would be as a result of breakage.

When asked if less or similar flow is anticipated to the other parcel, Ms. Weiss responded, in all storm events, the flow is less than previous. She clarified, in volume, at time of storm, it is less; however, over time it will still slowly let out the same amount of water with the exception of what is infiltrated, e.g., the 1" storm will be infiltrated and everything else will slowly go back to the other side. Mr. Baskerville added a 1" storm would be completely infiltrated, and large storms can't have a peak flow any larger than would have been the case previously.

When asked if the rail spur would be new, Mr. Baskerville stated it would. When asked if the intent of the cul-de-sac road is to allow access further north, Mr. Baskerville responded, according to the sub-division plan, it will end there. There is no intent to extend it; it is simply access for both parcels.

Commissioner Perry spoke of the language the Commission requests be placed on approval; the applicant minimize the use of ice-melting salts through the use of sand and/or by contracting with an applicator who has been trained in NHDES salt reduction Best Management Practices (BMPs). Chairman Tenhave spoke of the importance of the abutting wetland area and noted salt is an issue the Commission is keenly aware of.

Mr. Baskerville reiterated they have a south-facing parking lot and docks along with a very flat site, and, therefore, should be able to minimize salt use. He added he has been informed by the Applicant the project will comply with any regulations the Town imposes.

When asked about the plan for exterior lighting, Ms. Weiss stated there to be security lighting along the building (wall packs) and poles along the exterior portion that face in towards the parking lot. When asked, Mr. Baskerville stated his understanding there would be interior and exterior cameras.

When asked if the trucks would be cleaned onsite, Mr. Baskerville stated that discussion has not yet taken place. Chairman Tenhave stated the preference for cleaning to be done offsite to avoid runoff being washed into the parking lot. Mr. Baskerville stated he would make the Applicant aware of the concern.

It was the consensus of the Commission to recommend a stipulation be placed upon project approval that the use of de-icing compounds be minimized, applicators are Green SnowPro Certified, and that washing of vehicles occur offsite.

OLD BUSINESS

1. Parking Area at Wildcat Falls

Commission to review and potentially approve some small forestry work near the parking lot, a fence proposal, and potentially some plantings as well.

Chairman Tenhave noted a number of discussions around plantings occurred last year. Late in the year the Public Works Department was asked to look at planned events in the area. The Forester, Dan Cyr, has provided his recommendation in the form of a letter to the Commission. In essence, his letter states his belief fencing along with some plantings to be an appropriate solution. He was also asked to look at some leaning (dead) trees the Commission has concerns with. As a result, he has identified and marked three (3) trees that need to be addressed.

Chairman Tenhave noted employees of the Public Works Department (PWD) would likely be doing the fencing work during overtime hours. He stated the last quote to be around \$1,500; however, that accounted for the fence to be closer to the parking area where the desire would be for it to be closer to the lot line and further into the woods. When speaking with the PWD, he was informed it would likely take longer to perform the project in that manner as it would be more difficult to get the mechanized machinery into the area, e.g., would likely have to move stumps and/or tree pieces. He stated the desire to be to encourage growth that has begun to continue, therefore, it is important not to disturb the smaller trees. He noted he does not believe the cost will change considerably.

Commissioner Currier questioned whether the neighbors would be happy with the stockade fencing. Chairman Tenhave responded it is not the preferred solution. Commissioner Davies questioned what other solution the neighbors would desire. Chairman Tenhave explained a solution discussed earlier, with the neighbors, was planting numerous mature trees. Commissioner Currier commented the area is a wildlife habitat/open space, which does not seem to be an appropriate area for a stockade fence. He remarked the purpose of a stockade fence is to eliminate the shining of headlights from vehicles. He stated his desire to be assured the neighbors would be happy with a stockade fence as opposed to the tree planting; acknowledging tree planting would come at an additional cost. Chairman Tenhave stated the cost to be approximately \$20,000 as opposed to \$1,500 - \$4,000 depending on what plantings are used to augment the fencing. Commissioner Currier suggested the neighbors should be informed of the Commission's feelings on the matter, e.g., stockade fencing. He went on to suggest, if the neighbors would prefer tree planting, they be required to put forth the additional cost. Chairman Tenhave informed the Commission he has discussed this with the neighbors, and the response he received was not "no don't do it" but rather "it is not the preferred solution".

Commissioner Perry remarked it is important to recognize the amount of growth that has occurred in the area in one year's time. He also noted the area is well blocked during the summer months and only when the foliage is not present is there an issue. He stated his opinion expending \$20,000 on trees is not the best approach, that an unpainted fence will blend in, and after 10-15 years will rot and fall apart exposing the tree growth. Commissioner Currier commented in 30 years you have mature trees and after 6 years you have a good size tree. Commissioner Thomson stated his agreement.

Chairman Tenhave spoke of Mr. Cyr's suggested plantings; flowering crab apples, mountain ash, and high bush cranberry. In his communication, Mr. Cyr also suggested the Commission could look into the possibility of applying for a small game grant of up to \$2,000 available from the New Hampshire Fish & Game for these fruit bearing trees. Chairman Tenhave commented part of that is to create some trees that will provide the aesthetic

appeal of flowering as well as fruit for wildlife. He remarked it was part of the original planting plan; to have a few trees that would be visually appealing. Commissioner Currier remarked a deciduous tree drops its leaves in the winter where a Conifer cannot be seen through year round. Chairman Tenhave questioned the will of the Commission in authorizing the expenditure of up to \$4,000 for the construction of the fencing and appropriate plantings. Chairman Tenhave stated, if the Commission authorized the expenditure, he could move forward with the project, e.g., speak with local nurseries, follow normal Town purchasing policy, etc. to get the plantings in place in a timely manner to ensure they are properly maintained in the first year to make it a viable option. Commissioner Currier noted two local nurseries have provided quotes, which are inclusive of the necessary maintenance.

MOTION BY COMMISSIONER TENHAVE TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT UP TO FOUR THOUSAND DOLLARS (\$4,000) FROM THE CONSERVATION FUND (FUND 51)

MOTION SECONDED BY MEMBER PERRY

MOTION CARRIED

5/0/0

2. Commission Finances – Vision, Plan

Commission to continue the discussion by working through and potentially creating a Vision statement in regards to the Commission's finances. Potential items to include in a Plan may also be discussed.

Chairman Tenhave remarked the prior discussion of a vision may have been misinterpreted to mean an overall vision for the Commission. He clarified his desire was for Commissioners to provide suggestions for a vision of how to manage the available funding sources. A vision could be identified as a few general statements, which could be followed by what is necessary to be accomplished to achieve those items and what the financial impact would be. He also asked that consideration be given separately to short-term and long-term goals. He noted there could be instances where an opportunity could come along, e.g., a particular parcel becomes available for purchase, etc., that is not specifically identified within the plan, but fits within the overall vision, and the Commission would want have that generalized vision to allow for forward movement without question.

Commissioner Thomson remarked he pictured having an overall vision of the role of the Commission and that the other areas would be identified under mission statements and then broken down further. Commissioner Currier stated his desire for the Commission to continue to finance participation in the New Hampshire Lay Lakes Monitoring Program (LLMP), the New Hampshire Association of Conservation Commissions, continuation of funding of scholarships (school summer camps), contributions to the Souhegan Watershed Association and the Merrimack River Watershed Council for water quality monitoring along the Souhegan and Merrimack Rivers, the annual seedlings giveaway, and attendance, by Commissioners, at the various seminars. He suggested the Commission continue with past practice(s) and that ideas be brought forward for additional endeavors. Chairman Tenhave agreed, and stated most of the items cited are funded through the operating budget, and the decisions to be made are how to appropriate other funds under the authority of the Commission.

Chairman Tenhave commented the Town's website identifies the goals and mission of the Commission, which he assumed everyone was in agreement with. It was his desire for suggestions/recommendations to be brought forward identifying ways to go about achieving those goals and possible associated costs. He questioned the will of the Commission with regard to reviewing the stated goals and mission. Commissioner Davies responded, as a new member, he would appreciate the opportunity for review.

Commissioner Thomson questioned the LCIP Review; specifically the meaning of the acronym. Chairman Tenhave stated it to be the predecessor to LCHIP. Commissioner Currier stated it to be the Land Conservation Investment Program. Commissioner Currier noted a great deal of the land the Commission acquired, in the past, was through donation of wetlands, which property owners did not wish to pay taxes on. Some of the parcels purchased by the Commission are; Grater Woods, Wildcat Falls, and Wasserman Park. He spoke of LCHIP funds that assisted in the ability to purchase the parcels. Chairman Tenhave noted the acceptance of those funds placed certain responsibilities upon the Commission.

The following is what is listed on the Town's website:

"The Merrimack Conservation Commission (MCC) was established to assist in protecting the natural resources of the municipality. The Commission advises and makes recommendations for the protection, development and utilization of local natural resources and open space.

The Commission's goal is to ensure proper utilization and protection of Merrimack's natural resources.

CURRENT GOALS:

1. To establish land management plans for town owned land,
2. Increase land acquisition for the protection of open space and natural resources,
3. Inventory primary wetlands,
4. Create buffer zones for protection of wetlands and
5. Increase community education and outreach programs.

The MCC meets on the 1st and 3rd Monday of each month, at 6:30 p.m. in the Merrimack Memorial Conference Room. Meetings are aired on Merrimack Cable T.V. Channel 23. The Merrimack Conservation Commission (MCC) is comprised of 7 full time commission member positions and 3 alternate member positions. The Commission serves as a focal point of the town regarding environmental concerns and advises the state on permit applications for dredge and fill activity. In addition, the Commission conducts workshops, seminars, manages land owned by the Town and monitors specific projects....."

Commissioner Thomson suggested the first paragraph or some version thereof, could be the actual vision statement followed by an expansion of the goals as mission statements to fall into the overall vision. Chairman Tenhave stated reiterated his desire to identify how finances would be managed in agreement with the overall vision. He was looking to break that up into two sections; general statements followed by specific actions to be focused on.

Commissioner Perry questioned whether the Commission has an official Charter that identifies specific roles and responsibilities. Commissioner Currier stated his belief it does, per RSA 36-A. Commissioner Perry suggested, in addition to what is listed on the website, the Commission has certain powers relative to the acceptance of gifts, expenditure of funds, etc. (RSA 36-A:4 and 36-A:4-a), and recommended State RSA be referred to on the website. Chairman Tenhave noted the Town Charter speaks to the establishment of the Conservation Commission in accordance with RSA 36-A.

Chairman Tenhave stated he would re-structure some of the information listed on the Town's website, e.g., the last few sentences would be incorporated into the first paragraph. Commissioner Currier suggested if aware of open space that would have a positive impact on the Town, if acquired, Commissioners should bring such information forward for discussion. He suggested properties such as the Hazen property on Wilson Hill Road would serve the Town well to be kept as open space with river frontage. He stated discussions had begun at one time and stalled; however, could be looked into again.

Chairman Tenhave stated a strong desire for the Commission as a whole to drive the process; however, offered his thoughts that once a vision is agreed upon that identifies goals to be achieved and ranking, the Commission could start identifying means of achieving those goals. As an example, he suggested were the number one priority be identified as increase land acquisition, the Commission would need to determine how to best move forward, and noted some of those discussions may or not be appropriate in a public setting. Chairman Tenhave remarked the items he thought could set the stage for the finances moving forward to be:

- Strategically expand conservation property in Town where we can build upon current holdings or protect important water or wildlife resources.

Commissioner Thomson commented it makes sense to make attempts to acquire land that would provide for contiguous conservation space as well as those random parcels that have high conservation value, e.g., wildlife habitat, wetlands, etc.

- Maintain current and provide for expanded recreational opportunities on current and future conservation properties.

Chairman Tenhave remarked Grater Woods is a great example as the desire for trail work, etc. is known; however, there may be another property where the only desire is to maintain. Commissioner Currier questioned whether the Commission should be working more closely with the Parks & Recreation Department. Chairman Tenhave agreed the Commission should and noted some of that coordination has been happening informally. He suggested Wasserman Park as an example of where a stronger relationship needs to be forged as the two parcels are side by side. He remarked if determined to be the number one priority, focus would be placed on meeting with the Parks & Recreation Committee over the next year or two.

- Utilize current and future technologies to educate and expand information opportunities about our conservation properties.

- Update Forestry Plans, maps, and files to have a consistent and comprehensive documentation set for all properties.

Commissioner Perry suggested a standard could be set for future Commissions with regard to documentation including documenting the history of each parcel, e.g., how and when acquired, associated requirements, etc. Chairman Tenhave suggested the Commission might consider hiring an intern to get the documentation to what is deemed an appropriate level.

Chairman Tenhave stated his belief the four recommended goals cover the spectrum of the vision; however, reiterated his desire for all members to come to agreement on the goals set forth.

Commissioner **Perry stated a desire to identify and initiate additional programs to get the student population outdoors.** He remarked, although some take advantage, not enough students in the Biology Program at the High School visit the wetland (pond) located behind their facility or the river located nearby. The Middle School utilizes the Outdoor Classroom, but that is the extent of the outdoor activity. **The Commission was in agreement with identifying that as a goal.** Commissioner Perry stated there to be the availability for introducing environmental training into the classrooms and curriculum based activities based on environmental studies. Commissioner Currier commented there might be the opportunity to bring a class to a forestry seminar or to bring an educator into the classroom. Commissioner Perry spoke of the woman who comes into the schools "Owl Lady" and the level of excitement that generates from students and parents alike.

Chairman Tenhave questioned the will of the Commission with regard to direction moving forward. Commissioner Thomson stated he is pleased with each and every one of the ideas brought forward and believes them to be equally important. He suggested the Commission could work toward identifying specific action items for each at its next meeting.

It was the consensus of the Commission to accept the five areas identified as the goals to be accomplished and, at its next meeting, to work towards outlining specific tasks to accomplish each.

NEW BUSINESS

1. Wasserman Conservation Area annual LCIP review

Annually the Commission needs to walk the property and complete an evaluation of the property for the State of NH. This is a requirement from the LCIP grant used to purchase the property. Commission to decide on a date to do this review and members to participate.

Chairman Tenhave remarked Commissioner Currier has been performing this function on a regular basis. He stated there to be manuals put together and provided by a representative of the State, which speak to the different properties different towns have ownership of/responsibility for. The manual provides a general description of the property, topography map, Deed, and information on how the property was purchased as well as a document identifying restrictions and rules for the property the prior owners (Wasserman) wished to ensure stayed with the property in perpetuity. A requirement of the grant used to purchase the property is that the Commission walk the property annually and report back to the State on its condition. The manual provides a checklist of what needs to occur during the site walk. It was noted the information can be forwarded to the State electronically (online).

The Commission determined the Wasserman Conservation Area Annual LCIP Review would take place on Sunday, May 5, 2013 between the hours of 1:00 - 4:00 p.m.

Chairman Tenhave suggested the group participating be equipped with the necessary paperwork, which he will gather, a camera, and a GPS.

OTHER BUSINESS

The Annual Seedlings Giveaway will be conducted on Saturday, May 4th between the hours of 9:00 - 11:00 a.m. Commissioner Perry stated he would likely be available to assist in the early morning. Chairman Tenhave noted Councilor Mahon has stated his intent to volunteer. Chairman Tenhave stated the Commission would ensure at least one additional volunteer is present to assist Commissioner Currier. Chairman Tenhave stated he would

contact local media as well as post the event on the Commission's website. Chairman Tenhave commented should Commissioner Currier incur any expenses associated with the event, he should seek reimbursement.

Chairman Tenhave spoke of the grand opening of the Greater Nashua Habitat for Humanity ReStore, which took place the prior weekend. ReStore is a discount home improvement center selling donated building materials, appliances, and home furnishings at reduced prices to the general public. All of the profits support Greater Nashua Habitat for Humanity.

Chairman Tenhave noted receipt of a letter from NHDES stating the Alteration of Terrain Permit for the Manchester Street Bridge Project has been approved. When asked when the project would commence, he noted Kyle Fox, Deputy Director of Public Works has informed him there remain holdups in Nashua. He spoke of a newspaper article in which Nashua's Mayor suggested Merrimack was holding up the process. However, all funding, plans, and permits are in place for Merrimack, which is not the case for Nashua. He stated, although initially stating the City's mitigation would be in the form of a monetary contribution to the Aquatic Resource Mitigation Fund, Nashua's Mayor has indicated the City may instead be interested in conducting a mitigation project.

Chairman Tenhave spoke of receipt of Forest Notes, a publication of the Society for the Protection of New Hampshire Forests, and offered to make it available to any Commissioner interested in reviewing it.

Chairman Tenhave reiterated the Grater Woods Stewardship Plan (Plan) has been forwarded along to the Town Council, and will be taken up at the Council's April 25th meeting. He informed the Commission he had intended to provide a five-slide presentation noting the Plan's history and highlights; however, has a personal conflict that evening. Discussion with Councilor Mahon leads him to believe the Council will likely wish to conduct a Public Hearing on the Plan, which would provide an opportunity for further discussion. Vice Chairman Caron and Commissioner Perry will be present at the meeting on the 25th.

Chairman Tenhave informed the Commission of an e-mail received regarding a group wishing to utilize the Horse Hill Nature Preserve to conduct a Frisbee Golf game, which is played in the woods. The group was present at last week's meeting of the Horse Hill Nature Preserve Sub-Committee. Chairman Tenhave stated his belief the sub-committee and the group were unable to identify an appropriate location, but believe there may be one at Grater Woods. The group may wish to come before the Commission or the Grater Woods Sub-Committee to discuss the possibility.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. April 1, 2013

The following amendments were offered:

Page 1; Alternate member Croatti should be listed as absent

Page 1, Line 52; remove the word "of" in the parenthesis

Page 1, Line 53; replaced the word "stage" with the word "staged"

Page 1, Line 58; replace the word "current" with the word "currently"

Page 6, Line 22; replace the words "conservation LLCs" with the words "parcels owned by Conservation LLC"

Page 6, Line 25; the words "(55 acres)" should be relocated to appear after the words "owned by the State"

Page 6, Line 44; replace the word "new" with the word "none"

Page 7; Line 26; replace the word "on" with the words "next to"

MOTION BY COMMISSIONER TENHAVE TO ACCEPT AS AMENDED

MOTION SECONDED BY COMMISSIONER PERRY

MOTION CARRIED

5/0/0

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Davies remarked he had spoken, at the last meeting, of concerns raised regarding a dead tree in the cul-de-sac of Beebe Lane. The tree has been taken down although remains in the area. He touched upon

the discussion around the possibility of utilizing the tree for a bridge. Commissioner Davies remarked, if not the intent, he could contact a neighbor of his who would likely be glad to remove the tree for use as firewood. Chairman Tenhave stated Vice Chairman Caron informed him the tree had been taken down and of a Scout who may wish to use it to construct a bridge. Commissioner Perry noted a Hemlock log from the initial cutting that took place in Grater Woods was left behind (flat on one side), which may be usable.

Commissioner Currier noted when the Horse Hill Nature Preserve was purchased Ms. Debra Huffman was the driving force behind the purchase, commented she has received no recognition for her efforts, and suggested a future trail be named in her honor.

ADJOURNMENT

MOTION BY COMMISSIONER PERRY TO ADJOURN
MOTION SECONDED BY COMMISSIONER THOMSON
MOTION CARRIED
5/0/0

The April 15, 2013 meeting of the Merrimack Conservation Commission was adjourned at 8:36 p.m.

Submitted by Dawn MacMillan