



**City of Nashua**  
**Conservation Commission**  
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**EXPANDED DRAFT MEETING SUMMARY**

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**THE INFORMATION CONTAINED HEREIN NOT BEEN REVIEWED OR APPROVED BY THE ZBA**

**NASHUA CONSERVATION COMMISSION**

**Tuesday, June 2, 2020**

**A. Call to order**

A regular meeting of the Nashua Conservation Commission was called to order on Tuesday, June 2, 2020 at 6:30 PM, via Webex virtual meeting.

**B. Roll call**

Members present: Sherry Dutzy, Chairman  
Brandon Pierotti  
Richard Gillespie  
Gene Porter  
Joel Ackerman  
Michael Reinke  
Gloria McCarthy, Alt.  
Carol Sarno, Alt.  
Josh Hauser, Alt.

Also in Attendance: Scott McPhie, Planner I  
Deb Chisholm, Waterways Manager

**COVID-19 Address**

Chairman Dutzy addressed the COVID-19 pandemic as follows: Due to the State of Emergency declared by Governor Sununu as a result of COVID-19 pandemic and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically until further notice.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized to meet electronically pursuant to the Governor's order. However, in accordance with the Emergency Order, this is to confirm that we are:

**1. Access**

The Commission is providing public access to the meeting by telephone, with additional access possibilities by video or other electronic access means.

The Commission is video conferencing utilizing Webex for this electronic meeting. All members of the Conservation Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to listen to this meeting by dialing (978)-990-5298, with password 273974.

Public access to this meeting is also provided via Webex. The link to this meeting is contained in the meeting agenda, available on the city website.

## **2. Public Notice**

The Commission previously gave public notice to the meeting and the necessary information for accessing the meeting through public postings, and where applicable notice to abutters. Instructions have also been posted to the city website, and publicly noticed at City Hall.

## **3. Public Alert**

The Commission is providing a mechanism for the public to alert the Commission during the meeting if there are problems with access. If anybody has a problem accessing the meeting, please call (603)-589-3115, and they will help you connect.

## **4. Adjourning the Meeting**

In the event that the public is unable to access the meeting via the methods above, the meeting will be adjourned and rescheduled.

## **5. Procedures**

The Chair is in control of the meeting, and to the extent practicable and advisable the Commission will follow the procedures identified in the Bylaws. The applicant will present the applicant's case, followed by questions by the Commission. The Chair will then allow testimony from persons wishing to speak in favor, or with questions or opposition, before the Commission deliberates and determines an outcome.

Applicants and their representatives, and individuals required to appear before the Commission are appearing remotely, and are not required to be physically present. These individuals may contact the Planning Department to arrange an alternative means of real time participation if they are unable to use Webex. Documentary exhibits and/or visual presentations must be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Real-time public comment can be addressed to the Commission utilizing Webex virtual meeting software for remote access. Real-time public comments via audio will be addressed at the conclusion of the public hearing. This application will allow users to view the meeting, and submit questions or comments to the Commission utilizing the Webex software.

The public is also encouraged to submit their comments via email to the Department email at [planningdepartment@nashuanh.gov](mailto:planningdepartment@nashuanh.gov) or by mail. Please be sure to include your name, address, and comments. Letters should be addressed to Planning Department, P.O. Box 2019, Nashua, NH 03061.

Please note that all votes taken during this meeting will be done by roll call. Conservation Commission meetings will be held electronically until further notice, when it is deemed safe to conduct meetings at City Hall.

The Planning Department and Conservation Commission thank you for your understanding and patience during this difficult time.

### **C. Approval of minutes**

March 3, 2020

**MOTION** by Commissioner Porter to approve the minutes of March 3, 2020, as written

**SECONDED** by Commissioner Gillespie

**MOTION CARRIED 6-0**

April 21, 2020

**MOTION** by Commissioner Porter to approve the minutes of April 21, 2020, as written

**SECONDED** by Commissioner Gillespie

**MOTION CARRIED 6-0**

May 5, 2020

**MOTION** by Commissioner Porter to approve the minutes of May 5, 2020, as written

**SECONDED** by Commissioner Gillespie

**MOTION CARRIED 6-0**

**D. Treasurer's Report**

None

**E. New Business**

➤ *Energy North Natural Gas, c/o Liberty Utilities (Owner) Lindsey White (Applicant) Requesting review on proposed installation of an impermeable cap and changes to onsite parking within the 75-ft "Prime" wetland buffer. Property is located at 25 Van Buren St & 38 Bridge St. Sheet 42, Lot 11, and Sheet 39, Lot 26. Zoned General Industrial "GI". Ward 7.*

Postponed

➤ ***Japanese Knotweed Management***

Chairman Dutzy requested authorization to purchase two tarps for \$39.98 in order to manage Japanese Knotweed at Lovewell Pond.

Commissioner Sarno described the locations of the invasive species, and the current management strategy.

Chairman Dutzy said they put up a sign to notify passers-by that this is a Conservation Commission management project.

**MOTION** by Commissioner Porter to authorize the spending of 39.98 for tarps

**SECONDED** by Commissioner Reinke

**MOTION CARRIED 6-0**

➤ ***Beaver Management***

Deb Chisholm, Nashua Waterways Manager

Ms. Chisholm said a resident that lives on the south side of the conservation area that is bounded by Ridge Rd on the south and by Buckmeadow Rd on the north had flooding issues. They were able to coordinate with Division of Public Works (DPW) to address the flooding. They removed a small beaver dam and cleared some additional brush from the culvert that runs under Ridge Rd adjacent to the property. She hasn't heard from the resident since.

Ms. Chisholm said as part of the investigation they found a very large beaver dam out there as well. She described the issues that come from beaver dams, and said they need to educate the public on beaver dams and work more closely with DPW.

Ms. Chisholm said the future of that issue is something the Conservation Commission can have a big impact on. She is working with DPW to make a beaver management policy so that everyone knows who is responsible for what and how these situations should be handled. She doesn't think that taking down the large dam by Ridge Rd will solve the problem, nor that displacing the beavers is a solution. She thinks that putting a policy together with more details on how to address beaver dams and the impacts is something they could work on with DPW.

Commissioner Sarno said they did once move a dam from that area. She listed mitigation devices they could use, such as beaver deceivers. She described the behavior of beavers and their positive impacts on habitat. She would like to see this preserved if possible.

Commissioner Porter said he read something about putting pipes in beaver dams to let the water flow through, and he understands that is pretty tricky. You have to get the pipe far enough upstream that the beaver won't figure out where the water is leaving their pond. It is successful in some areas to drain the ponds without tearing out the dams.

Chairman Dutzy said she read a plan about beaver deceivers,

and believes it was from the Merrimack Conservation Commission. She asked if that sounds familiar.

Ms. Chisholm said the town of Merrimack has had a beaver management policy in place since 2002. She said it's a 4-5 page policy, but they could look at it for some ideas.

Chairman Dutzy said they should do some research into the success and cost of the program. Part of the overall plan could be habitat corridor maintenance. That clearly falls into what the Conservation Commission would want to promote.

➤ **Tree Removal**

Mr. McPhie said there is a large tree hanging across an [unnamed] brook that has started to lean over a neighboring property. The tree is starting to uproot and tear out a large section of riverbank. He said it is listed as a hazardous tree in their ordinance. He said that Planning staff could administratively authorize the cutting of the tree to remove the hazard. It would save the riverbank and prevent other issues. If no one has issues with that, he will tell the property owner to move forward.

Chairman Dutzy asked what stream it is.

Mr. McPhie said it is on Middle Dunstable Rd, but he is unsure.

Commissioner Gillespie said it is either Cold Brook or Hale Brook.

Ms. Chisholm said she thinks it is on Hale Brook.

Chairman Dutzy asked if they would be cutting the tree at Diameter at Breast Height (DBH) level.

Mr. McPhie said yes.

Chairman Dutzy said she has no issues with that.

Commissioner Gillespie asked if they don't expect the tree to live.

Mr. McPhie said no.

Chairman Dutzy said if they leave the tree it will fall, and that is going to have a huge root ball that they will have to get rid of. She asked if by cutting the tree, they can keep the roots intact.

Mr. McPhie said yes, if they drop the roots back into place.

Chairman Dutzy asked if the Commission doesn't have any issues with it, can this be done administratively? Do they have to take a vote?

Mr. McPhie said no, they don't have to vote.

Chairman Dutzy said that the homeowner can move forward, then.

#### **F. Old Business**

##### **➤ Joyce Park Wildlife Area Maintenance Update**

Chairman Dutzy said that items #1 and #4 on the agenda both refer to the Joyce Park Wildlife Area. She said the Student Conservation Association cancelled their work programs for the 2020 session because of COVID-19 and the fact that they would not be able to bring in students from all over the country to do the work.

Chairman Dutzy said that the pricing the Commission sees will be pretty valid within a few hundred dollars for next year, so they don't need to vote on spending the money tonight.

Chairman Dutzy gave a detailed explanation of the need to eradicate the poison ivy before that work is performed, and the challenges in hiring someone to do the work. She led a brief discussion with the Commission on the issue.

Chairman Dutzy said another problem is that there is a steep slope along Ingalls St, and it has been collecting garbage over the years. She said the larger items need to be removed somehow.

Commissioner Porter displayed a map of the trail, and said much of it is within the 75-ft wetland buffer.

Chairman said that is why the trail is going to be moved back wherever they can to higher ground.

The Commissioners agreed that they support the current plan and will continue to move forward.

Chairman Dutzy said she spoke with the National Park Service River Trails and Conservation Assistance Program. They do not provide money, but will walk the property and give recommendations on wildlife habitat, invasive plants, and habitat stewardship. If their application is accepted, someone would come out next April. Part of their criteria is how much the community is involved, and she thinks this is the perfect opportunity to engage the community. She thinks it would be a good idea to draft a letter to the community and invite them to participate.

Commissioner Porter asked that Planning staff provide a paper that lays out the state of public access along the brook. He said this is a real neighborhood asset, and supports this.

Chairman Dutzy led a discussion on engaging the community and how to instill a sense of stewardship in the neighborhood. She offered to draft up a letter.

Ms. Chisholm said the contractor that they are using to perform invasive species management along the river might also be able to do poison ivy removal. She offered to reach out.

Commissioner Ackerman asked if they need to do anything about the poison ivy prior to a community event, or if this would be done next spring.

Chairman Dutzy said the poison ivy is on the trail. The cleanup that they would be doing is in the gully, where there isn't any. They should be fine.

➤ ***Southwest Conservation Area Vernal Pool Fence Repair***

Chairman Gillespie said he is waiting for an approval before he purchases the supplies to repair the fence that was broken by a fallen tree. He described the materials needed for the repair.

**MOTION** by Commissioner Reinke to approve payment for materials to repair the Southwest Conservation Area vernal pool fence, not to exceed \$30.00

**SECONDED** by Commissioner Pierotti



**MOTION CARRIED 6-0**

➤ ***Update on the Barbara Pressly Plaque***

Chairman Dutzy said the plaque will be installed by mid-June. The dedication ceremony was cancelled because of COVID-19. She gave an update on the construction of the plaque and stand.

Commissioner Porter asked for and received clarification on the spelling of Ms. Pressly's last name.

**MOTION** by Commissioner Gillespie to authorize the spending of \$4,490.00 for the Barbara Pressly plaque

**SECONDED** by Commissioner Porter

**MOTION CARRIED 6-0**

➤ **Subcommittees**

Chairman Dutzy said that Commissioner Sarno has volunteered to chair the Trails and Land Management subcommittee. Commissioners Ackerman and Porter have volunteered for this subcommittee. She recommended they speak to Mr. McPhie to organize notification for the subcommittee.

Mr. McPhie recommended that they meet virtually.

**G. NCC Correspondence and Communications**

- **Email from Groton Woods resident re:** off road vehicles. The Commission held a discussion on deterrence strategies for off road vehicles. Chairman Dutzy volunteered to investigate the possibility of placing boulders at the trail entrances.

**H. Nonpublic Session per RSA 91-A: 3 II (d) concerning land (Roll call vote required).**

Nonpublic session was not required.

**I. Commissioners Discussion**

- **New Member Guides:** Chairman Dutzy said that the copies of the Handbook for New Hampshire Conservation Commissions

have arrived. Mr. McPhie will distribute them.

- **Mohawk Tannery:** Commissioner Porter led a discussion requesting an update on the potential development of this site and the impact of onsite contaminants to the Nashua and Merrimack Rivers. Ms. Chisholm gave an explanation of the public-private partnership that needs to take place in order to remediate the site.
- **Beazer East Inc. Property:** Commissioner Porter said he is pleased to say that the riverbank has been extensively planted with medium growth small trees and shrubs. He doesn't know what is going on above the retaining wall or the unstabilized creosote wells, but he has not seen any in the river. Ms. Chisholm offered to look at the triennial report.
- **Lovewell Pond Fires:** Chairman Dutzy led a brief discussion on charcoal grills not being allowed.

#### **J. Adjournment**

**MOTION** to adjourn by Commissioner Porter at 8:05 PM.

**SECONDED** by Commissioner Pierotti

**MOTION CARRIED 6-0**

APPROVED:

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Richard Gillespie, Clerk, Nashua Conservation Commission

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING REGULAR OFFICE HOURS OR CAN BE ACCESSED ON THE CITY'S WEBSITE. DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS ADVANCED NOTICE AND PAYMENT OF THE FEE.

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Prepared by: Kate Poirier