

TOWN OF AMHERST
Conservation Commission

March 23, 2022

APPROVED

In attendance: Rob Clemens – Chair, John Harvey (remote), Frank Montesanto, Lee Gilman, Rich Hart, Bill Widmer, Peter Lyon – BOS Ex-Officio, and Christian Littlefield (Alternate).
Staff present: Kristan Patenaude – Recording Secretary (remote).

Chairman Rob Clemens called the meeting to order at 7:00 pm.

ADMINISTRATIVE:

1. Chair Comments

Rob Clemens noted that himself, John Harvey, and Peter Lyon are up for reappointment to the Commission this year. The Board of Selectmen will be taking up this item on April 11, 2022, along with a new alternate Commissioner application.

Christian Littlefield sat for Jared Hardner.

2. Minutes: March 9, 2022

Bill Widmer moved to approve the meeting minutes of March 9, 2022, as amended [Line 35: Change to “...to act as a liaison with the Planning Board.”]. Rich Hart seconded.

Voting: Bill Widmer – aye; Rob Clemens – aye; Christian Littlefield – aye; Lee Gilman – abstain; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye; 6-0-1 motion carried.

3. Treasurer’s Report

Bill Widmer moved to expend not to exceed \$200 from the Signage Account for “you are here signs” to be updated in the Arnold Forest. Rob Clemens seconded.

Voting: Bill Widmer – aye; Rob Clemens – aye; Christian Littlefield – aye; Lee Gilman – aye; Rich Hart – aye; John Harvey – aye; and Frank Montesanto – aye; 7-0-0 motion carried unanimously.

Bill Widmer noted that he recently met with the new Finance Director regarding budget concerns. Actions are being taken to resolve these issues.

4. Planning & Permitting

a. Conceptual Site Plan Bon Terrain Drive, Meridian Land Services

Doug Brodeur, Meridian Land Services, was present and explained that these lots are bounded by Hertzka Drive, Bon Terrain Drive, and Peacock Brooks. This area was previously the Manchester Sand and Gravel pit from the 70’s – 2002. After that time a series of subdivisions were proposed but never executed. There is a 100’ wetland buffer around a wetland on site. There is also an abutting wetland to the site. The proposal is for a 1.2M s.f. warehouse and an additional 225,000 s.f. building on the eastern end of the property. There is also proposed to be a remote parking lot and a truck/trailer parking yard. Natural resources on site include the

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productive aquifer, existing wetlands, a channel connecting to Peacock Brook, Peacock Brook itself, and a few isolated wetlands. Peacock Brook is a highly functioning habitat. A wildlife assessment report was conducted by GZA and identified American Eel in the brook, several turtle and snail species. There is a permitting process through Fish & Game that covers threatened species and their habitat. A preapplication meeting with Fish & Game has been requested. A conceptual hearing plan is scheduled with the Planning Board on April 6, 2022, and a meeting with the ZBA has been scheduled for April 19, 2022, related to the smaller residential lot and variances required.

Doug Brodeur explained that the site is a total of 163 acres, with 47 acres located in the Wetland and Watershed Conservation District. There are approximately 3.5 acres of wetland and buffer disturbances proposed. There is a small wetland located in the proposed truck parking area. This is an excavated pit that was abandoned at some point. It is not considered a highly functioning wetland but does have use for groundwater recharge. There is an associated 100' buffer to this wetland due to being located in the Pennichuck Brook Watershed. There is an existing 12" culvert that will likely be replaced with a box culvert, to improve the crossing. Two additional crossings will probably be removed altogether.

Doug Brodeur asked the Commission for its thoughts on the proposed wetland buffer impacts, and if it believes a conditional use permit is allowed by right through the Planning Board. He also asked if there were any additional studies the Commission would like to see.

Rich Hart asked about proposed stormwater management of the site. Doug Brodeur noted that only bioretention or gravel wetland systems will be allowed for this site.

Rich Hart asked about the site being cleared down to the stream in the past. Doug Brodeur noted that, from 2004-2018, several forestry permits were requested and issued for the site. These should not have removed more than 50% of the vegetation within 50' of the stream, but he is unsure if this was carried out appropriately. Rich Hart expressed concern with protecting the temperature of the Brook. Buffer areas could be restored, especially with overhanging trees. Runoff into the stream from parking lots might be warm, so additional trees could be installed to keep the site itself cooler. Doug Brodeur explained that Fish & Game will likely want the stream edge to remain sandy for turtle and other species. He asked Rich Hart to put these comments in writing. Doug Brodeur stated that he believes 100% of stormwater will be infiltrated on site.

Frank Montesanto echoed concerns regarding the amount of proposed impervious surfaces on site. The whole site is located within one of the highest ranked habitats in the region and State.

Lee Gilman asked what will be moving through the warehouse. Doug Brodeur stated that it is being built as a spec building and there is not an end customer yet known. He noted that a 20 mL barrier is being placed under the slab for potential spills. A spill prevention and accountability plan will be necessary. There are two monitoring wells already installed on this site.

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Bill Widmer asked what the monitoring function would be for this warehouse and its usage into the future.

Christian Littlefield explained that the proposed parking lots are quite large and may see a lot of traffic. If these areas are salted and snow removal is pushed to certain areas of the site, the melt could run into the wetlands or buffers.

John Harvey stated that the prime directive of the Commission per RSA is protection of natural resources. This area is a large sandy plain that drains quickly. He believes that the 100' buffers need to be held sacrosanct and that development not be allowed within them. There are numerous species that use this property as habitat and these buffers need to be upheld.

Rob Clemens explained that Peacock Brook is now likely warmer than Witches Brook. This is disturbing. It is also concerning how much clearing of the site has been done in the past. He explained that the Commission would likely like to see baseline data on groundwater quality and temperature, along with Peacock Brook's temperature. This proposal will take up almost the whole site, and it is worrisome for the small watershed to take up a large amount of warmer water from it. It might be possible to reduce the temperature of Peacock Brook with certain restoration efforts. He would like review of the site to reduce the amount of road and building proposed to be located within the buffers. This watershed is very important to the Town. A site walk may be helpful for the Commission. Doug Brodeur suggested putting these comments in writing for review by the State. The owner will need to purchase the existing pumphouse and easement from Pennichuck located nearby. Both water and gas lines run under the site to service the Summerfield units.

Rob Clemens noted that an additional presentation on this item may be warranted at the next Commission meeting.

Lee Gilman stated that 5% of the proposed building's size is causing 80% of the buffer impacts. Doug Brodeur explained that the proposed size is necessary for the owner.

John Harvey asked that, during the site walk, there be emphasis placed on the importance of this area and that it is a thriving, biodiverse community.

Rob Clemens noted that the GZA study was completed in February. Doug Brodeur stated that it will be required for this study to be rerun in the spring. There will also need to be a survey done for licorice goldenrod, a State threatened species.

b. Conditional Use Permit/Shoreland Water Quality protection Act Plan, Clark Avenue, Meridian Land Services

Tom Carr, Meridian Land Services, explained that the proposal is to raze the existing building and reconstruct in the same footprint, with some stormwater improvements. There are manhole covers to the existing septic system, which is hooked up to the municipal Baboosic Lake system. The existing leach field is well away from the Lake and no improvements are proposed. There is

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an existing wooden deck on the front of the property. The entire property is grass, outside of the structure. This property is not lived in year-round, although it is classified as a year-round structure. The proposal is to raze and rebuild. The existing structure is not compliant to the building code. This proposal includes removing the walkway and replacing it with porous pavers. A 2'x 2' wide crushed stone drip edge will be installed. The deck and steps will be rebuilt in place. The front deck will be entirely removed.

Tom Carr explained that the entirety of the lot is within the 100' waterfront buffer. There is a proposed 614 s.f. temporary impact around the edge of the structure and patio. 1,428 s.f. is the permanent impact of the existing structure. The impervious surface of the house is proposed to be expanded from 1,412 s.f. to 1,428 s.f., due to additional roof overhang. The existing walkway and concrete pad will both be removed. There is a slight reduction from 56% to 54.6% impervious coverage on the lot. No stormwater management is required by the State, but sufficient stormwater management is being proposed through the CUP. A waiver is being requested for full stormwater compliance from the Planning Board because it simply cannot be achieved on this lot.

In response to a question from Rob Clemens, Tom Carr stated that the septic tank was installed in approximately 2005, as part of the initial phase of the Baboosic Lake system. This is an H-20 tank that can be parked on.

In response to a question from Rob Clemens regarding the requested stormwater waiver, Tom Carr explained that there is no soil data on this property. Relief is being sought regarding elevation from the Lake. There will likely be no way to get separation from the groundwater on this site. It would look out of character to the neighborhood to bring in fill and place the structure on a mound; he does not believe the owners will agree to raising the structure and placing it up higher. There is no foundation on site. The structure will be placed on a stilt-type structure. There is approximately $\frac{3}{4}$ ' of a slope on the property, as it is a relatively flat lot. There is no intention to drill a new well on this site.

c. Conditional Use Permit – Lot 24-31 Lakefront Street, Meridian Land Services

Tom Carr, Meridian Land Services, explained that this proposal includes attempting to preserve the existing house, while moving it slightly back from the Lake and lot line. It may need to be razed and reconstructed in the same footprint, depending on what is found once the house is raised up. The house has not been lived in in quite some time and the lot is mostly forested. There appears to be an old area of driveway on the site. Hillside Avenue is considered a paper road and is not improved. This proposal is for a State Comprehensive Shoreland Protection Act Permit, and the entirety of the structure is within 250' of the Lake. The existing septic system is unknown at this time. The owner has agreed to place a Clean Solutions septic system on this site. This will allow for a pretreatment system, 4' above mean high water table. There are no drip edges or stormwater management items existing on the site currently. A 2'x 2' wide crushed stone drip edge will be installed as part of this project. Pressure-treated lumber will be a barrier for the stone on site. There is no intention to place much fill on the site, so the existing slope will

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be maintained. There are no gullies or water channels existing on site. This structure is also on stilts.

In response to a question from Bill Widmer, Tom Carr explained that all of the lots in this area have parking areas located within the right of way. There is nothing as part of this proposal being suggested on the other side of Lakefront Street. Bill Widmer expressed concern regarding potential existing encroachments in the area.

Tom Carr explained that a porous crushed stone driveway is being proposed on site. This will allow for a 12" deep reservoir to infiltrate water.

Rich Hart suggested using plastic lumber instead of pressure-treated lumber. Frank Montesanto suggested granite blocks instead. The Commission expressed interest in something other than pressure-treated items being used on site.

In response to a question from Christian Littlefield regarding long-term concerns of the parking area silting up over time, Tom Carr stated that the site should remain for quite a long time once stabilized. Tom Carr noted that there are violations of stormwater items all over Town that are not being picked up and he is concerned.

In response to a question from Rob Clemens regarding the requested waiver for this item, Tom Carr explained that this lot is also very limited on area. The State Shoreland Water Quality Protection Act cannot be met, but also is not required for this project. Relief is being sought from the Town regulations regarding separation from groundwater, similar to the last presentation.

There are no concerns from NHB for species found on this site.

In response to a question from Rob Clemens, Tom Carr explained that there is an existing dug well on site. The proposal includes drilling a new well for the site.

TOPICS

5. Invasives Control Projects

Lee Gilman explained that work has been completed on the Bragdon, Scott, and Great Meadow sites. He suggested doing some work on the Luby Lot, located off Candlewood Lane, and at the Betty Arnold site. These two areas are heavily invaded. This would likely require work completed by a 2+-person team over consecutive years. Some maintenance work could also be completed in Sky Meadow.

Rob Clemens stated that he would like to see concrete estimates from companies for the work before anything is started. Bill Widmer noted that he sent along the names of two other potential vendors to do the work. Lee Gilman stated that both vendors declined to bid. The next step will be to seek bids for the work. It was noted that requests for bids should be sent out to multiple vendors. Lee Gilman stated that the current company the ACC has been using is top-notch. Bill

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Widmer suggested placing an ad for open bidding on the Town website. Rob Clemens asked Lee Gilman to prioritize the work needed.

Christian Littlefield asked about reaching out to abutters of these properties to see if they would like to have their properties treated as well, to make sure that work won't be compromised by invasives spreading from nearby. Lee Gilman stated that staffing is not currently in place for this. Rob Clemens asked about dropping off a pamphlet to abutters while the work is being completed nearby.

6. Other Business

Bill Widmer stated that plans continue to move forward for Cleanup Day.

Christian Littlefield stated that he continues to work on the signage, parking lot cleanups, and Buck Meadow area projects previously discussed by the Commission.

Rich Hart stated that the first pruning workshop was held last weekend. It was fairly successful. A number of trees in the Orchard were mostly pruned. Another workshop will be held this coming weekend for trees that need a bit more work. Frank Montesanto noted that there were zero FOTO (Friends of the Orchard) attendees out of 62, unfortunately.

Rob Clemens noted that the Pulpit Brook culvert replacement project has begun. There is a sanctioned cut being performed on the Wheeler property. He suggested that high schoolers seeking community service hours help to create the proposed trail leading from Parkhurst Place to Buck Meadow for senior citizens to access the perimeter trail. This will likely need to go before the Board of Selectmen, as it is on a Town-owned property.

Bill Stoughton, Board of Selectmen Ex-Officio to the Planning Board, noted that the Clearview application will be coming before the Planning Board at its next meeting.

John Harvey exited the meeting.

Rob Clemens moved to enter Non-Public Session, pursuant to NH RSA 91-A:3 II (1) to review potential property acquisitions at 9:12pm. Bill Widmer seconded.

Voting: Bill Widmer – aye; Rob Clemens – aye; Christian Littlefield – aye; Lee Gilman – aye; Rich Hart – aye; and Frank Montesanto – aye; 6-0-0 motion carried unanimously.

7. Non- Public Session (pursuant to NH RSA 91-A:3 II (1)) - Review of potential property acquisitions.

Bill Widmer moved to exit Non-Public Session at 9:20pm. Christian Littlefield seconded.

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261 **Voting: Bill Widmer – aye; Rob Clemens – aye; Christian Littlefield – aye; Lee**
262 **Gilman – aye; Rich Hart – aye; and Frank Montesanto – aye; 6-0-0 motion carried**
263 **unanimously.**

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265 No actions were taken, no motions were made during Non-Public Session.

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267 **Bill Widmer moved to adjourn the meeting at 9:21pm. Frank Montesanto seconded.**

268 **Voting: Bill Widmer – aye; Rob Clemens – aye; Christian Littlefield – aye; Lee**
269 **Gilman – aye; Rich Hart – aye; and Frank Montesanto – aye; 6-0-0 motion carried**
270 **unanimously.**

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272 **The meeting was adjourned.**

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274 *Respectfully submitted,*

275 *Kristan Patenaude*

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277 Minutes approved: April 13, 2022