



# TOWN OF HUDSON

## Conservation Commission



Ken Dickinson, Chairman

Marilyn McGrath, Selectmen Liaison

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**DATE: September 14, 2015**

**MEETING MINUTES:** Below is a listing of minutes for the Hudson Conservation Commission. Minutes are not a verbatim record of each meeting, but rather represent a summary of the discussion and actions taken at the meeting. All Conservation Commission meetings are televised live and repeated during the following week on HCTV, cable television channel 22. Official copies of the minutes are available to read and copy at the Town Engineer's Office during regular business hours (Monday through Friday, 8:00 A.M. to 4:30 P.M.).

Should you have any questions concerning these minutes or wish to see the original recording, please contact the Town Engineer's Office at 603-886-6008.

A regular meeting of the Hudson Conservation Commission (HCC) was held in the Community Development Conference Room of Town Hall.

**Members of the Commission present:** J. Battis, W. Collins, K. Dickinson, R. Matos and M. Tranfaglia

**Members of the Commission excused:** R. Brownrigg, P. Dubay

**Members of the Commission absent:**

**Member of Town Staff present:** Town Engineer, E. Dhima

**Board of Selectman Representative absent:** Selectman, M. McGrath

**Seating of Alternates:** None

Called to Order at 07:13 p.m.

**Public Input:** None

## I. OLD BUSINESS

### A. Request for Wetlands Special Exception recommendation for “Orchard at Nottingham”, 16-Lot proposed subdivision @ Gowing Road. Ref: Map 231, Lot 053

The proposed project entails the construction of a 16-Lot residential subdivision along with roadway, driveways and associated utilities. Wetland and wetland buffer impacts are required in the roadway that will provide access to the site and at the back of the development where a detention basin is proposed.

Mr. Brem, representing Meisner Brem Corp, presented a new set of plans to the HCC and explained some of the new changes that would take place on the development site. He explained that there would be less work done in the wetlands buffer in the back of the lots around the detention basin, a reduction of approx. 1400 SF, and a small increase of approx. 85 SF would be required at the roadway entrance to the site. No work to be performed in the wetland buffer on Lots 10, 11 and 12. Mr. Brem said that work was not intended in this portion of the buffer and the new plan is corrected to show that.

Mr. Dhima asked about the order in which wetland special exceptions were granted.

Mr. Zall, the attorney representing the project, reviewed the normal sequence of a wetlands special exception. He explained that the Zoning Board receives input from both the Conservation Commission and the Planning Board prior to the Zoning Board hearing the case.

Mr. Battis asked why there was no wetland scientist's stamp present on plans reviewed to date by the HCC and asked if such plans existed.

Mr. Brem replied that there is a complete plan set that was submitted to the Planning Board, stamped by Gary Flarety, project wetland scientist.

Mr. Battis asked if there was a date that could be referenced.

Mr. Dickinson commented that wetlands were not typically delineated from old maps and most plans presented show a complete wetland survey on all lots to be subdivided.

Mr. Battis said that during the site walk of Lots 10 and 11, his field observations did not match with the plan presented at the first meeting. He had an issue with the lack of a current wetland scientist stamp and signature on the plans. He would not accept a plan dated April 30, 1979.

Mr. Brem reiterated that a current plan set was submitted to the Town and that they should be on file.

Mr. Dhima asked if Mr. Brem had a set with him, to which Mr. Brem replied that he did not.

Mr. Dickinson observed during the field walk that wetlands flags at the back of Lot 9 needed improving. The area on the east side of the development should be reviewed.

After further discussion on the issue of wetland flagging behind Lot 9, Mr. Brem stated he was not informed of the issues behind the lots in question.

Mr. Collins added that a complete set of plans was submitted to the Planning Board in December, and these plans should be accessible on the Town's website, but no plans could be pulled up on the web.

Mr. Dickinson said the plans are thoughtful to the environment, however the existing conditions were not present in typical fashion... creating an issue.

Again, Mr. Brem explained that he was willing to work with all parties to move this project forward.

Mr. Dickinson asked if anybody was willing to make a motion with exceptions.

Mr. Collins asked if a new survey by the developer's wetland scientist would be acceptable to the HCC.

Mr. Dickinson added that silt fencing and wetland signs should be brought out of the buffer.

During the motion to recommend, Mr. Matos asked if a new set of plans would be submitted.

Mr. Dhima thought a new set of plans would have to be submitted. Mr. Battis explained that the Planning Board would most likely not comment on this issue without a new set of plans. A signed and dated set of plans per town ordinance would be necessary going forward.

Mr. Dickinson asked if the company could complete a new survey. Mr. Brem said that it could be completed rather expediently as this issue was to go before the Planning Board next week.

Mr. Battis read from the current town ordinance on the issue of wetland delineation. He reiterated that the current plans do not reflect the intent of the ordinance and that he was not in favor of the current plan before the HCC.

Mr. Dhima asked if tabling the issue is an option. Mr. Zall was willing to return to his office to retrieve a current plan set while the HCC heard the next case. This was acceptable to all members.

**B. Request for Wetlands Special Exception recommendation for "Hudson Hilltop Self Storage" expansion project @ 22 Brady Lane. Ref: Map 105, Lot 017**

Mr. Cole, representing Keach-Nordstrom Associates, presented a site plan which shows the expansion of an existing self-storage facility. The expansion requires a wetland crossing across an intermittent stream to access the new buildings. Mr. Cole further explained existing daily operations at the site concerning the use of gates and keypads. He explained the circumstances behind the temporary wetland impact previously granted to the site developer, as to its intended use. Mr. Cole further explained that converting this temporary impact to a permanent impact would have a negative overall effect on the site. He provided some construction details of the new driveway and added that materials removed from the new location would be reused to rehabilitate the temporary wetland impact downstream.

Mr. Collins asked if the new storage units could be accessed by both sides, his concern being with the unit closest to the wetland buffer. Mr. Cole explained that only a short section of that

unit would have access from both sides, however the area near the wetlands buffer would only be accessed from one side.

Mr. Dhima recommended that the rehab work at the temporary wetland impact site be completed prior to the granting of a Certificate of Occupancy Permit. He said this would ensure that the wetland area is addressed in a timely manner.

Mr. Cole said that the intent is to have all the site completed quickly and did agree that fixing the temporary impact was overdue.

Mr. Matos asked if any of the existing stockpiles of earthen material would be used ?

Mr. Cole said the pile would be used during construction and any remaining stock would be spread out and reseeded.

Mr. Dhima stated that if the HCC wanted this to be part of the conditions, then he would be willing to make sure all conditions were met before granting a CO.

Mr. Cole said that it was already on the plan.

**Motion to recommend the Wetland Special Exception as shown on plan entitled “Hudson Hill Top Self Storage”, Map 105, Lot 17, dated August 28, 2015. Stipulations as follows:**

1. Construction and restoration shall comply with: BEST MANAGEMENT PRACTICES TO CONTROL NON-POINT SOURCE POLLUTION: A GUIDE FOR CITIZENS AND TOWN OFFICIALS (NH Department of Environmental Services-Current Issue.)
2. During Construction and restoration, erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.
3. Prior to the granting of the Certificate of Occupancy, the existing stockpiles of material shall be spread and reseeded. The temporary wetland crossing granted in 2011 is to be restored to the satisfaction of the Town Engineer.

Motion by: Mr. Battis  
Seconded by: Mr. Collins  
No further discussion was noted.

Vote: For: 5 Opposed: 0 Abstain: 0

## II. NEW BUSINESS

NHDES Routine Roadway and Railway Maintenance Activities Notification for “Eversource Energy” 15 Power Street, Map 167, Lot 009

Mr. Dickinson talked about the application for work to be performed on the roadway running

through the site. This work was needed to handle water drainage running across the roadway. He pointed out that the application was lacking in detail and did not have a wetland scientist's seal or signature.

Mr. Dhima stated that the proposal probably would not work well. He attempted to contact a company representative. He requires more detail from the project engineer, if there is one.

Mr. Battis stated the same concerns with both pipe size and the drainage scheme being presented.

Mr. Collins stated a similar concern.

Mr. Dickinson said the HCC should defer any action on the project or the HCC could schedule a site walk to review the project in the field.

Mr. Collins asked if we should let the Town Engineer handle it.

Mr. Battis asked if we should send a letter to the DES stating the concerns of the HCC.

Mr. Dhima said he would handle contacting the DES with the HCC's concerns about the current wetland application.

**Motion: Town Engineer to contact NHDES and Eversource to express the Conservation Commission's concerns about the application submitted for the Hudson Sub Station driveway located at 15 Power Street, Hudson, NH.**

Motion by: Mr. Battis  
Seconded by: Mr. Tranfaglia  
No further discussion was noted.

Vote: For: 5 Opposed: 0 Abstain: 0

The chairman redirected the meeting back to the Orchard at Nottingham Subdivision. Mr. Brem and Attorney Zall returned to the meeting with a complete set of plans to show the HCC that the appropriate stamps, signatures, and dates from the wetland scientists were indeed on them. Mr. Battis and Mr. Dhima reviewed the notes on the plans to verify their consistency with the Town's current ordinance.

Mr. Brem stated that Mr. Flarety could be perform required field work no later than Wednesday to complete any additional wetland surveys.

Mr. Dickinson: according to the current town ordinance, any grading within the wetlands buffer requires a Wetlands Special Exception.

Mr. Dhima: stated that any exception tonight would have to be carefully considered and other developers may look for the same exceptions.

As the HCC was not ready to vote, due to the applicants incomplete plans, further discussion on the

matter was tabled until the applicant could provide the HCC with an updated plan showing proper flagging and wetlands delineation around the site. The HCC granted the applicant another hearing on the matter for Monday, October 21, 2015 at 7:00 p.m.

Mr. Dickinson asked if the applicant would allow an impromptu site walk to verify the new flagging, for which the applicant had no issue with it.

Mr. Collins asked if the site walk would have any bearing on whether or not the HCC would discuss the case next Monday evening. The chairman answered that it would not.

Mr. Dickinson said he would like to double check the site against the improved plans, and thanked the "Orchard at Nottingham" representatives for their time and presentation.

### **III. OTHER BUSINESS:**

#### **A. Mills Property Appraisal Quotes:**

Mr. Collins asked that the discussion on the property quotes be deferred to the next meeting. He stated that quotes were just recently received and the other commission members might like to read through them before discussion.

Mr. Dickinson said that the annual budget has to be submitted and he was not sure if the quotes would have any effect on a budget proposal.

Mr. Battis said that it would have no impact on the budget for 2017. If the money was spent, than it would come out of this year's budget.

Further discussion was made on the property value quotes regarding submitting bids to the BOS.

Mr. Battis suggested HCC members read through the quotes to gain further insight into the quote process. Issue tabled.

#### **B. Lake Host DASH update**

Mr. Dickinson reviewed the latest Aqualogic report. He said that Aqualogic encouraged us to go out and review work to date. He also stated that Aqualogic has offered to sell the DASH unit to the town and that he would try contacting the Engineering Department about this.

#### **C. Stewardship of Conservation Lands: Not discussed.**

#### **D. Trail Map at the Musquash Conservation Area Kiosk.**

Mr. Battis will add the name "Deacon Merrill" for the new trail recently constructed. He will contact the HFD and BOS regarding the name, and once approved, update the Map.

**A motion was made to name the new trail “Deacon Merrill”.**

Motion by: Mr. Battis  
Seconded by: Mr. Tranfaglia  
No further discussion was noted.

Vote: For: 5 Opposed: 0 Abstain: 0

Mr. Battis added that the trail map for the Town Forest now shows two vistas and the Eagle Scout wildlife blind. He also added that two trails are currently unnamed and that it is important that these trails be named.

Mr. Dickinson said he might have trail names and that it could be discussed at the next meeting.

Some more discussion was made on the Town Forest trail system. Mr. Tranfaglia suggested that the name “Logging Trail” be used for one of the unnamed trails.

Mr. Dickinson asked for a trail work day. It was decided on October 17, 2015 with a rain date of October 24, 2015 at Woodland Drive.

**IV. FINANCIAL STATUS: Not Discussed**

**V. CORRESPONDENCE**

Aqualogic Status Report was reviewed. No further discussion was made.

Kinder Morgan (NED) letter: The letter discussed compensatory mitigation on wetlands impacted by the pipeline project. The letter is filed with the Planning Dept and is available for public review.

Mr. Battis explained that the Town should review its current needs and try to formulate a plan that would capture some of the compensatory monies to be used locally. He gave a couple of ideas as examples.

Mr. Dhima said he would try to contact Kinder Morgan to discuss the issue further and if needed, arrange a meeting before the HCC.

The HCC will provide ideas concerning potential wetland mitigation projects.

Mr. Collins asked that the correspondence from Kinder Morgan be copied and sent to the HCC members for their review.

Last correspondence was a letter from Eversource and National Grid pertaining to site work that will take place along their respective easements in the north end of town.

**VI. APPROVAL OF MINUTES**

Previous HCC minutes for May 11, May 19, July 13 and August 10, 2015 were submitted for approval. The typed minutes were reviewed and minor clerical edits were made.

**Motion to approve Conservation Commission Meeting Minutes as corrected for:  
May 11, 2015; May 19, 2015; July 13, 2015; August 10, 2015.**

Motion by: Mr. Battis  
Seconded by: Mr. Tranfaglia

Vote: For: 5 Opposed: 0 Abstain: 0

**VII. COMMISSIONER'S COMMENTS: None**

**Motion to adjourn:**

Motion by: Mr. Battis  
Seconded by: Mr. Tranfaglia  
Motion Carried 5/0/0

Meeting Adjourned at 09:38 p.m.

  
Ken Dickinson, Chairman