

Hollis Conservation Commission
Minutes from the October 4, 2023 Meeting
Approved October 18, 2023

Regular Members Present: Joseph Connelly, Paul Edmunds, Mark Post, Thom Davies, Tom Dufresne, Karen Bridgeo, Peter Band.
Alternate Members Present: Bernadette McQuilkin, Paul Armstrong
BOS Liaison: Tom Whalen
Staff: Connie Cain
Presenters: Joe Garruba, Suggested Future Uses of Property;
Leo Cormier, Hollis Springs Proposed Subdivision, Silver Lake Rd

J. Connelly called the meeting to order at 6:30 pm.

PUBLIC COMMENT PRESENTATIONS

Open Space - J. Garruba

J. Garruba shared that he would like to work with Recreation Committee regarding Open Spaces in Hollis and it occurred to him to also share the information he had found with the HCC. On the first slide, J. Garruba shared that per the housing regulations, that with subdivisions of 8 or more houses, there is a requirement for an open space that is either reserved for public or private use. He pointed out that since these laws are meant for larger subdivisions that the open space could potentially be used as conservation land or recreational fields.

On another slide, J. Garruba noted that the Hollis Open Space Planned Development (HOSPD) requirements clarify that the open spaces must be in a size or a shape that could be used for recreation, agriculture, conservation, etc.

J. Garruba also shared that the definition of “open spaces” clarifies that it is unimproved land that is set aside for either public or private use. He also noted that the Planning Board (PB) does not have to consult the HCC regarding the usage of the open space, however it would be in the best interest of everyone to do so.

He concluded that the HCC can have a seat at the table with these open space discussions in order to conserve more land in the presence of development.

T. Davies and J. Garruba discussed the implications of what most subdivision developments choose to do. J. Garruba shared that while most subdivisions do not share that open space outside of their private use, it is a possibility.

P. Edmunds asked if this law was written with the same verbiage several years ago when the Cabot Ln. development took place; J. Garruba replied that it was.

Hollis Springs Proposed Subdivision-Flea Market Site - Leo Cormier

Leo Cormier of 451 Silver Lake Road approached the HCC and shared that he had some concerns with the Flea Market development plan, particularly with the Witches Spring Brook system easterly of the proposed development. Among those concerns were how the clean-up of part of the property was done. He shared that the clean-up crew did not take the proper precautions while cleaning out the area and left a substantial amount of material and space that was not properly taken care of. It is unknown if any hazardous material was left on site.

Another concern that he shared was in regards to the infiltration pond outlet. He noted that they didn’t have adequate explanation or planning for the water overflow and where that would be directed. He also shared that there was no information provided about roof drainage and where the water will be going. It is unclear whether the brook trout will be impacted, as minor changes in water temperature or in quality could affect them.

L. Cormier has also contacted NH Fish & Game for the requirements on the clean-up; NH Fish & Game said material should be removed by hand and that riparian grass should be used when replanting. L. Cormier claimed that rye grass was used. He felt that no-one was verifying or documenting the matter on the Town side.

He suggested that the HCC take a drive down Ames Road and view the impacts from the road, which could be clearly seen. J. Connelly asked what L. Cormier wished to have the HCC do in regards to the matter; L. Cormier stated that he wanted the clean-up of the property verified that it was done correctly and that the brook is protected.

59 **BOARD AND COMMITTEE UPDATES**

60 No updates available at meeting time.

61
62 **NEW OR CONTINUING BUSINESS**

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64 *Rock Farm Monitoring Contract - T. Dufresne*

65 T. Dufresne shared that he had spoken to Kerry Rickrode of the Hillsborough Co. Conservation District (HCCD) and that
66 they should be receiving the signed contract back shortly. He also shared that the HCCD would be available for a site visit
67 on October 20th and that he would be contacting the Rocks with this information to confirm they are available for that day.
68 This meeting would just be a “meet and greet” and that K. Rickrode would be monitoring any invasives.

69
70 T. Davies asked if the Rock Brothers would have an issue with the HCC treating the invasives; T Dufresne responded that
71 they would probably be okay with it as long as the HCC would be paying for it.

72
73 J. Connelly commented that it would be very nice to have K. Rickrode and the HCCD maintaining the property.

74
75 *Ludwig Siergiewicz Farm Gate Installation - P. Armstrong*

76 P. Armstrong shared that he took the Fire Chief, Rob Boggis, to the location that they would like to put the gate, and he had
77 no problems with it. They put a stake where the gate would be installed. T. Dufresne contacted Amos White and is waiting
78 on a response regarding the installation.

79
80 J. Connelly commented that he had the padlock and made 5 copies of the key, to be given to the appropriate departments. He
81 also noted that the last thing needed to purchase would be the chain and that he would be making the purchase when the gate
82 is installed in order to make sure the length of the chain was appropriate.

83
84 *Reimbursements - J. Connelly*

85 J. Connelly stated that he had received the following items for reimbursement:

- 86 1.) James Plummer & Bernadette McQuilkin for reimbursement for the annual New Hampshire Association of Conservation
87 Commissions (NHACC) Conference attendance of \$60.00 each as approved at the September 20, 2023 meeting;
88 2.) Bernadette McQuilkin for reimbursement of having the Town map laminated as approved at the August 16, 2023
89 meeting - \$24.00;
90 3.) J. Connelly for keys and holders for the Ludwig Siergiewicz Farm gate, as approved at the September 6, 2023 meeting
91 – \$15.58.

92
93 *Meridian Update for Rock Property Boundary - J. Connelly*

94 J. Connelly read the email he received from Meridian regarding securing the boundary for the Rock property. The estimation
95 amounted to \$2,100.00 for the job and that the crew was 2 months out before they could do the job. Discussion took place on
96 the iron versus granite stakes for the property. The HCC agreed that the granite markers rather than the iron markers would
97 be better.

98
99 *J. Connelly motioned to approve expending up to \$3000 to be paid to Meridian Land Services Inc for the survey and*
100 *placing of 3 granite markers on the Rock Farm property; seconded by P. Edmunds. All in favor, none opposed or*
101 *abstained and the motion carried by a vote of 7-0-0.*

102
103 *Forest View Drive Cul-de-Sac Trees - J. Connelly*

104 J. Connelly shared that a resident in town called Connie Cain and asked for a dead tree to be removed in the Forest View
105 Drive cul-de-sac conservation land which poses a potential threat to fall into the road.

106
107 T. Dufresne and J. Connelly had inspected the cul-de-sac in question, and found that 3 trees should be removed. T. Davies
108 commented that it might be useful to have someone help maintain the cul-de-sacs that are conservation land throughout the
109 town, and also remove invasives if found. C. Cain noted that most of the cul-de-sacs in Town are part of the road deeds, not
110 conservation land. K. Bridgeo asked if there was a management plan for the property in question; no. Discussion on the
111 potential options for payment of the maintenance for the various cul-de-sacs along with the various jurisdictions of the HCC
112 versus that DPW.

113
114 A discussion on emergency use of HCC funds occurred; it was felt that a small portion of timber harvests could be set aside
115 to be used for emergency tree removal, beaver remediation, etc. T. Whalen commented that the public may not be in favor.
116 Further discussion of extraordinary expenses this year, due to weather, beavers, etc.

117
118 After a brief discussion on public safety and property ownership, the HCC decided to remove 3 trees on the Forest View
119 Drive cul-de-sac in order to mitigate any future problems that might occur with these dead trees.

J. Connelly motioned to approve expending up to \$1000 for the removal of 3 trees on the Forest View Drive cul-de-sac, MBLU 029-026, seconded by T. Dufresne. All in favor, none opposed, T. Davies abstaining, and the motion carried by a vote of 6-0-1.

J. Connelly motioned to re-mark the trees in question; seconded by T. Dufresne. All in favor, none opposed, T. Davies abstaining, and the motion carried by a vote of 6-0-1.

Silver Lake Grant Discussion - B. McQuilkin

J. Connelly stated that, before presenting the grant, fact-based answers, not opinions, will be needed to answer questions that may be asked by the public on the grant specifics. He wanted to start out with that to ensure all information is available at Town Meeting.

B. McQuilkin recapitulated the order of events regarding the Silver Lake Improvement Association and the part that the HCC has played in that. She noted that after many conversations and meetings with various individuals who were helpful with finding the best possible grant program, the principal forgiveness loan, which acts as grant, was chosen as the best option. The only possible issue she saw was related to storm drainage due to MS4 regulations. She shared that Kevin Anderson noted that there was a possibility that MS4 would get involved if the grant did go through at some point in the future. According to Tom Landry, it is a different item. Outside of this, B. McQuilkin shared that she had not found any other negative side effects of the grant for the town. She also asked that if anyone else had questions or concerns, to share them so that she could do further research if necessary. Misinformation is the greatest enemy in this endeavor.

She noted that State Representatives Kat McGhee of Hollis and Rosemary Rung of Merrimack, along with Kevin Anderson and others in the community, support this item. The State has decided to use "volunteerism" as the impetus for this loan; they supply the funds, but the community does the leg work and pulls together to make this happen.

She shared the draft warrant article with the HCC and noted that she had created it based on a template she got from Littleton, NH. J. Connelly clarified that they would not be voting on the draft as it had not gone through any review or approval from Town Counsel. B. McQuilkin confirmed that that was the case and that this was for review for the HCC.

P. Band felt the Warrant Article was appropriate. P. Armstrong questioned the timing of the Warrant Article to the BOS; he wanted to make sure the calendar timing was correct. Minor discussion took place on the deadline for when the warrant article would need to be presented before the BOS. T. Whalen shared that he didn't know the exact date, but that he would get it to the HCC shortly.

Further discussion took place on various aspects of the process regarding the warrant article. This must go to the BOS for approval, as the HCC does not have the authority to enter into this type of agreement. B. McQuilkin clarified the loan process, with approval at Town Meeting needed before the final application can be made. J. Connelly clarified that everyone ought to read the draft and get back to B. McQuilkin in the next couple of weeks with any suggestions, comments, or questions. He also noted that he was advised by Staff to talk to Lori Radke before making any further decisions.

Discussion took place on the process of how the approval process works regarding the selectboard and then the town meeting. K. Bridgeo thanked B. McQuilkin for all her hard work on this project.

Illegal Water Pumping - P. Armstrong

P. Armstrong shared that he and T. Dufresne had gone to check on the Beaver Deceiver on Mill Pond and found a landscaper pumping water out of the pond. They approached him and told him that according to town ordinance that they could not be doing that. He suggested that they draft up an email with the town ordinance in it to send to all the landscapers in Hollis who hydro-seed.

T. Davies asked for some clarification as he had been told that if the landscapers had a backflow protection that it was alright for them to pump water. P. Armstrong responded that the problem was twofold. One being that these ponds were water for fire prevention and the second was that they don't want more nitrogen in the ponds as that encourages algae and invasive growth etc.

K. Bridgeo pointed out that the ordinance stated that unless the withdrawal of the water got permission from the Town Health Officer (the Fire Chief) that it was illegal and that there was no fine. The NHDES was the authority that could provide consequences for those actions.

Fallen Tree on the Trail - P. Band

P. Band shared that there was a trail that he was walking down to the Nashua River by Rideout Road that there was a big tree that had fallen down across the trail.

T. Dufresne shared that Scot Pettengill clears those trails regularly and that he would be the person to ask. Discussion took place on who could clear the tree, and T. Dufresne will contact Mr. Pettengill.

DISCUSSION ON PUBLIC COMMENT PRESENTATIONS

Hollis Springs Proposed Subdivision-Flea Market Site - Leo Cormier

J. Connelly shared what the HCC has been doing regarding the Flea Market development, including being in collaboration with the Planning Board on water temperatures, fish populations, trees, and trash.

B. McQuilkin commented that on the site walk that she had been on, there was quite a lot of debris pushed into the stream, and all around the site. She also noted that she spoke with John McGee and had found out that this stream and one other were the only two trout streams left in Southern NH. She commented that it is important to conserve these parts of nature and further suggested that the HCC find a way to supervise the site better to ensure that these things are properly taken care of.

Discussion took place on who in town governance needs to be made aware of the issue to properly address the current state of how it is being handled.

Janine Bryon, 5 Ames Road, commented that her property faces the wetlands and that she had seen them start to dismantle one of the apartments and she noted that they went in with hazmat suits because the man who lived there was a hoarder and they threw the debris from the apartment down the embankment. She also noted that some people who worked at the flea market were not wearing hazmat suits and were throwing the debris down the embankment. She shared that she has seen them doing some clean up on the weekends as well. She also shared that she was deeply concerned that no one seemed to want to take responsibility for what was going on.

P. Band responded that the town has the authority to fix this, and so the complaints and the concerns need to be taken to the top. B. McQuilkin mentioned that maybe a solution would be to hire someone who could be a supervisor for those contractors. T. Dufresne stated that the town contracts with Reggie Ouellette as Site Inspector via the Planning Board.

L. Cormier continued to share his concern regarding the trash, brook trout, and lack of oversight on the job site. Discussion took place on how the HCC could help and who they could go to in order to address the issue. B. McQuilkin offered to draft a letter to the PB and have members review before emailing to the PB. Discussion took place on who they could email and what the next steps should be. K. Bridgeo clarified the letter would be sent to NH Dept. of Environmental Services, the Hollis Board of Health, Lori Radke, Planning Board, Board of Selectmen, NH Fish and Game, and the property owner. J. Garruba mentioned that the deadline for the next Planning Board meeting is Wednesday, October 10, 2023.

Leo & Rita Cormier, and audience members left the meeting at 8:20 pm.

Open Space Presentation - J. Garruba

J. Connelly asked how the open space leaves the hand of the developer and then arrives in possession of the town or of the HCC. J. Garruba responded and wanted to clarify that he was presenting on behalf of himself and not the BOS. He did not feel that he had the answers to those questions. He commented that if the HCC would like to pursue this, that they send a letter to the PB to ask those questions as they could be more detailed in their responses or to take a vote with their recommendations and have more leverage with the PB that way as well.

M. Post clarified that this presentation had been given to the Recreation Commission; yes. He commented that the proposal was for 5% of project size; J. Garruba clarified that 5% was for a conventional development. At 5%, the size of these open space lots might be very small and might not be something the HCC would look into as they would typically be under a certain acreage.

J. Garruba clarified that there is currently a 130-acre development with a significant wildlife habitat right near "Wildlife Pond" that would have about a 6 ½ acre open space under a conventional plan; however, when it becomes a HOSPD, which includes smaller lots, that there would be a 72-acre open space. M. Post and J. Garruba clarified that the idea would be to get involved in bigger open spaces. C. Cain asked about the potential tax implications, as open space is presently taxed; J. Garruba felt it was a good point, and will need to be investigated. Further discussion took place on subdivision process, where the 130-acre development is in the process and ownership. It was felt that getting more involved with Planning Board meetings to be more aware of these potential options.

The HCC thanked J. Garruba for bringing this to their attention.

Joe Garruba left the meeting at 8:34 pm.

242 **APPROVAL OF THE MINUTES**

243

244 *Public minutes of September 6, 2023*

245 These were tabled from the September 20, 2023 meeting. C. Cain had reviewed the tape and made the following suggested
246 changes:

247 Line 85, replace “paddle boat” to read “participants took a paddle on the river...”

248 Line 93, replace “She asked ... a letter of support ...” to read “She asked...a letter/vote of support...”

249 Line 98, replace “P. Armstrong ... requested the HCC’s input on the matter before voting on the pre-application; this was
250 given.” to read “P. Armstrong...requested the HCC’s consensus on the matter before making a decision.”

251

252 *Public Minutes of September 20, 2023*

253 K. Bridgeo requested that on Line 38, replace the word “rental” with “materials” as that’s what was reimbursed.

254

255 *Non-Public Minutes of September 20, 2023*

256 K. Bridgeo requested that on Line 32, the word “created” be replaced with “been given.”

257

258 *J. Connelly motioned that the September 6, 2023 and the September 20, 2023 Public Minutes; and the September*
259 *20, 2023 Non-Public minutes be amended as given and to keep the non-public minutes sealed until voted to be*
260 *released; seconded by K. Bridgeo. All in favor, none opposed or abstained and the motion carried by a vote of 7-*
261 *0-0.*

262

263 **ADJOURNMENT**

264 *J. Connelly motioned to adjourn the meeting; seconded by T. Dufresne. All in favor, none opposed or abstained*
265 *and the motion was carried by a vote of 7-0-0, and the meeting was adjourned at 8:40 pm.*

266

267 Respectfully submitted,

268 Amiee Le Doux

269 Recording Secretary