



APPROVED – MINUTES
NASHUA REGIONAL PLANNING COMMISSION
Held at the NRPC Office
9 Executive Park, Suite 201, Merrimack, NH
June 15, 2016

Members Present:

Susan Ruch, Amherst	Michael Croteau, Litchfield	George Skuse, Milford
Michael Dell Orfano, Amherst	Thomas Young, Litchfield	Mike Fimbel, Mont Vernon
Martin Michaelis, Amherst	Louise Lavoie, Mason	Dave Hennessey, Pelham
Robert Larmouth, Hollis	William W. Boyd, Merrimack	Hal Lynde, Pelham
Venu Rao, Hollis	Karin Elmer, Merrimack	Jim Kofalt, Wilton
James Battis, Hudson	Chris Costantino, Milford	Kermit Williams, Wilton
George Hall, Hudson	Janet Langdell, Milford	

Others Present:

Suzanne Warner, EPA	Newton Tedder, EPA
Nancy Mayville, NHDOT	Suzanne Fournier

Staff Present:

Tim Roache, Executive Director	Jen Czysz, Assistant Director
Sara Siskavich, GIS Manager	Karen Baker, Program Assistant

WELCOME AND INTRODUCTIONS:

Chairman Hennessey called the meeting to order at 7:03 PM. He pointed out there were a couple new Commissioners present and asked for introductions around the table.

PRIVILEGE OF THE FLOOR:

The public present did not wish to speak. Roache informed the group that a new Commissioner Orientation would be scheduled over the summer sometime before the September meeting. He also informed the group that after 14 years employed with the NRPC, Planning Manager Camille Pattison is moving on to go work for NTS as their Transit Manager. He added that there would be a small going away event and proceeded to pass a card around for members to sign.

APPROVAL OF THE MINUTES – MARCH 16, 2016

The Chair asked if there were any comments on the minutes of March 16, 2016. After further discussion, Battis motioned with a second from Kofalt:

THAT the minutes of March 16, 2016 be approved.

The motion **carried with four abstentions.**

MS4 MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS PRESENTATION GUEST SPEAKER: SUZANNE WARNER, U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION I

Suzanne Warner, who works with the US EPA Region 1 in Boston, introduced herself as well as Newton Tedder also from EPA and proceeded with a presentation on MS4 Municipal Separate Stormwater Sewer Systems requirements, tools and assistance to communities. She informed the group that an NPDES permit stems from the Clean Water Act which prohibits the discharge of "pollutants" through a "point source" into a "water of the United States" unless they have an NPDES permit. The permit will contain limits on what can be discharged, monitoring and reporting requirements, and other provisions to ensure that the discharge does not impair water quality or people's health. The permit translates general requirements of the Clean Water Act into specific provisions tailored to the operations of each entity discharging pollutants. Permitting for small municipal separate storm sewer systems started in 1999 due to the required phase II regulations. Massachusetts and New Hampshire had small MS4 permits issued in 2003 and a few draft permits between 2010 & 2014. Warner informed the group of the MA small MS4 general permit which was finalized in April of

2016 and is effective July 1, 2017 and the EPA tools available to aid with compliance. Other topics covered by Warner were:

- Anatomy of a small MS4 general permit 6 minimum control measures and water quality based requirements (impaired waters requirements only for impairments associated with stormwater);
- Regulated towns, towns new to the permitting requirements (Wilton) and towns that are waived (Lyndeborough & Mont Vernon);
- Illicit discharge detection and elimination;
- Massachusetts final permit changes based on comments on the IDDE requirements;
- Good housekeeping and pollution prevention for municipal operations;
- Impaired waters requirements for phosphorus, E. Coli, and Chloride;
- Bacteria waters and beaches TMDLS including lake and pond phosphorus TMDLS;
- FAQ on getting out of impaired waters or TMDL requirements;
- NH small MS4 general permit updates and re-notice of select sections from the 2014 draft water quality standards;
- Available tools and resources, the NH & MA Small MS4 websites and Warner's contact info; and
- The final NH Small MS4 permit dates & effectiveness (permit final Fall 2016, effective Fall 2017).

Warner concluded her presentation and asked if there were any questions or comments. Elmer noted that all DPW's do know about the MS4 requirements and that this presentation is to give Commissioners an idea of what your DPW's are going through. Czysz added that at the Regional Stormwater Coalition meetings, this has also been a topic of conversation. Langdell added that the stormwater regulations in your Town's zoning ordinance and land use regulations will have to be updated.

Williams commented saying Wilton is a newly regulated community and becoming part of the forthcoming MS4 permit and to date has spent over \$100,000 in preparation. He added that they knew since 2013 that they were now going to be a part of the permitting process. Williams questioned how they know if they are doing the right things, spending money properly and how much to spend. Warner directed Williams to the website for specific questions and that he could call EPA as well as the draft permit for guidance.

Langdell asked how Mont Vernon and Lyndeborough received waivers. Warner answered saying that it was because the urbanized area in those communities has a population of less than 1,000. Langdell also questioned which waterbodies in Milford have the Phosphorus and E Coli TMDLS. Warner was unsure but pointed to the EPA website for that information. She added that there were none in Wilton.

Czysz noted that the NRPC worked with the Town of Amherst and Merrimack regarding the Baboosic Lake Watershed update that includes examples of phosphorus reduction best management practices as well as a soak up the rain demonstration and how to guide.

Kelly asked what the cost to MA is to comply. Warner said that no one is doing any work yet and it would be hard to estimate. She added that if there is already a good MS4 program in place you may see a 30% increase in cost or about \$70,000 to \$700,000 program wide per year.

Lynde asked if there are towns with waterbodies that are in two different states, such as Long & Beaver Ponds in Pelham, will there be the same TMDL requirements. Warner said that would be a State decision, but that each community will only need to comply with the permit requirements of their State. Warner added that the State (particularly NH DOT) is separate, a non-traditional MS4 and will have their own permits.

Boyd noted the \$2.5 million to clean up the Souhegan River. He also had concerns and felt the language "caused or contributed" should be removed from the draft. Additionally, Boyd said that Merrimack will not be

able to look at the feedback from the 2013-2015 comments on the draft before the permit is issued. He added that it is almost impossible to remove phosphorus from a body of water (the cost to do it and the possible fine if not done). There was further discussion between Tedder, Warner & Boyd on the permit requirements and that if you are following the requirements you would not be in immediate non-compliance and you will also be reducing the phosphorus. Boyd added that he concerns with EPA regulating Merrimack residents use of fertilizer the impacts to property values. He felt they are changing the playing field with these new standards. He pointed out that Merrimack has won awards for their clean water. Warner noted that stormwater is a new source of pollution found in the last 20 years.

Ruch commented that the presentation was excellent and it gave an understanding of the final MA permit and the process followed by EPA. She added that in regards to the compliance schedule, as long as you have your plan, you are in compliance. Ruch acknowledged Boyd's concerns on town property values.

Roache asked Warner if she was aware of any resources for education or grant opportunities to help communities offset the costs. Warner said there are grants out there and also the state revolving loan funds for stormwater infrastructure. Czysz noted there is a loan forgiveness option associated with NH DES' revolving loan funds for communities that implement an asset management plan. Hennessey asked if there were any grants on shared ponds or cross border bodies of water. He added that it would be pointless to work on phosphorous in NH if MA is not working on it also. There was discussion on the Merrimack River and the Nashua River and TMDLs. The Merrimack River in NH was not impaired and it depends on the whether the river is upstream or downstream. There was further explanation on the process with multi-date rivers from Tedder and Warner.

Dell Orfano referred to best practices policies and the Town of Amherst's restriction on using fertilizers within certain distances to waterbodies. He questioned if you get credit for doing this and if there a standard. Warner said there is no standard for self-recording and you would have to be in the same watershed as where the impairment was identified. Lynde asked if there should be guidelines on phosphorous in fertilizers. Warner replied that in MA, they no longer allow fertilizers with phosphorous to be sold in the state. There was further discussion on the use of phosphorous in fertilizers and banning it in the state. Tedder added that you don't need phosphorous fertilizers in New England. *(The MS4 Municipal Separate Stormwater Sewer Systems Presentation is included at the end of these minutes)*

ANNUAL BUSINESS MEETING

a. FY 2017 Budget and Work Program (action required)

Roache reviewed the proposed budget resources and expenses on pages 6 & 7 of the Work Plan. He started with resources and noted a few new grants included in the budget. There are a few additional grants not included in the budget that have been applied for and a decision is still pending: \$20,000 CDFA grant to assist Wilton with their economic development; NTS & Nashua Public Health Rides to Wellness grant which would build off of what SVTC already does with the bus meeting up with a medical clinic.

Roache moved to expenses noting that he worked with the finance administrator and estimated a 15% increase in health insurance and 5% for dental as last year's increase was only 1% on the healthcare and no increase on the dental.

Kofalt questioned where economic development grant came from and when it would happen. Czysz said it was an L5 CDFA grant that was recently submitted and would have a fairly quick turnaround; probably August. Kofalt also asked about the \$91,000 in federal contracts and if this was a pass thru. Roache confirmed that it was federal money passed through DOT.

There was discussion on the actual expenses from the previous year and the \$36,000 difference which Roache

attributed employee benefits and salaries and the \$30,000 increase from last year. There was also discussion on the GIS line item and Reserve line item being less and if Roache felt comfortable with this. Roache said there is a reasonable amount set aside in the reserve fund for roughly 3 months out. Kofalt questioned if that was the number expected to have at the end if all goes well. Roache said yes.

Williams referred to the NRPC Strategic Planning Session held at Rivier in November of 2015 and if any ideas from the meeting have made their way into the plan. Roache said that is being worked on and in July he would be doing a SWOT analysis which he hoped to present the results of at the September Commission meeting and build on Economic Development which was highly mentioned at the November Strategic Planning session.

Siskavich referred to the FY17 Workplan GIS initiatives and provided a summary of a new sidewalk and pedestrian infrastructure GIS project which will address the critical data gap with respect these features as identified as priority action area of the NRPC Regional Bike/Ped plan. Siskavich also briefly touched on the recreational opportunities datalayer and analysis initiative where NRPC will develop GIS data and analyze comparative recreation opportunities for all 13 communities in the region.

Roache summarized the Transportation initiatives specifically the Pavement Management Pilot Program with Brookline that NRPC will be wrapping up in year two and will engage RSMS software to scenario plan capital investment needs for the pilot community. This opportunity is fully funded through NRPC's UPWP contract. He added that it will soon be available to other towns and we will let you know when we are ready to roll it out. Roache also talked about the update to the Metropolitan Transportation Plan and the workshops scheduled in Wilton, Milford and Hudson. He added that he may schedule one in Nashua as well. The workshop held in Wilton resulted in a lot of discussion on east/west travel and transit needs. New input from local decision makers and from the series of workshops will be incorporated into the MTP update.

Czys noted the land use HNH Parks & Playground Project companion piece to the GIS Recreational Opportunities initiative. Czys also informed the group of the Nashua Farmers Market Promotion Program that aims to bolster the availability of fresh local foods in an area with unmet demand and increase the existing market's sustainability and strength.

Roache informed the group of that NRPC will continue to work with municipalities and school districts to procure a competitive electricity supply as an aggregation through the Regional Competitive Electricity Supply Project. NRPC will conduct a competitive bid process this summer, with the goal of signing contracts by the end of September. He also informed the group of the NRPC Hazard Mitigation and Climate Resiliency Initiative for Hazard Mitigation Plans updates for 2017 for the towns of Brookline, Mason, and Pelham. These towns will be the first in the Nashua Region to address climate change resiliency into their plans.

This concluded the FY2017 Budget and Work Plan item. Roache informed the group that action was needed for this item. Williams made a motion with a second from Boyd:

THAT the Nashua Regional Planning Commission FY2017 Budget and Work Plan be approved.

The motion **carried**.

June 15' 2016 Adopted FY2017 Budget & Work Plan: http://www.nashuarpc.org/download_file/view/1815/209/

b. Annual Grant and Contract Authorization (action required)

Roache referred to the FY 2017 Annual Grant and Contract Authorization included in the agenda packet explaining that on an annual basis the full Commission must affirm that the ED is authorized to file applications, sign contracts and implement the annual work program. He referred to the proposed motion and asked the group if there was a motion. Boyd motioned with a second from Langdell:

THAT the Executive Director be authorized to file applications with federal, state and local governmental units and other agencies to implement the FY 2017 work program of the Commission, and to execute agreements to receive funds for such purposes.

The motion **carried.**

c. Setting of FY2018 Dues (action required)

Roache referred to the proposed NRPC FY 2018 Local Dues Assessment sheet included in the agenda packet and explained that calculation amount is \$163,000 and has remained flat for over 10 years. He noted the extra \$26,000 cost in the last fiscal year for staff time for the pipeline and how that put us behind on deliverables for other contracts. Roache informed the group that the \$163,000 amount is spread out over the 13 NRPC communities and is calculated based upon each community's weighted percentage of the region's estimated population and equalized assessed valuation. As a result, while the total is constant, there are slight shifts in each community's assessment. After further discussion Dell Orfano motioned with a second from Boyd:

THAT the Nashua Regional Planning Commission FY2018 Dues be approved.

The motion **carried.**

d. Election of FY17 Officers (action required)

Roache informed the group that all current officers agreed to remain in the current position and were eligible to do so for another year. A motion would be required for the FY2017 slate of officers is as noted below:

David Hennessey – Chair / Mike Fimbel – Vice Chair / Karin Elmer – Treasurer

Dell Orfano motioned with a second from Boyd:

THAT the Nashua Regional Planning Commission FY2017 slate of officers be approved.

The motion **carried.**

8:40 PM - COMMISSIONER'S ROUNDTABLE

The Commissioner's Roundtable was held. Below is a brief summary of what each community had going on:

- Litchfield – Croteau: Working on Master Plan, dealing with PFOA issues. Young: Town hired attorneys.
- Mason – Lavoie: Select Board voted to join the electricity supply aggregation for all town buildings. Zoning Board approved seasonal outdoor entertainment.
- Merrimack – Boyd: NED pipeline legal cost were slightly under \$77,000. PFOA issue and keeping residents up to date. DES issued demand letter to Saint-Gobain to remediate Wells 4 & 5. MVD to work with Saint-Gobain. Traffic analysis using Synchro could not resolve the traffic issue during polling times, LOS was the issue. Met with school to hopefully fix polling issues with 2 additional polling locations.
- Pelham – Hennessey: Wrap up or review of lessons learned in regard to pipeline and were to go from here. Lynde: 3M bond for open space, acquired 700 acres. Used about 1M for 71 acre parcel golf course with lease to owner for 10 years as golf course. Asked about EFAC and new projects – Roache suggested solarize Nashua Region, concept similar to the energy aggregation for a group purchase of solar.
- Wilton – Williams: Town hiring Town Administrator, 16 applications, in process of reviewing.
- Milford – Langdell: South St, Osgood Pond Dredging, EPA Cleaning of Fletcher, Brox Property Work all moving forward. 124 Unit development multi-million dollar project moving forward also. Possibility for Iron Bridge as a TAP project.

- Nashua – Kelly: Public/Private partnership approved.
- Amherst – Ruch: PFOA meeting on June 27th in Merrimack for any community affected. Dell Orfano: Trouble replacing Planning and Zoning Administrator and parcel that was to be with bond, owner backed out.
- Mont Vernon – Fimbel: New fence at transfer station and MTV general store received accolades.
- Hollis – Rao: The school board was awarded the \$100,000 federal grant for solar power. Larmouth: Major private solar project and land purchase (good for rural character).
- NHDOT – Mayville: TAP Program for non-motorized projects, 80/20 match with 6M available. LOI by July 1st followed with application by September 18th. Size of project can be 400,000 to 1M in size. More info online. LPA Certification Training to be held on October 19th.

ADJOURN

Motion to adjourn came from Boyd with a second from Kofalt. The meeting ended at 9:03pm. The next Commission meeting will be held on Wednesday, September 21, 2016 at 7:00pm.

Respectfully submitted

Tim Roache, Official Recorder: _____