

River Advisory Committee Meeting

October 17, 2017

(Minutes prepared from replay of meeting on Town Hall Streams on Town web site)

1. Convene the meeting

Chairman Richard Huber convened the meeting at 9:05 am in the Nowak Room of the Exeter Town Office building. Other members present: Lionel Ingram, Peter Lennon, Terrie Harman, Rod Bourdon and Selectboard representative Don Clement.

2. Approval of minutes of September meeting

Chairman Huber cited a number of grammatical errors in the text of minutes he felt should be changed: they will be passed on to the Recording Secretary who was not present for the meeting. Mr. Clement moved to approve the minutes with the changes; seconded by Ms. Harman. Motion carried.

3. Update on various River issues

Mr. Paul Vlasich, Town Engineer, was unable to attend but did forward a summary of the various projects he is overseeing.

- Surveying at former dam site of river bottom complete
- VHB consultants completed survey of selected subjects downstream (from Pickpocket Dam) that were needed to complete the breach analysis of Dam
- VHB continues its work compiling and reviewing data to submit to FEMA for possible changes to Town's flood map
- Fulfilling the requirements of the Section 106 stipulations continues

4. Other Business

While waiting for Ms. LaBranche of the Rockingham Planning Commission (RPC) to arrive for her presentation, Mr. Huber reminded the group of the Right To Know Law Training workshop sponsored by the New Hampshire Municipal Association being held Tuesday evening October 24, in the Community Room of the Exeter Public Library. Mr. Huber, Mr. Lennon and Mr. Clement plan on attending.

The Chairman spoke of the Exeter-Squamscott River Local Advisory Committee (ESRLAC), formed in 1996, that includes representatives from all the watershed communities of Exeter, Stratham, Chester, Sandown, Brentwood Raymond, and Kensington. Mr. Clement serves as a representative for Exeter. The question has been raised how the role of ESRLAC differs from the role of this Advisory Committee as both groups advise their respective selectmen on River issues. Mr. Huber asked if we could not have a representative come to this committee to present the role of ESRLAC for clarification.

Mr. Clement stated the group has a broader reach than just advising local authorities. He would be happy to be in contact with Ms. Teresa Walker of RPC who is contracted to coordinate their activities and request a presentation for the Advisory group.

5. Update on SB 185 and the Setting SAIL grant project

Ms. LaBranche spoke to the Committee at the September meeting on SB 185 but members had questions on the legislative measure and she agreed to return with additional information. NH SB 185 was sponsored by several NH senators and led by Sen. David Watters of Dover. It was passed by the legislature in June and became effective September 3, 2017. As designated RSA 203:1, 203:2, 203:3 and 203:4, the legislation extends the community revitalization tax relief program (RSA 79-E:4-a) to coastal properties subject to storm surge, sea level rise and extreme precipitation. There is also the provision to extend the Historic Revitalization Tax Relief program to allow these coastal municipalities to create a Coastal Resilience Zone (CRIZ) within the town. It permits municipalities to establish and identify a CRIZ zone subject to climatic occurrences and to establish the criteria under which qualifying structures may take advantage of the tax credits. Municipalities could establish several different zones. Each zone would have different qualifying actions for creating such a zone. It would be up to the Town to tailor these incentive zones based on the conditions that may exist or may experience in the future.

Provision 203.3, Section II outlines what resilience measures may qualify, such as, but not limited to accommodation, prevention, construction, property acquisition or relocation actions a town may employ when setting up a CRIZ zone. Ms. LaBranche summarized the legislation as being loosely structured in such a way to allow communities to tailor the formation of such a zone based on their existing conditions or where there may feel could be future risks. To date, she does not know of any action taken by municipalities on this piece of legislation.

She noted, based on the C-RiSe maps in the final report of the Coastal Risk and Hazards Commission, Exeter has a handful of properties subject to risk at least in the short term. They would be structures along Exeter Road, the backside of (rivers edge) Water Street, along Swasey Parkway and Spring St.

The Chair asked if she had any clarification to Ms. Robinson's question at the September meeting as what was meant by "acquiring preservation or water-control easements" (Section III of Bill). Ms. LaBranche apologized as she did not follow up on that question.

Mr. Lennon inquired if it was the recent date of effectiveness or lack of interest among municipalities that accounted for inaction on this. Ms. LaBranche felt it was most likely the recent introduction of Bill and its contents which is still in the discussion stage.

Mr. Clement felt it takes quite a bit of time and discussion to define a new zone that can be affected by sea-rise, set up parameters/boundaries and then to decide what kind of tax relief can be applied. He cited the work done in setting up Town's 79-E zones, the areas to be included and the details of the tax relief.

Discussion followed after Ms. Harman inquired how tax relief would work; who is not getting the tax revenue? Was it perhaps like an abatement where you do not get taxed on any increase in value as a result of making these changes to your property? Perhaps the State should provide some funds for Town being more resilient with improvements/changes made to the areas prone to flooding.

Mr. Clement offered an explanation on how the Town's 79-E plan was formulated. In this instance, through a derived formula, the property's assessment value is frozen at the current level for a set number of years while the improvements to the physical structure occur resulting most often in an increase in the property's value. At the end of the agreed years, the property is taxed on its then assessment.

Discussing how improvements can be a win-win situation for both Town and owners, Mr. Clement felt by incentivizing owners to flood proof their properties the Town might be assured they will remain taxable properties. There are also other non-monetary components to consider; displaced individuals, loss of community/neighborhood. Ms. LaBranche added in some NH coastal towns, these properties serve their communities as economic components in recreation and tourism as well rental units in winter months.

Mr. Ingram noted in Exeter, not only would we lose value in our tax base but in our appearance which is an important economic aspect to the Town. Fortunately we have only a handful of properties we are talking about at this time.

Concluding, Ms. LaBranche offered to contact Sen. Watters on what was meant by a “water control easement” and how tax relief might be; how is it structured? Is there any potential for re-imburement from State? She will forward any response she receives to the Chair.

Going on to the Setting SAIL project she restated it is a NOAA funded project with the monies given to the Rockingham Planning Commission and other regional organizations to provide technical assistance to the fifteen inland coastal communities for municipal implantation of recommendations from the Coastal Risk and Hazards Commission (CRHC) final report. Four communities within the RPC membership applied for a grant, Exeter being one. Dave Sharples, the Town Planner put the application together and there will be two activities. One is to work with the Town’s consultants to incorporate climate adaptation and resiliency measures and criteria for updates and incorporate into the Planning Board’s site plan and subdivision stormwater management plan. This action is still in the organizational phase.

She and Mr. Sharples also plan to host an open house, sometime around the first of 2018. The premise for this meeting resulted from comments made during the Master Plan community action process that climate change and adaptation did not appear to have a “strong voice”. This would be an opportunity to brief the public with what activities have been and are presently going on in the Town to address these issues. It is to be an interactive evening with different stations being set up and representatives would provide background on their topic but solicit questions and observations from the attendees. She suggested this Committee or ESRLAC might want to have a table/station to outline what work the groups are doing; their function and role. She added all grant work must be completed by March 2018.

With no further comments or questions, Ms. LaBranche was thanked for coming.

6. Other Business continued

There were no public comments at this time.

Mr. Ingram spoke of an UNH study currently underway on dam removal. The scope seems to be New England in general not just in the State of NH. He was interviewed for the study and thought perhaps a member of this group maybe asked to comment.

Mr. Clement provided an update on the Mill Road dam on the Brentwood/Fremont line that he spoke of at September meeting. Another meeting was held recently with representatives from resident groups,

commercial companies, the Dam Bureau, Fish and Game and NHDES. All weighed in with questions and responses as to what should be done with the dam that is privately owned with an expired hydroelectric license and a Letter of Deficiency issued by DES. Is it to be repaired or removed? Mr. Clement felt they were at where Exeter was 10 years ago. Many issues raised but all agreed the discussion will be on going for some time.

Mr. Ingram commented we may be faced with a similar situation if indeed the Pickpocket Dam ever found itself in a similar scenario.

7. Next Meeting

There was discussion to determine a meeting day and time to accommodate the schedules of the members, Town staff and other groups. **Thursday, November 16, at 3 pm** seemed to be an optimal day and time.

With no further business meeting was adjourned at 9:40 am.

Respectfully submitted,

Virginia Raub