

Town of Exeter, N.H.
River Advisory Committee
Nowak Room
November 21, 2019
Final Amended Minutes

1. Convene the Meeting

Chairman Huber opened the meeting at 3:00 pm on Thursday November 21, 2019. Due to audio difficulties, the roll call was not available. However, members present included Chairman Huber, Virginia Raub, Conservation Commission; Terrie Harman, Dan Jones, Lionel Ingram, Kathy Corson, Select Board Representative; Warren Biggins, PEA Representative and Carl Wikstrom, Water / Sewer Advisory Committee.

2. Minutes from October 17, 2019 Meeting

Chairman Huber addressed an error that occurred in the Draft Minutes at Line 37 whereby the phrase "tax increase" was replaced with "total budget increase." After discussion, content was clarified surrounding the water and sewer budget proposals for Fiscal Year 2020. Chairman Huber moved to approve the Minutes as corrected. Ms. Raub seconded the motion. The motion passed in favor. There were three abstentions.

3. Update on Various River Related Items (Paul Vlasich)

Paul Vlasich, Town Engineer reported first that the Great Dam Project Report will be ready in a couple of weeks. The draft report showed that after three years of required monitoring, the river bottom remains stable and meets the requirements under the Wetlands Permit. Further monitoring remains necessary for 2 years in accordance with a grant received but they will seek to lessen that requirement. Mr. Vlasich stated that another expected report regarding the Pickpocket Dam project would be published after its consideration by the Dam Bureau. The Emergency Action Plan was completed and out for review by their Consultants. Also related to Pickpocket Dam, the Nitrogen Control Plan (NCP) process continues as the Town and the EPA clarify components of the NCP; after that, the required Annual Nitrogen Report will be due in January 2020.

Mr. Vlasich next spoke to components of the MS4 (Municipal Separate Storm Sewer System) submitted for the 2019 Annual Report. The IDDE (Illicit Discharge, Detection and Elimination) program report due by the end of the year must show explored removal methods for contaminants found in drain systems. Consequently, a new budget item for next year involves sampling storm water out-falls that have a flow during dry weather. Mr. Vlasich indicated that grab-samples will be completed at 22 out of approximately 200 known out-falls to check for contaminants.

4. Discussion of Issues Related to the Process of Granting Fertilizer Waivers

Ms. Terrie Harman requested the Committee review the Ordinance governing Waivers for fertilizer use relative to the decision-making process: should the Waiver be granted

by one individual or by the complete Planning Board? Ms. Harman read from the Ordinance, “Per the intent of the Ordinance, this prohibition (the fertilizer) may be waived by the Planning Board to supplement restoration or the establishment of new landscaping. Applicants shall provide written justification and identify specific locations, etc.” Ms. Harman stated that presently, Philips Exeter Academy (PEA) is the only requestor on record and that the Planning Board referred the matter to the Town Planner and/or Town Resource Manager for review and a decision. Ms. Harman felt for transparency and other reasons that the decision should not be made by just one person.

Dave Sharples, Town Planner, spoke to the question and provided details about the Ordinance and its specifications. Mr. Sharples said that stemming from the Healthy Lawns Committee, the Ordinance arose from a previous fertilizer prohibition. That committee expressed concern over maintaining healthy areas and the ability to prevent erosion along the water’s edge. Their exposed conflict covering erosion vs. potential pollution [from fertilizer,] and by whom that should be controlled or monitored, led him to seek a solution with the Planning Board. The Ordinance, amended by the Planning Board in 2019 upon his recommendation, rested the decision to grant or deny a waiver with the Planning Board or their designee, such as a Town Planner. Generally, the conditions apply when within 100’ of shoreline or in an aquifer district zone and carry requirements for time and application. For private use – 1 year with specified limits to fertilization according to location and 3 years for heavy turf also under strict limitations. Discussion involved PEA noted as a unique example because the fields must be maintained so as not to become a mud-field, but nitrogen application must be minimized so as not to be washed away into the river. Mr. Sharples spoke to the integrity of the field caretakers who felt a need to heavily fertilize yet compromised with the Planning Board. Warren Biggins, PEA Representative, offered PEA current practice toward Greenhouse emissions in seeking ways to lessen the impact and looking for alternatives to synthetic fertilizer. More discussion involved the high degree of usage the PEA fields receive early in the season and the condition of the football field behind the former high school location.

Ms. Harman returned to the policy question of whether a Waiver applicant should go to the Planning Board or to the individual designated by the Planning Board. Discussion from Mr. Wikstrom, Mr. Ingram and Mr. Sharples revealed that the Planning Board met twice monthly allowing time for an applicant to submit a request without causing undue delay. Mr. Jones raised a point appealing the grant of a Waiver, comparing it to that of the Building Inspector providing a permit when abutters were not made aware before the appeal period had passed. Mr. Sharples stated that the Planning Board holds authority to “designate or not designate a Waiver” as a result of the amended Ordinance. They held that discussion recently and voted to designate the decision. Mr. Dean, Town Manager, added that as Town Planner, Dave Sharples often brought suggestions to the Planning Board which unlike other committees, is statutory in nature, with voting members and alternates, and has the final say. Mr. Dean added that building site plans were approved by the Planning Board and permits issued by the

Building Inspector. When there is an issue of non-conformance or other problem, it becomes an administrative task. Any questions or concerns could be directed to his office or addressed to him in an email message. Chairman Huber concluded stating that they importantly gained a better understanding of the issue, but no action was necessary on the part of the Committee.

5. Discussion of the Issues Related to Composting in the Area of the Transfer Station

Dan Jones introduced the issue of composting in an area near the Transfer Station where there exists an idle dump site. He argued that reports resultant from the monitoring of wells in place are no longer available and that additional added materials from new composting in that area may further pollute the river. Mr. Jones described the new compost area as being “immediately adjacent and in the same aquifer next to the swamp and an old gravel pit.” Mr. Jones’ stated concerns were the possibility for pollutants to flow through the gravel, into the aquifer and the river unmonitored and lack of reporting for monitored wells. Mr. Jones stated that the new operation running in an old gravel pit did not have a site plan, monitoring or discussion for sealing and protecting the area.

Russell Dean, Town Manager, stated that Public Works could answer questions about the monitoring program there. Mr. Dean named the firm GZA (geotechnical, environmental, ecological and water management service) as the company that conducted reports for the Town in addition to noting a ground-water management zone monitored by DES. The Town is happy to share these public reports.

Don Clement supported Mr. Jones’ concern stating that while composting is a great sustainability method, in the area of the aquifer, commercial operations will bring kitchen / food waste presenting complex issues regarding increased nitrogen, algae blooms or PFAS (Per- and polyfluoroalkyl Substances) to the river. Because of the high-water table there, long-term effects must be investigated. Mr. Clement suggested involving DES and a step by step plan to utilize commercial composting. Discussion surrounded the validity of kitchen or animal waste entering the compost site. Ms. Corson noted that the company conducting the program, Seacoast Compost Products, Bob Kelly, Proprietor, would not accept food waste or animal manure. Mr. Dean noted the Town’s two compost piles presently at the Transfer Station. Mr. Kelly’s business adds to the Town’s limited composting as a sustainable activity. Mr. Dean explained that Seacoast Compost Products was given a 1-year revocable license with the proviso that the business would go through applicable Zoning or Planning board processes for license approvals. Details for a site plan remain unfinished but the operation is primarily organic. Mr. Jones stated he understood they must go through the Board of Adjustment for commercial use in a residential district and hoped that any license came with a site plan and review from the Planning Board with public input and regulations requiring

Zoning Board Approval whether structures are built (he would like to see that loop hole closed.)

From the audience, John Gezzer, Cross Road, agreed with the importance for sustainability but spoke to his concern about the composting site location and the quality of his drinking water. Discussion revealed that the public water at his home remained in violation of Federal standards as reported to him each quarter by the Town and he has not received a monitoring report for the well on his property for many years. Mr. Gezzer provided his own drinking water from a second home in Conway. Mr. Gezzer asked that the present composting plan be reconsidered to include the chemistry details determining not only nitrogen, but the level of ammonia produced as a by-product of compost and carbon dioxide resultant from greenhouse gases. Mr. Gezzer asked also to discuss the issue of food waste passed to the compost site.

Mr. Lionel Ingram suggested that as a Committee, these issues be recommended for discussion to the Select Board and the Planning Board for resolution. Mr. Ingram added that monitoring reports on the well test-sites be an obligation to the property owners where they are located. Mr. Dean commented that as he understands the former dump site was closed and capped long before he began as Town Manager, he was aware of the several wells and what was entailed. He expressed that he would soon speak with DPW about the reports, their frequency and availability.

6. Presentation by Mindi Messmer – NH Safe Water Alliance

Ms. Harman introduced Mindi Messmer, Scientist, former Member, House of Representatives, Founder NH Safe Water Alliance and recent recipient of a master's degree in public health. Ms. Messmer presented detailed information about her active involvement with local environmental concerns especially those that identified pediatric cancer clusters in a five-town area of the seacoast region. Her presentation may be viewed by accessing [exeternh.tv](https://www.exeternh.tv/) at the Town's website or follow this link:

In summary, Ms. Messmer was instrumental in locating the geographic problem areas by linking them with reported health concerns. She developed policy surrounding minimum acceptable levels for contaminants such as arsenic, lead and PFAS found in drinking water after learning that NH held the highest rates for 4 types of cancer in the nation. Ms. Messmer noted that standards for arsenic were lowered from 10 to 5 parts per billion. Because there is no safe level for lead exposure, she lobbied and won through SB 247, for every child under the age of 2 to be tested for lead and required schools to test those determined at risk and for states to adopt appropriate responsibility. This was significant because 55% of homes in NH were built prior to the 1978 ban on lead and are situated in "high risk" communities. Finally, Ms. Messmer discussed at length the danger of PFAS (those Teflon) components difficult to remove from the environment and remain unknown how to remove from the human body. Ms.

Messmer identified the sources as coming from industrial manufacturing waste, fire fighting foams, waste-water such as sewage plants and septic systems and landfills. In her presentation, watch for commentary about the “Dump on the Hill,” Coakley Superfund Site at Breakfast Hill. She mentioned innocuous PFAS contained in fast-food packaging that we encounter daily emphasizing that drinking water contamination sources carry the greatest detriment to our health as it becomes ingested and absorbed into the human body. Ms. Messmer named a free documentary available from Netflix titled, “The Devil We Know,” as a good resource for information connecting health risks to 6 cancer conditions. Further, she named “Dark Waters” as a new film to watch for.

Discussion on this topic involved bottled drinking water and the importance of knowing its source because recently manufacturers were shut-down due to contaminants in their bottled supplies. Because the FDA (Federal Drug Administration) does not regulate bottled water, Ms. Messmer lobbied to ensure that NH bottlers do. NH now holds a standard model for others to follow. However, Maine and Massachusetts are not required to comply. Ms. Messmer caused to have surrounding areas tested and renewed that challenge for compliance.

Other discussion involved the state of Exeter water and the cost involved to towns for lowering the PFAS impact. Carl Wikstrom reported that Exeter numbers were below federal standards. Ms. Messmer related that funding could be available from recent events. A \$388 million-dollar settlement set-up a ground-water trust fund allowing entities to apply for infrastructure upgrades. Further, NH sued the companies 3M, Dupont and Tyco to recover damages to public health and the environment related to PFAS exposure. The results will potentially produce additional money for the fund, plus a bill to provide monetary aid for private land-owners and small communities. She cautioned that these tied in to cancer cluster areas that would down-shift to the people involved. Lastly, regarding the Coakley Land Fill Site, repercussions remain unknown and difficult to assess due to the complicated fractures of the rock and multiple other issues.

7. Updates Related to How Our Collaboration with the Sustainability Office
Ms. Harman, Liaison to the Sustainability Office Committee, argued the importance of this position and hoped for a line item for the budget. Ms. Corson responded by stating that the Select Board considered 4 position requests for the new fiscal year: 2 firefighters, 1 sustainability officer and 1 employee for DPW. Ms. Corson stated the need to set priorities and since the new tax bills were out, the Budget Review Committee took this issue very seriously. In summary, she said, that the increased work load upon DPW was factored and felt that a gap analysis was required for the sustainability position. Ms. Corson suggested an alternative to work regionally with other towns was in order. She compared the Town of Exeter to an island saying that its many residents visited other communities to access resources or buy products and it made sense to incorporate those other towns into a plan with Exeter. She suggested use of a

grant to make use of UNH Interns to work with communities, including the SAU 16 School District, as a regional resource to resolving sustainability issues. Mr. Dean stated that the warrant article for a Sustainability Office did not include the raising of or appropriation of money to fund a position but merely proposed an advisory role.

8. Updates Related to How Our Committee is Supporting the Master Plan Directives

Mr. Ingram stated that given previous discussion of related items, the Committee meets the requirements of the Master Plan Directives through review and referral to the Select and Planning Board for consideration of both fertilization and composting concerns and reporting thereof.

9. Updates Related to the Proposed River Viewing Site Near String Bridge

There were no updates to the proposed viewing site as the project remains with Mr. Bob Glowacky.

10. Other Business

Chairman Huber announced the 2019 NH Coastal Climate Summit on December 4, 2019 from 8:30-3:30 p.m. at the Hugh Gray Coastal Conservation Center in Greenland. Ms. Corson reported that she will attend the summit.

Chairman Huber inquired about the Library Riverwalk and was informed that it was not approved. Rather, a deck was considered and remained in process.

11. Public Comment

There was no public comment.

12. Adjourn the Meeting

Due to the next meeting date in December being close to the Christmas holiday, it was decided to hold the next meeting on the third Thursday of January 2020. The next meeting is scheduled for 3:00 p.m. on Thursday, January 21, 2020. Ms. Corson moved to adjourn the meeting. Mr. Ingram seconded the Motion. All were in favor.

Respectfully submitted,

Celeste M. Camire
Recording Secretary
Via Exeter T.V.