

Town of Exeter, N.H.
River Advisory Committee
Nowak Room
July 18, 2019
Final Minutes

1. Convene the Meeting

Chairman Huber convened the meeting at 10:00 on Thursday, July 18, 2019. Members present included Richard Huber, Chair, Lionel Ingram, Terrie Harman, Dan Jones, Kathy Corson, Select Board Representative, Warren Biggins, Phillips Exeter Academy Representative, Ginny Raub, Conservation Commission Representative. Members absent included Rod Bourdon and Carl Wickstrom.

2. Minutes of May 16, 2019 meeting.

Chairman Huber requested comments regarding the May Minutes. There being none, Mr. Huber continued, noting credit to Don Clement for summarization of the importance of preventing sewer-water entrance to the river over the allowance of nitrogen into the river. Mr. Clement made the point which Mr. Huber summarized. Terrie Harman moved to accept the Minutes as written. Ginny Raub seconded the Motion. Kathy Corson abstained from voting. All others voted Aye in favor and the Motion passed.

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

Paul Vlasich, Town Engineer, provided information sheets that detailed points for discussion regarding the Pickpocket Dam. Mr. Vlasich first addressed the Draft Letter of Deficiency from the Dam Bureau dated July 2, 2019 sent to Jennifer Perry, Director of the Department of Public Works (DPW.) A June 27 meeting had coincided with the Dam Bureau meeting for review of previous breach analysis. The highlights:

- a. A list of minor fixes relevant to trees and erosion to be corrected by DPW
- b. An update to the Operation, Maintenance & Response Form (OMR) to be completed by VHB Consultants by October 1, 2019
- c. Development of an emergency plan by June 2020 – hire a consultant to analyze the dam's capability to safely pass the 2 ½ times the 100-year-storm-event with a minimum of 1 foot remaining free-board without manual operations. (This means that the sluice gate is not opened or operational.) There is not a tremendous amount of hope to meet the criteria. However, by June 1, 2022, a decision to remedy that condition will be a requirement in order to safely pass 100-year-storm-event criterion. Mr. Vlasich compared the project with the Great Dam project that also required a 1 foot free-board against a 50-year-storm-event. This analysis requires 2 ½ times a 100-year-storm-event – a classification that is far greater than the Great Dam analysis for the storm event because the classification of the dam had changed to a high hazard dam. Finally, reconstruction or modifications must be completed by December 2025 based upon the decision made in June 2022. These plans remain in draft form as compiled by the Town Manager and Public Works Director which Mr. Vlasich reviewed with the Dam Bureau last week.

Mr. Vlasich next referred to a handout that provided detail of task completion under the Capital Improvement Plan (CIP.) The DPW asks for \$370 thousand to conduct the 2 ½ times 100-year-storm-event analysis and evaluate the options to modify the dam for compliance (which is in-line with the Draft Letter of Deficiency.) Mr. Vlasich noted that FY 2022 read as “to be determined” because the Town’s request for CIP funds to either fix, modify or remove the dam, (under the assumption or occurrence of failure to pass) has not yet occurred.

Answering Mr. Ingram’s question regarding the process and funding likelihood of help from outside sources, Mr. Vlasich responded that there are both consulting and funding opportunities should the Town decide to remove the dam versus electing to repair the dam. He stated funding is available for removing dams but not as much so for fixing them. The decision to remove the dam opens the possibility for grant monies to address analysis, design and construction. In response to Chairman Huber’s question about scheduling a public meeting, Mr. Vlasich stated that those meetings would be important particularly if an engineering feasibility study to identify different options in costs was considered; however, any need for scheduling a meeting remained 1 – 2 years away. By comparison with the Great Dam project, the individuals affected by this project would not necessarily have all of the information and as such would want the opportunity to provide their opinions. Mr. Vlasich outlined the process if the flood analysis did not work: first, from March funding they would hire a Consultant to determine the scope of services and assuming there is a positive result, we have until March of next year to fine tune the result. The RAC may have need at that time for a public hearing.

The following discussion involved how to integrate public discussion with the town of Brentwood, their residents and public officials relevant to obligatory procedure. Should the approach be people to people or Board to Board with the intent to keep everyone informed and having opportunity to speak their opinion. Questions surrounded ownership of the land surrounding the dam, town lines and an appropriate plan for flood control. The response concluded that elevation data and other unknown information remained in the works as it was still early for those answers. An improved survey was needed to make those determinations. Dan Jones asked the reason for its designation as a high-hazard dam citing the possibility of downstream structures being affected and would the same consideration be given if the structures were not there. Mr. Jones is an abutter upstream. Ms. Raub’s comments focused on Mr. Ingram’s point that Brentwood and Exeter are aware of incidents in other towns where a dam’s physical structure lay in a different location from the town that was asked to fix it. Mr. Vlasich replied that the Pickpocket Dam was located in Exeter. He clarified that half the dam was in Exeter and half the dam was in Brentwood, supported by Ms. Corson who viewed the on-line map. Ensuing discussion met with confusion, yet Mr. Vlasich stated that the issues would resolve.

Chairman Huber opened discussion of issues related to contamination of Great Bay with the PFAS contaminants. The response concluded that monitoring of that condition was not available.

Dan Jones offered hope that the evaluation would include consideration of lowering the water level that the town has in its waste site, because on the under-side there is a gravel pit that rises and falls with the river level. Mr. Vlasich responded in the affirmative that an evaluation of the impact to the landfill will be necessary.

Mr. Ingram noted problem areas requiring proactive action such as a sink hole, removal of a log, and brush repair etc. wondering whether an erosion procedure existed for DPW to attend to such things. Mr. Vlasich replied that these appeared to be extraneous issues for which the 200-year-storm-event did not apply as they were minor in comparison to the concerns that will be addressed and affirmed that as these items will be addressed, the bottom line was that they were minor by comparison to passing the 200-year-storm event. He stated the focus was only to meeting the State requirements and no other agenda.

Chairman Huber recognized Don Clement from the audience who spoke in reference to the process followed with the Great Dam project. Mr. Clement said, clarifying agreement with Mr. Vlasich and the process, that many of the issues talked about with Pickpocket were like those with the Great Dam. Effects both upstream and downstream will be evaluated: erosion, sediment, scouring; all will be factors in the study. First, the CIP requests will go through the process from Planning Board to the Select Board to Budget Committee and back to the Select Board. Mr. Clement next urged the Exeter Governing Body to formally engage with the Town of Brentwood (Select Board to Select Board) because the expected impacts upstream will be as great or greater than the expected impacts downstream. In addition to environmental concern, the cost for the analysis alone is \$370 thousand but does not cover the costs to remedy the issues. For these reasons, Mr. Clement deemed it important to receive their discussion and financial options toward a potential solution because whether or not part of the dam or all of the dam is in Exeter, the upstream and downstream effects [of failure, repair or removal] will impact both towns. Dan Jones provided a notion of scale relevant to land ownership or responsibility stating that Exeter frontage on the mill pond was approximately 2,500 feet with Brentwood's ownership probably being about 10 miles and the [Exeter] town line not far upstream. Amidst a short discussion, Ms. Corson agreed to reach out to coordinate a joint-meeting of the two Boards.

4. Update River Viewing Site Near the String Bridge (Bob Glowacky)

Chairman Huber stated that Mr. Glowacky was unavailable because he was needed to run the video for this meeting; however, there being no new information, Mr. Huber focused attention to the next Agenda item.

5. Other Business

Discussion surrounded the potential Sustainability Office which Terrie Harman clarified is not yet established, but the Select Board has moved forward to appoint an advisory committee. Ms. Harman said that she was a member of an informal group called the Sustainability Office Advocates and agreed to act as liaison as requested by the RAC between the two committees. Next, Ms. Harman addressed Chairman Huber's comment about PFAS: Per-and polyFluorAlkyl Substances. She stated that she shares this concern but does not have the science and would like

to ask Melissa Paly from Great Bay Waterkeepers, or her designee, to educate the Committee. Chairman Huber agreed to the point that the Committee should know. He stated his understanding that shellfish in Great Bay are easily compromised enough to become a general health issue. Ms. Harman agreed to approach Melissa to request a presentation for September. Further discussion revealed the educational benefit of touring Great Bay by boat as endorsed by Warren Biggins and Bob Glowacky noting the information ties in with the goals of the RAC. Mr. Biggins and Ms. Harman agreed to jointly arrange both a tour and a presentation for the Committee.

Ms. Corson returned attention to the Sustainability Office discussion and stated that Niko Papakonstantis, Select Board, is the Representative to the Sustainability Committee. Also, Julie LaBranche is putting together a \$10,000 grant for the group with information forthcoming in October. The town may include \$2-3 thousand in matching funds towards volunteer hours to help meet the knowledge goal, to include a gap analysis of where we are and what we need relevant to what a Sustainability Office looks like for Exeter. She stated there is a good chance of receiving the grant which should be submitted by Thursday and known by August 9th.

Mr. Ingram inquired about the grant investigated at the previous meeting related to climate and UNH funding and was informed that the criteria surrounded the Master Plan which already been addressed, and that the deadline for submission had passed.

Chairman Huber next addressed the previous Minutes that involved RAC mention in the Master Plan and requested commentary from the Committee relevant to meeting its goals. Mr. Huber mentioned that Celeste, Recording Secretary, did reproduce items from the worksheets that may need to be addressed. There were no additional comments.

Chairman Huber set the next meeting date for 3:00 pm, Thursday, August 15, 2019 with the Agenda covering: Sustainability, Master Plan, Updates, if available, from Paul Vlasich and Bob Glowacky.

6. Public Comment

Don Clement, Thelma Drive, Exeter, mentioned the Volunteer River Assessment Program that has been on-going for about 20 years. This year, Kristen Murphy, Environmental Planner, engaged volunteers to test PH balance, turbidity, conductivity, dissolved oxygen and water temperature of the Exeter and Little Rivers on a weekly basis. Results from mid-July this year showed good oxygen readings in the Exeter River. Mr. Clement credited the installation of the new Waste-Water Treatment Plant as beneficial to these results especially since nitrogen levels were reduced. Initial test figures show nitrogen levels below 8 parts per liter (unknown as the correct quantifier) by comparison to previous tests indicating nitrogen at 12-14 parts.

Mr. Clements next addressed Mr. Ingram's statement regarding the dam study process and responsibility to inform Town property owners and residents. Mr. Clement stated his belief that the Town may request a regional impact study from the Rockingham Planning Commission

(RPC.) A second discussion surrounded whether the study may be used for reconstruction purposes or was the intent solely for development [projects.] Mr. Ingram closed the discussion stating it was ideal to ask for their services in connection with the two Boards (Exeter & Brentwood) to talk and bring everything together.

Chairman Huber noted an upcoming event through an email received from Steve Miller regarding a partnership between Great Bay, the National Oceanic Atmospheric Administration (NOAA) and NH Fish & Game which conducts evaluations of all national estuarine research reserves every 5-10 years to ensure adherence to the coastal management guidelines per Federal Coastal Zone Management Act of 1972. Mr. Huber informed the Committee that NOAA will attend a Great Bay National Estuary and Research Reserves to attend a public forum at Hugh Gregg Conservation Center July 23 to receive written or verbal public comments about their efforts. Contact information included an email address for Susie Holst: susie.holst@noaa.gov.

Kathy Corson read information from Rockingham Planning Commission Regional Impact Developments that can be found at that website page related to local land use in reference to earlier discussion regarding the impacts of Pickpocket Dam to both Exeter and Brentwood residents. Ms. Corson read: “before which Local Land Use Board could reasonably be expected to impact on a neighboring municipality because of the factors such as but not limited to the following: relative size or number of dwellings, proximity of borders to the neighboring community, transportation networks, anticipated emissions such as light, smoke, odors, particles, proximity to aquifers, surface waters which transcend municipal boundaries, shared facilities such as schools and waste disposal facilities...” Ms. Corson stated this information referred directly to a Land Use Board and offered to see if the dam issue would be considered a project of regional impact or if this really was in reference to development.

Mr. Ingram stated that removal of the Pickpocket Dam impacted both towns of Exeter and Brentwood and as such, the assistance from the Town of Brentwood would be helpful and important. Tim Roche, Director of the RPC was identified as the person to reach.

Chairman Huber requested a motion to adjourn. Mr. Ingram made the motion and was seconded by Ms. Raub. All were in favor.

Respectfully submitted,

Celeste M. Camire,
Recording Secretary