

# MINUTES

## Lakes Region Brownfields Advisory Committee (BAC) Meeting

LRPC Office Building  
103 Main Street  
Meredith, NH

December 16, 2010  
1:00 – 3:00 pm

### Committee Members Present

Michelle Bonsteel, Town of Bristol Shanna Saunders, City of Laconia Bob Snelling, LRPC Steve Schuster, LACLT, Inc.	Carol Pierce, Laconia Human Relations Committee Bill Seed, Coldwell Banker
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### LRPC Staff

Kimon Koulet  
Eric Senecal

### State & Federal Representatives

John Liptak, NH Dept. of Environmental Services

### Others Present

Rip Patten, Crede Associates

### Handouts

Inventory status spreadsheet  
Minutes of August 24, 2010  
Tamworth Inn site nomination form  
Criteria for Phase I site selection and online Brownfields Inventory Tool login and password

## 1. Welcome and Introductions

Kimon K. called the meeting to order at 1:08 pm. He welcomed the group and asked everyone to go around the table and introduce themselves. He gave an update to the current committee list, noting that Robert Snelling came on in place of Maggie LaBerge as the appointee from the advisory commission, and that he wanted to extend an offer to the director of the Greater Lakes Region Chamber of Commerce. He also asked everyone to please provide any updates or suggestions to the Committee contact list.

Kimon K. asked for comments on the minutes from the August 24 meeting. None were offered. He called for a motion to accept the August 24 minutes. Steve S. made a motion to accept. Michelle B. seconded. All were in favor. None opposed.

Kimon K. reminded the BAC of LRPC's commitment to assess six petroleum site and four hazardous substances sites under the two grants. He explained the genesis of the Lakes Region Facility's (LRF) involvement in the hazardous substances program and the agreement with DES to fund one of LRPC's four sites in exchange for the Phase I assessment that the LRF received.

Kimon briefly explained the inventory status handout that summarized the sites currently in the program and the high priority sites that may enter the program pending various factors. He then brought up the Tamworth Inn nomination (handout) and the site photos that had been sent to the BAC contact list via email. He asked for questions regarding the inventory before turning the floor over to Rip P. Eric S. asked for clarification that R&D Paving was not yet in the program. Rip P. confirmed that it was not, explaining that the City of Franklin preferred to have the former Polyclad site assessed, and that the status of R&D hinged on whether an access agreement could be obtained at Polyclad. Rip P. also pointed out that the New England Yard site was incorrectly listed as a petroleum site, clarifying that it is a hazardous substances site.

Rip P. explained that the BAC had decided at the 8/24 meeting that each of the target communities would get two sites into the program. Kimon K. asked what was going on with the Polyclad site. Rip P. said the city was in negotiation with a buyer. Details of the Polyclad site were discussed.

Kimon K. reminded everyone of the availability of funds to do some reuse planning, and that at some point the BAC would need to consider how best to allocate those funds. He also pointed out that a number of Brownfield reuses throughout the state redevelop with some form of housing included. He pointed out the LACLT was a great resource for looking at the possibility of workforce housing or market rate housing at some of the sites.

Kimon K. turned things over to Rip P. at 1:20 pm

Rip P. provided a recap of the plan from the 8/24 meeting; to seek access agreements from owners at the top two sites in each target community. H explained that that had occurred, that some sites moved forward, with a current total of three petroleum sites and 3 hazardous substances sites, and that now the group had to reassess and decide how to continue to move forward with site selection. He posed the question, "Do we move on to a rolling application or do we give target communities more time to get sites in?" and expressed a hope the meeting would yield a decision on how to move forward.

Kimon K. explained how the Tamworth inn got into the program through the dedicated interest of a local individual. He wanted to know if it made sense to do more outreach to potential sites. Rip P. expressed that the way the Tamworth Inn was identified was ideal, citing an established reuse plan and a motivated nomination. John L. agreed with Rip and noted that there are a couple Gilford sites that shouldn't be on the list.

Kimon K. cited the need for an update on all the priority sites whose status was unclear. He asked why the Reynolds site was listed as 'possible'. Eric S. said he knew it was a priority and had not heard anything to suggest it would not move forward. Rip P. explained that the property was in limbo with the bank having washed its hands of it, and that the last he had heard, the town

was working to figure out how to get access to the property. Michelle B. explained that the town is trying to establish clear title, and that they are looking to go to court to get a court order to take the property. She said by early January the Selectmen will vote to approve hiring a land use attorney to pursue that property. She did not know the status of the Adams property and that it was not a top priority at the moment.

Kimon K. noted that there was likely some exchanging and movement that would occur in the inventory list but asked Rip P. to go on with his presentation before further discussion.

Rip P. gave updates on the LRF, mentioning the completed Phase I assessment and the preliminary reuse analysis which was well received. He said that the budget for a Phase II was beyond the capacity of the LRPC assessment grants. Shanna S. asked if the report was online. Kimon said that it would be posted to the LRPC website shortly. Rip said the next step was waiting for the state to make a determination. Kimon said he would add more on that topic later.

Rip then discussed the New England Yard site, describing the long municipal use history. He said there were not a lot of obvious issues that came up during the site visit. It abuts the city's current rail trail.

Rip discussed the Packard site in Ashland next. The owners want to develop some mixed uses in part of the existing building. Rip said that there were not too many environmental issues that were readily apparent since most of the high risk activities were conducted in more distal sections of the large mill facility.

Rip then discussed Ernie's Garage in Tilton, with Winnepesaukee River Trail Association holding a purchase and sale agreement that expires on 12/31. Credere Associates have completed their initial soil and water sampling and are meeting with local representatives on 12/20 to discuss the findings with the DES. There may be programs for the town to limit their liability in the event of some kinds of contamination. If things look OK, the town may close on the property. If not, there may be more discussion with the owner. Kimon K. asked what happens if some contamination exists that would be more challenging to clean up. Rip P said that it then becomes a negotiation between the town and seller in light of the information. Rip showed the site plan and boring/groundwater sampling locations from the site investigation. Rip summarized the scope of the contaminant testing, and clarified the difference between Phase I and Phase II studies, Phase II being used to confirm or deny the Phase I findings.

Rip then discussed the Mica building. A Phase I ESA was being finalized, and the SSQUAP was being drafted for the Phase II. Rip gave an overview of the contaminant issues and recommended sampling, but he said overall there was nothing major. Rip discussed the context for the Mica and Reynolds redevelopment plans.

Rip then discussed Guay's Garage in Franklin and the issues with the many exposed drums being stored outside. He said he had talked to DES about securing the site. The city has said that a number of people have expressed interest in the property.

Rip mentioned the online Brownfields Inventory tool which can be accessed with the login and password that was provided on the handout.

Robert S. asked what the difference was between sites that have been nominated and identified through windshield surveys. Kimon K. and Rip P. discussed the methods used for developing an initial list of potential sites in the region.

Kimon K. returned to the discussion of how to populate the list of six petroleum and 4 hazardous sites, noting that we are at a critical point because Credere needs sites to focus on and the initial prioritized sites have been exhausted or are still pending. Kimon asked for status updates, especially for sites that should no longer be considered. He suggested that if a site is dropped, suggesting that even if it were to become viable in the future, that it would lose priority status.

Shanna S. said that she would have no problem dropping Bloom's because of the lack of interest with the owner. Shanna S. said she did not want to drop the Colonial, however, despite not being certain how access will play out. Shanna said it was complicated, but that sometime in the next year it should become clearer whether the city could acquire the Colonial.

Kimon asked what the pivot point on this site was. Shanna said the city was debating whether to offer money for the purchase and sale. In the past the property owner pulled out. Bill S. said that there was an option agreement in place that would last another 12 months. Shanna said the feasibility study was being completed and that things may change in the future. Kimon asked Rip what we should do with this site. Rip said it was more about the process and whether we were still limiting the target communities to two sites each. Rip said that the up side of putting more sites into the program now was that LRPC would allocate much of its funding now, which would appear favorably in the assessment of our 2011 grant application. If we have not spent enough money, the EPA may determine that we do not need additional funding. The down side of adding sites to the program is that if in the future the situation changes with sites like the Colonial change, there may no longer be room in the program for those good sites.

Michelle B. mentioned that her understanding of ensuring success with the Brownfields program was to identify sites that can be acted upon quickly and redeveloped successfully. She also expressed an understanding that use of funds on as many sites as possible was an indicator of success that could support future funding.

Michelle thought it would be beneficial to the program to have a site in an outlying area of the Lakes Region that could serve as a model for success for other communities.

There was some discussion of the working inventory handout and the open spots in the program for more sites. Some of the discussion concerned the distribution of sites among the two grant programs, and clarification of the various scenarios that may exist depending on access agreements being obtained for sites that were on hold. The focus was on Reynolds (Bristol), Polyclad/R&D Paving (Franklin), Colonial (Laconia), and the NE Yard (Laconia).

Shanna S. said that of the remaining Laconia sites, the Madera property was probably most likely to be able to enter the program, but Rip pointed out that that site would not meet the definition of

a petroleum site. Kimon K. asked for a clarification of eligibility for petroleum program. Rip said that the owner cannot be deemed to be liable (responsible party) for contamination or financially viable (still in business unless under great economic hardship) to pay for clean-up.

Kimon reviewed the other priority sites, like the Paper Mill in Ashland, that haven't granted access. Kimon asked about top priority sites that have questionable access and which would be petroleum sites. Kimon facilitated a discussion centered on identifying two more petroleum sites. Kimon asked about the Reynolds building and Michelle said she could get some details by the end of January. It was decided to keep the Reynolds building in the petroleum program for now.

Bill S. mentioned a 4-acre site in Tilton that he thought would be a great site for the Brownfields program. It used to be a gas station, and the tanks may still be in the ground. Bill said that when he was marketing it for sale, he had to disclose to potential buyers that the site might have environmental contamination, and then discussion broke down. The owner is interested in selling the property and the site has very high redevelopment value. Kimon encouraged Bill to provide some information to look into this property.

The group began discussing access issues at Bloom's and the Colonial. Bill S. asked to keep Bloom's as a 'hold' in order to try talking to the owner about future redevelopment and the benefits of having the property assessed. Bill said he would make one more attempt to bring Bloom's into the program.

Kimon pointed out that if Bloom's were to participate, there would be some constraints in the Hazardous substances program due to the other sites in the program. Switching the New England Yard to petroleum would potentially free up some space. Bill said that Bloom's should only be part of things if it gets folded into the Colonial after the sale of the Colonial. Rip pointed out that folding two sites into one doesn't necessarily reduce the costs for assessment.

Kimon suggested that we target the State funds (in return for the LRF work) to the Colonial/Bloom's work in order to not hang up work on our program. Kimon asked Rip about options for moving the NE Yard into petroleum. Rip said the tanks are gone, but that it could probably be in the program as long as the City wasn't considered viable. Kimon summarized the sites in the Petroleum program (Ernie's, Mica, Guay's Tamworth Inn, Reynolds, and NE Yard??)

Kimon asked Rip about how the program is doing in terms of dollars spent, the need for more funds from another grant, and how we rank with the competition. Rip said that there are a very good number of sites in the program, but most funds are spent in Phase II and not many funds have been spent on Phase II sites yet. Kimon called for a motion to put the Tamworth Inn into the program – motion made by Steve S., seconded by Bill S. All in favor.

Kimon mentioned that the land use assessment report for the Lakes Region Facility was available on the LRPC website yet. Eric S. said that the presentation was available, and that the full report would be up shortly.

The meeting adjourned at 3:06 pm.