

OASC Meeting
March 12, 2010
Main St. Building, Ossipee NH
10am-12pm

In attendance:

Jay Buckley
Kamal Nath
Blair Folts
David Little
Tara Schroeder
Erin Rodgers
Mia Akaogi
Roger ter Kuile
Erica Anderson
Bob Gillette
Steve Whitman
Kate Davis

Introductions:

Introductions were made around the table, and the group learned that Roger ter Kuile is a newly elected member of the Ossipee planning board, and Jay Buckley from Madison just wrapped up 15 years on the planning board and is now serving as an alternate. Steve Whitman, planning consultant for the Ossipee Watershed, returned to the group to help with BMP Strategic Plan as well as BMP/town planning workshops.

Presentations/Meetings Update:

Jay is doing a follow up presentation to the Effingham Planning Board on April 1st at 6:30pm based on requests from the PB and Kamal to share about his process and success in Madison passing a groundwater protection ordinance 10 years ago.

Erin has been working on setting up the BMP workshops with Tara, Steve, Pat Santuso from UNH T2, and Jay, including the one coming up April 29th at 6:30pm (draft agenda below). She is also trying to coordinate with Pat/UNH a second workshop/training in October which will be for CEU credit and will be closer to the winter maintenance season for road agents, contractors and town officials. This second workshop may involve DES as a partner, and possibly DOT.

The Tamworth Planning Board presentation was postponed until April 14th due to weather. The group discussed whether or not to wait until a new LRPC person is hired to give this and other PB presentations since when planning board members have questions, having a professional planner will be important. Kamal says it is necessary to have all the answers at the time. The presenter can say that we can get back to them with answers at another time. A discussion ensues about keeping the project's momentum, that each town needs a different approach, and that towns are ready to move forward and make official decisions at this stage based on outreach by the group from the past three years. Roger and David will work on preparing for the Tamworth PB presentation in light of these thoughts and suggestions for using the statewide aquifer map, in addition to other handouts. David is mostly concerned if the ordinance will be able to stand by itself since Tamworth does not have zoning, and Erica assures him that it can. David says that Tamworth just elected three new board members.

Tara summarized the presentation to Ossipee that she recently gave with John. Bob mentioned that the

model ordinance is a little more strict than what they (Ossipee) were planning on, but thinks it should work with the people in the town. He did not seem to think there needed to be a lot changed for the ordinance in Ossipee. He felt it might be better to talk about the ordinance more as “house-cleaning” than as change or new ordinance. Tara mentioned that Ossipee board members were open to having a follow up meeting and reviewing the ordinance and handouts in a few months. Their main concerns were that it did not deter business from the region and did not introduce new regulation. Roger’s points about the benefits of the ordinance to human health and family were well taken by members of the PB. Although the chair of the PB stated that they did not have the time/resources to form a subcommittee, they were open to having someone else rework the ordinance and bring it back to the board. Roger plans to move forward with ordinance work in Ossipee as a subcommittee with one other PB member and feels that the ordinance will be ready for the next town meeting.

Erica stated that the Madison ordinance is very similar to the proposed one/state template. Ossipee could be improved with a few amendments, as well as explaining how it is important. Bob says to focus on why it is important to the *town* instead of the region. Some community members are of the 'old style' still and they do not like new regulations.

LRPC Staff Update/Model Ordinance Update:

Blair asked if there is a plan for replacing Erica at LRPC, especially heading the grant. Erica replied that the details are going to be hammered out back at the office that afternoon. Kamal asked who the head of the grant is, and if her leaving is going to affect it. Erica said it will not, that [LRPC is the signatory on the grant](#)~~there are several signatures~~. She is the project manager, but ~~that can change if~~ [not a signatory on the new grant is to be renewed](#), and Kimon is the grant administrator.

Erica updated the group that the model ordinance was just ~~rewritten-revised~~[again](#) by the state. Kate asked who is writing all of these ordinances, scientists or lawyers? Erica responded that [the primary authors](#) ~~it is~~ [are in the source water program at DES, and mostly scientists](#). The original was done in 2006, then all the drinking water rules changed and they had to go through and update the rules in the model to match the new rules. Erica has not looked at the new one yet, but ~~she will before she leaves~~ [and she](#) will forward the new draft to Tara for the Committee. Bob asked whether or not there is any penalty for failing to bring town regulation to state standards or non compliance. Erica responded that there is no penalty; we are adding a local layer to the state oversight Kate asked for clarification, if we're working on local enforcement of state regulations.

Erica wants to know the status of the ordinance for each town. Based on presentations and indications from town Planning Boards, it appears that several towns may be ready to go for next year. Indications from Sandwich, Freedom, Ossipee and Tamworth were all positive. Effingham is still questionable and some Planning Board members are reluctant to pass any new regulation. Jay stated that planning boards are there to plan, to pass ordinances, and that when he goes to Effingham he will reiterate that it is their job to plan for the future. Kate has concerns about the Effingham PB, and that another alternative would be to move the ordinance forward by citizen petition. Steve asks if it's possible in Effingham if the Conservation Commission could also attend meeting as well to help give input/answer questions. Kamal felt that Jay should try to relate to the PB members as individuals. Blair suggests that there should be people from town at the meeting that can give their opinions and ask questions, and that she will announce the presentation at town meeting on Saturday. Kamal is concerned that there is nobody with time to volunteer to work on the ordinance as a subcommittee. Jay mentions that if a planning board is against forming a subcommittee, having community members, just one or two, volunteer to be part of the subcommittee at the meeting, there is no reason the board could say no. Kamal says that they have to be residents of the town. Kate brought up the Farm Bill 2008 that is being revamped for

groundwater protection and she thinks that if this aquifer ordinance is presented properly, local farmers will support it. Blair also brought up problem of enforcement. She would like to talk to Jay more about it later since it will be an extra cost to the towns.

Kamal suggested that if one of the towns is making good progress, using that town as an example for the other towns could be a good motivator. Tara stated that we received this grant because of its regional approach and that this is an important piece to continue to reiterate to the PBs. David mentioned that if other towns have made changes to the model ordinance that it will be important to share those changes with other towns as this process moves forward – [perhaps a report card to keep track](#).

Prohibited Uses Discussion

Roger stated that some board members on the Ossipee PB were against all-out restrictions, such as gas stations. He suggests having lining bunkers, monitoring systems, etc, and those should be good enough to allow this type of business in aquifer district. Blair agreed that complete restrictions can be a deterrent. Jay said that the issue came up with Madison, and that the secondary containment was less of a concern over the aquifer for them; unaware patrons of gas-stations spilling gallons of gasoline on the ground were more of a concern. The other concern is that the state allows a certain volume of gasoline to leak from Underground Storage Tanks and Aboveground Storage Tanks. Bob said the other problem with prohibited use is the ability to ask for waivers. In Ossipee, this seems to be the way of things, however, the PB was recently responsible for encouraging water quality protection efforts at the new parking lot for the tractor supply store where runoff from a paved area has to go into a trap that can be disposed of properly. Erica reminded the group that the towns can tweak the ordinance to suit their needs, however, the top eight on the list are the important ones the state feels should be prohibited in vulnerable areas. If there is a problem at one of those kinds of sites it becomes a very serious problem quickly.

The group considered the list of prohibited uses and gas stations further. If these types of businesses are not prohibited, then a town inspection must be done regularly, which will cost the town. Kate suggests that if a prohibition is forgone, then a significant bond be required instead or require an insurance line. Tara asks if this was an issue in Belknap/Northfield/Tilton? Erica will have to ask Candacey from Belmont PB because similar to the Ossipee Watershed/Route 16, there is a stretch of gas stations along route 106 right over the aquifer. These towns actually added additional prohibited uses above and beyond the state's eight recommended prohibited uses in their ordinances. Jay stated that in Madison, they have a prohibited use of dry cleaners as well as the state's eight. The group then discussed the lack of enforcement and ability for the state to enforce BMPs, the issue of unlicensed junkyards, and how many gas tanks have been known to be leaking or not in compliance for years. Erica stated that the group should keep track of these [problems-potential brownfields sites as LRPC currently has funding to conduct site assessments. This would potentially lead to reuse plans and/or clean-up funding through a variety of sources. as there may be funding through LRPC for clean-ups in the near future.](#) David mentioned that having things like junkyards on the list of prohibited items in the ordinance could be a selling point for the PBs to give them more local control. Kate also brought up the pesticide exemption on the back of the checklist. Maybe it should be reworded for only agricultural uses, not residential lawn care.

The group then looked at the new website with all of the documents, maps, minutes, etc. that LRPC has recently completed. The draft model from state is not yet there since it is not yet approved. The group suggested that the town displays be added to the website as well.

The draft agenda for the April 29th BMP workshop was discussed, as well as suggestions for Erin's presentation on road salt impacts. Suggestions were: speakers should bring stories like the ones talked about today (Jay's story about Madison, Steve's about Plymouth, etc) to encourage towns to pursue aquifer ordinances and follow BMPs; use visual aids and props; and create graphs that show thresholds of salt for different species of fish, amphibians, human health, etc. Upcoming event flyers were passed around for various conferences and events including: showing of the film "Tapped" at the Conway Public Library from 6-8pm on March 22nd; Saving Special Places Conference on April 10th ftp://ftp-fc.sc.egov.usda.gov/NH/WWW/SSP_2010_Brochure_FINAL.pdf and the annual NH DES Drinking Water Protection Conference on April 30th <http://des.nh.gov/organization/divisions/water/dwgb/dwspp/index.htm>

Tara concluded by passing salt and BMP articles recently in the local papers. **The next OASC meeting will be Friday, April 9th from 10am-12pm at the GMCG office.**

Draft agenda for the April 29th workshop to share with road agents, town officials, and residents:

**Aquifer Protection
&
Road Salt Best Management Practices Workshop**
Thursday April 29th 2010
Madison Town Hall (TBA), Madison, NH
6:30-8:30pm

- How to protect your town's future drinking water with aquifer protection ordinances
- Save money and lessen liability with Best Management Practices & plans for winter road maintenance
- Get up to speed on road salt alternatives & training opportunities for road agents & town officials

Free and open to the public. Town officials, road agents, Public Works and DOT staff, supervisors and managers, independent plowers, town planners, and anyone interested in drinking water protection and BMPs are invited to attend.

Agenda

6:30-6:45 *BMPs & Road Salt in the Ossipee Watershed.* ~Erin Rodgers, GMCG Intern & Antioch University Graduate Student

6:45-7:00 *Madison's Aquifer Protection Ordinance & how it can help your town.* ~Jay Buckley, Madison Planning Board

7:00-7:30 *How land use regulations can effect winter road maintenance.* ~Steve Whitman, Environmental Planner for JHT Planning

7:30-8:00 *Alternative salt reduction methods: Maintaining service, saving money, and the private sector.* ~ Patrick Santoso, UNH T² Center

8:00-8:30 *Open discussion on the evening's topics & Sign Up for Winter
Road Maintenance Training in October, 2010.* ~Facilitated by Steve Whitman