

Minutes of the Westmoreland Selectmen's Meeting

Thursday, June 2, 2022

BOARD MEMBERS PRESENT: Russ Austin, Frank Reeder, John Snowdon

1. The meeting was called to order at 1:00 pm by Russ Austin
2. Approval of Minutes: May 24, 2022. Motion was made by Frank Reeder and seconded by John Snowdon to accept the minutes as printed. Motion passed 3-0
3. Accounts Payable: Motion was made by Frank Reeder, seconded by John Snowdon to Approve Manifests: \$51,954.08 Motion passed 3-0.
4. Guest: Steve Horton, Westmoreland Fire Station Representative
 - Progress - Architect contract to be signed then proceed to building design. Russ Austin - When will design be complete? Horton - Hope to have complete design by late summer.
 - SVE site design proposal to be signed. Can then address site work concerns including holding tanks for wash water. Wash water contaminants cannot go into septic or the leach field. System has not yet been designed
 - Due Diligence - Environmental impact pursuing phase 2 process in building. If anything found certified agencies would remove and dispose of it abiding with all EPA restrictions. Soil samples are regulatory since it has been over 2 years since done. Ransom Consulting did an initial survey, and we are waiting for a proposal from them. They will review the existing building for contaminants as well as boring soil for contaminants. Testing results will be reported to both state and town. Austin - Is this process in the budget? Horton - Yes, it has to be due to regulations.
 - Abutter Concerns - SVE will do hydraulic calculations to 50 year storm level control flow to best mitigate potential heavy flow down to abutter property. Limited capacity to do much. Filed with NHDES, and they will respond if they agree or find further work needed.
 - Well Closure - To close an existing well we have to fill the top with 5 feet concrete. Ground water stays where it is. Told a home is using the well. Would need to investigate before closing. It isn't necessary to close or leave open the well for the project. Laurie Burt - House across the road uses the well. Pipe goes under Route 63 to the brick house. It's on the deed.
 - Frank Reeder - Conservation Commission would like to have a federal environmental study. These are very extensive studies that are not accessible to municipalities only federal agencies. The Selectboard could not do anything regarding the fire station until the town voted to give permission, and there was no money until the Town received the bond. The Selectboard hired Steve Horton to insure all regulations are met and all contractors are insured. All reports will be available for review for full transparency.
 - Marshall Patmos and Jeannette Hubert gave Selectboard a list of 11 environmental impact concerns (attached) and a letter which Hubert read. (attached)
 - Horton - When excavation begins a geengineer will be on site. Most excavation companies require 40 hours of HAZWOPER training in which they are trained to identify contaminants and anything questionable would be tested. Hubert - How would they identify Arsenic? Horton - Soil tested for arsenic before construction. Testing for contaminants will continue as we dig.

- John Lounsbury - Everyone on the committee is pro fire department and wants them to have the new fire station. We just want to make sure our responsibilities are covered to avoid any litigation later.
- Based on the concerns expressed to him while attending the last Conservation Commission meeting, Snowdon asked if, after hearing Horton's presentation, attending CC members now felt the Town is hiring the water and soil engineers needed to help answer their questions. All agreed they do and asked that the test results be given to the CC when ready. Reeder stated the results are part of the public record and will be available to them. Horton will also send reports to the CC as they come in, and help translate them if needed.

5. Old Business:

- A. Architect Contract: Motion was made by John Snowdon and seconded by Frank Reeder to sign a contract with Michael Petrovick Architects for design development, construction documents, and construction administration regarding the new fire station. Motion passed 3-0
- B. Site Work Contract: Motion was made by John Snowdon and seconded by Frank Reeder to sign a proposal from SVE Association for construction level site design for the new fire station. Motion passed 3-0
- C. Mill Brook Dam - Tom Finnegan and Bill Chase met with Lorilee Mather, a civil engineer with the State of NH Environmental Services Dept. Took pictures and is gathering information to help determine issues. To do a hydraulic model and gather information it will take about 6 months. In the meantime Finnegan and Chase will call Mr. Howard, the property owner with the dam, to see if an agreement can be made to avoid further property damage.
- D. River Road North Bridge - Eckman Engineering just received the site-specific soil mapping back from the project soil scientist and will now move forward with continuing the design work for the project.

6. New Business:

Signature Approval was given for the following:

Payroll: 05/31/2022	Amazon - 199.96
Payroll Taxes: 05/31/2022	Intent to Cut (2)
General Journal Entries:	Junk Yard Permit (1)
803 Tax Warrant 1st	Solar Exemption (1)
804 -Move Prepayments	Zoning Board Appointment
Retirement - 05/31/2022	
Health Insurance - 05/31/2022	

- A. Disposal of Cemetery Flags - Frank Reeder agreed to take them to the American Legion.
- B. Fundraising Policy - Jo Ann drafted a policy due to auditor recommendations. Trustees of Trust Funds also have a form to include. Motion was made by Frank Reeder and seconded by John Snowdon to accept Fundraising Policy. Motion passed 3-0
- C. Code Enforcement Officer - Increasing need for one. Chesterfield code enforcement officer may be interested in per diem work. Austin - forward contact information so one of the

selectmen can reach out, and schedule at time when he could come to a Selectmen's meeting. If it seems like a reasonable idea can go on next year's warrant.

D. CCI will attend July 7th meeting

8. Correspondence - Letter from Putnams addressing concerns about the new fire station and the brook. (attached)
9. The meeting was adjourned at 2:09pm

Respectfully submitted,
Jodi Scanlan
Town Administrative Assistant

NEXT MEETING – THURSDAY JUNE 23, 2022 6:00pm
MINUTES ARE INITIALLY POSTED AS UNAPPROVED
SELECTMEN SIGNATURES DENOTE APPROVAL

BOARD OF SELECTMEN

Russ Austin, Chairman

Frank Reeder

John Snowdon

June 2, 2022

To: Westmoreland Selectboard
From: Westmoreland Conservation Commission

The Westmoreland Conservation Commission is charged, according to NH RSA 36-A, to identify, protect and conserve the land and water resources of their community. In addition, according to NH RSA 482-A and NH RSA 483-B, the Commission reviews local wetland applications and, in accordance with the NH Wetlands Bureau, is involved in the NH Shoreland Protection Act. In addition to responding to wetland issues as requested and reviewing formal applications, the Commission works with town, county, state and federal officials and a number of NH and regional groups and agencies on a variety of issues.

The Conservation Commission continues to have issues with the disposal of hazardous contaminated water from the washing of clothing, equipment and vehicles following a fire and have been formally approached by individuals with very serious concerns about same in addition to concerns of the alteration of water runoff.

A congenial meeting was held on April 26, 2022 with the town project consultant, Steve Horton, members of the Conservation Commission, and the concerned parties. Many unanswered questions were brought up which Mr. Horton will be researching.

Since that meeting there have been a number of critical issues identified such as the Federal Occupational Safety and Health Administration (OSHA) regulations that state, "It shall also be determined if any hazardous chemicals, gases, explosives, flammable materials or similarly dangerous substances have been used in any pipes, tanks or other equipment on the property. When the presence of any such substances is apparent or suspected, testing and purging shall be performed, and the hazard eliminated before demolition is started." Some of the additional issues include excavation at the site without soil core samples and water analysis reports, potential contaminate discharge, future containment of hazardous materials and the legal closure of the existing spring fed well.

We have since been in contact with Mr. Horton, who updated us on steps being taken to meet the requirements for demolition. We look forward to seeing the resulting survey when it becomes available.

As a Commission we are in agreement that we are not expert enough to handle many of the concerns regarding these issues.

June 2, 2022

There is increasing interest in having a Federal Environmental Impact Study (EIS) performed. This study may be lengthy and expensive, however, we recognize the responsibility we all share to protect the land, water resources and the neighboring community. This also provides for testing of soil core samplings and water analysis. It appears this project meets the requirements outlined by the Department of Energy as well as objectives of the EIS as noted in "aboutcivil.com" which obligates us to do so. The intent is to protect our residents from future potential health issues and the town from resulting litigation. The EIS will not only supply answers to many unanswered questions and unknown concerns, but will add a level of protection for future lawsuits. If the project does not meet the criteria for an EIS, once one is formally applied for, that too would prove compliance intent should legal issues arise.

At this time, our responsibilities as outlined, may require an Environmental Impact Study.

The following items have also been discussed at our meetings and require resolution:

- Increased water runoff from structure roof and parking lot
- Closure of current well/spring – is it a legally deeded entity
- Contaminates from washed clothing flowing into leach field which is contained/adjacent to wetlands
- With design change of septic system, is pre-designed leach field adequate in size
- Runoff distribution onto down slope neighboring properties must be addressed
- EIS may be warranted by meeting at least two requirements ie. release of contaminants, proximity of wetlands and wetlands excavation
- Potential for contaminated runoff into stream creating exposure for down slope neighbors
- Information regarding contaminated water collection tanks ie. location, cost of frequent collection
- Total of three (3) streams identified on property
- Must have new building location staked out according to SVE mapping (which is drawn to scale according to Steve Horton) to further study potential environmental impacts

Marshall Patman, CHAIRMAN-CONSERVATION COMMISSION

Proposed Fire Station Concerns Regarding Potential Environmental Impacts:

- 1.01 **Vehicle & Fire Truck Washing** – Design Team to clarify the design intentions for capturing contaminants, hazardous run-off and washing practices to prevent run-off into soils, wetlands and water system.
- 1.02 **Decontamination of Equipment & Clothing** – Design Team to clarify the type of equipment to be used for the Decontamination of Equipment and Clothing on site. Clarify the capturing and processing practices for containing hazardous contaminants and the removal from the station. Confirm if holding tanks will be installed for processing and removal from the site.
- 1.03 **Discharge of Water from Open-Ended Box Culvert** – Review the concerns regarding the “Open Discharge” of water from the Open-Ended Box Culvert design. Presently, this design discharges water approximately 40 LF from the property line. Discuss the impact of water discharge to the adjacent soils and adjacent property impact.
- 1.04 **Rooftop Drainage Design & Capture of Water** – Review the Engineering and Design intentions for the rooftop drainage system and where the water will be dispersed to.
- 1.05 **Foundation Perimeter Drainage Design & Discharge** – Review the Engineering and Design intentions for the foundation drainage and where the water will be dispersed to. Daylight drainage will create additional issues with adjacent wetlands.
- 1.06 **Impervious Surface Design and Drainage** – Provide further detail clarification for Design Teams intentions on how the Impervious Surfaces will shed water. Clarify the wetlands impact for Permanent Wetlands flagging if all water is shed to Wetlands as discussed. Catch Basins are presently not designed or specified for the control of impervious surface water control.
- 1.07 **Perimeter Swale Design, Capture & Discharge** – Provide further detail clarification for the Design Teams intentions on where the perimeter swales will be captured and be discharged to. It appears that the Wetlands will be capturing all run-off per SVE.
- 1.08 **Potential Impact of Hazardous Run-Off Into Existing Soils** – Further design details have been requested and are required by the Design Team of Record to ensure all hazardous run-off and contaminants are contained and processed accordingly off-site.
- 1.09 **Overall-All Wetlands Impact With the Proposed Design** – The Conservation Commission has emphasized the overall concerns on Wetlands, Adjacent Properties, water bodies downstream and the future health of the soils. Further details are requested to ensure their concerns are alleviated for the future of the town and environmental impact.
- 1.10 **Decommissioning of The Existing Dug Well** – Concern has been discussed regarding the Decommissioning of the existing well. How will this impact the Wetlands.
- 1.11 **NHDES Wetlands & Non-Site-Specific Permit No. 2020-03040** - The group has noted that additional review and understanding is required for the “Project Specific Items” 1 thru 39 and the “General Conditions” 1 thru 10, as approved by Kristin L. Declos of the Wetland Bureau.

Wendy Putnam
17 Partridge Brook Road
Westmoreland, NH 03467

May 31, 2022

Town of Westmoreland
Board of Selectman
Westmoreland, NH 03467

Dear Selectman,

I am writing to you as a concerned resident/tax payer of Westmoreland. I have lived in Westmoreland since 1986.

First and foremost, I want to let you know that I do support having a new fire station. My husband and I were both on the department for many years. The current building is out dated. However, what I do not support is the location of this new station and the cost of the new station.

I have been reading the Conservation Commission Meeting minutes since the fire station was approved at this year's town meeting and I agree and support the commission concerns regarding the location that it is to be built on. I strongly agree that a Federal Environmental Impact Study be done on the property to determine any impact that will be affected from the construction of the new fire station on this property, abutting land owner's property and Partridge Brook it self

I know I expressed at the town meeting my concerns regarding the brook that is located in back of the current fire station. I was informed at the meeting that a box culvert would be installed and then from this culvert the water would exit out into the existing brook further below. With the consolidating of the water into a box culvert, my concern would be that this will speed up the run off of the water and what impact will this have on the abutting land owner's property and draining into Partridge Brook?

The year that the core drilling was done on the property was a very dry year. Has the town reconsidered having the core drilling repeated either in the spring of the year or if we have a wet year? My concern is that as you drive by this piece of property on a wet year, you can observe the standing water. If we have wet years, how will this impact the new building, possible settling of the land and building, in turn causing cracks in our new very expensive fire station.

In reading the Conservation Commission Meeting minutes, I have learned that there is an existing well that belongs to a resident that lives across the road on Route 63. With the construction and disturbing of the wetlands and adjacent land, are there possible consequences of disturbing this individual well. Will the town be responsible for any damages caused to their well by the construction?

I also expressed at the town meeting my concerns with the construction so close in proximity to the current town halls artisan well. Again if this well is affected then we have additional costs involved regarding this well.

Has the Select Board/Engineer for the fire station had discussions regarding the possibility of contaminates at the current location (i.e. old building itself-asbestos, lead pain, oil, gas; sewage in the ground from the old leach field). If there are contaminates, what will the cost of removal be and was there any money put into the approved construction budget for this purpose?

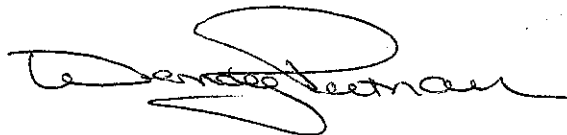
Regarding the wet lands at this site. If the town moves forward and disturbs this wetland is there a law that requires the town to replace or trade off a buffer zone and was this included in the approved construction budget of the fire station.

In reading the Conservation Commission Meeting minutes it appears that there remains many unanswered question that have not been researched or answered to the Conservation Commissions satisfaction to move forward with the construction at this site.

Westmoreland is a beautiful rural community and I hope/encourage the select board to aid in preserving this town as a rural community. We not only have to consider what the towns needs are today, but we need to aid in preserving this town for the many generations that will follow in our footsteps.

Thank you for listening to my concerns/thoughts. I would like this letter to be included in the select board permanent minute records.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Putnam". The signature is fluid and cursive, with a large loop at the end.

Wendy Putnam.

cc: Westmoreland Conservation Commission