

Bob \_\_\_\_\_  
Joanne \_\_\_\_\_  
Keith \_\_\_\_\_

Final \_\_\_\_\_  
Accepted \_\_\_\_\_  
Accepted as Amended \_\_\_\_\_

**SUNCOOK RIVER RESTORATION JOINT BOARD OF SELECTMEN MEETING**

**Town of Allenstown  
Town of Chichester  
Town of Epsom  
Town of Pembroke**

**Monday, July 19, 2010**

**SPECIAL MEETING**

**Attendance:**

**Town of Epsom Officials:** Joanne Randall, Chairperson; Keith Cota, Vice Chairman; Bob Blodgett, Stewart Yeaton, Epsom Fire Chief;

**Town of Allenstown Officials:** Shaun Mulholland; Paul Apple (Town Administrator); Roger LaFleur; Jason Tardiff; Jeff Gryval;

**Town of Pembroke Officials:** Tina Courtemanche; David Sheldon; John Duggan; Larry Preston; Cindy Lewis; David Jodoin (Town Administrator);

**Town of Chichester Officials:** Richard Debold, Selectman; Mike Paveglio, Selectman

**Mission: to obtain information and public feedback for the restoration and funding for the river avulsion within the Suncook River in the Towns of Chichester, Epsom, Pembroke and Allenstown.**

**6:33 PM Joanne opened the meeting and reviewed the procedure for tonight’s meeting. She then asked Senator Jack Barnes to lead us in the Pledge of Allegiance.**

Joanne opened the floor to Senator Jack Barnes. Senator Barnes called Allenstown Chief of Police, Shawn Mulholland to the front to award him the NH Emergency Manager of the Year Award.

Joanne asked Keith Cota to briefly indicate the process and goals for tonight. Keith recapped for the public that a joint Selectmen meeting was held last month to try to establish the collective process and means to correct the river corridor. Keith briefly reviewed the past history of events since the Mother’s Day Flood which took place in May 2006 including the numerous grants that have been awarded and applied for by the Town of Epsom to study and stabilize the river. Keith indicated that the towns of Epsom, Allenstown, and Pembroke & Chichester are at a point now where river stabilization needs to take place at a faster pace. He indicated that the sources of national and state funds are by competitive grant process. He stated that because the town of Epsom has done an effective job at managing its land use within the floodplain, no loss of homes occurred in the town of Epsom due to these storm events, it makes us less competitive for national funds. He also stated that Epsom has taken the lead in working on the restoration of the Suncook River with NHDES, and will continue to do so.

Joanne introduced Tom Burack who is the NHDES Commissioner. Mr. Burack addressed the officials and public. He said there have been extensive investigations into the River Avulsion, and said DES has been working to formulate a plan and secure funding for the restoration of the river. He then read

a statement from Governor John Lynch who was not able to be in attendance tonight. Governor Lynch's letter stated his disappointment in the denial of the national grant funds this past spring. He agrees with the plan options to install grade controls & removal of the West Buck Street Dam. Planning for this is underway and, provided the funding is approved, then the work will take place next summer. He said the State has secured \$450K in grant money for design & permitting, and this will begin in fall 2010.

Commissioner Burack explained that they are seeking a Capital Appropriation of \$850K for the installation of grade control structures. Grace Lovergood of the Dam Management Bureau stated that DES also plans to remove the West Buck Street Dam. They hope to award the contract for historical investigation this fall. She said sediment samples were taken last April.

A hydraulic river model prepared by USGS was provided to DES which can predict water level before & after dam removal.

Department of Safety Director Chris Pope - Coordinating Emergency Response – stated that mitigation plans are in place to lessen the impact of national disasters – modifying structures, fostering flood plain management, relocate structures when needed and identify funding sources. Congress is making grant funds available and they are working to make the process as simple as possible.

Chris said they must take a broad look at the future: do our best to determine where the meander belt is from the head of the river in Gilmanton to the confluence of the Merrimack River (determine where it's likely to change course in the future.) He said they are seeking a capital budget appropriation with a target date for work to begin next summer and they plan to hold future meetings to keep public updated with progress.

Tom Burack noted that he understands the desire by some residents and officials to return the river to its original location; however it was determined in two studies that this was not the best course of action. The bottom of new river channel is 10-15' lower than the bottom of the old river channel – it is not technically feasible to fill the river bed enough to get the river to flow up the bank and get it to go through its previous path. He said returning the river to its pre-avulsion location has not ever been successfully completed in the US.

Tom Burack stated that doing any dredging now would be premature. USGS Sediment Transfer study must be considered carefully. With the dam gone, more sediment may move downstream. Rob Flynn from the US Geological Service (USGS) indicated that the sediment study is currently under internal review and should be released soon.

Tom then addressed the question of who owns the Suncook River. He stated that everyone who owns land along the river is a "riparian owner" and they own riverfront property to the center line of the river and that includes the state of NH where it owns land bordering the river. The state holds the Public Trust Doctrine to protect health & welfare of those around the river. Municipalities and Federal Government can regulate land use around the river. DES needs a high level of cooperation from the town, state, riparian owners and federal government in order to repair the river avulsion.

Tom said that essential State personnel that are in attendance will stay later tonight to speak to residents who don't wish to speak in public; in addition, DES will post on its website the names of people to contact with certain questions.

Joanne opened the questions to the Town Representatives.

Richard Debold, Chichester Selectman asked about the VHB Report which looked at the reach of the river thru Epsom only. Shane Shickey NHGS stated that the VHB report studied from the Route 4 Bridge to downstream the avulsion area – in the primary area only. Richard asked if removal of the dam was a result of this study – Shane stated yes, that was mentioned in the report. Richard also asked if removal of the West Buck Street Dam will affect recreational resources, as there are several campgrounds there. Grace Lovergood said they have discussed the dam removal with BOS in Pembroke and the other towns. She agreed the river will be lower by a couple of feet – but will still be deep enough to canoe or kayak.

Keith Cota, Epsom Selectman, asked, does the \$450K for engineering & permitting included permit cost and as part of the engineering & environmental permitting – how does the State envision community input in the decision process? Keith said Epsom Officials have sought a lot of public input & asked if Tom plans to continue to collect public input. Tom said yes, absolutely with all interested communities so everyone has involvement. A technical committee or group will be formed to work very closely together & work with the State in the decision on how to move forward.

Keith asked Rob Flynn when the study will be published. Rob said the review process is 6-8 weeks then 2 weeks for publication. However anyone can go into the office to review at any time.

Keith asked about the capital budget request – regarding approximately \$1 million in capital budget appropriations being competed for – how can we be sure that it will be approved especially when there is a limited amount of funds and a large State demand for these limited funds? Tom replied that it's important to engage with State Representatives as much as possible. He said he would like to hold a meeting in his office with Senator Barnes & other elected officials to work together to move this forward.

Joanne Randall, Epsom Selectman stated that she received a message from Governor Lynch requesting that a member of each BOS meet with him in his office to further discuss the State's approaches and action. She indicated that she will be inquiring with the other Board's as to their interest to accept this invitation.

Bob Blodgett, Epsom Selectman stated that his main concern is people who live along river south of Epsom. Tom shares that concern.

Joanne Randall asked about the cost of the dam removal – is the \$200K....part of the capital budget request. Tom replied yes.

Joanne asked about the bid for the historical survey that is out and what is expected to be gained from that? Grace Lovergood said the survey may take a couple months. Part of permitting process is Section 106 requirements from the Dept of Historical Resources. A public informational meeting is required as part of those requirements. Section 106 is federal law.

Larry Preston, Pembroke Selectman asked who has authority to work in river – to make changes. Tom replied the authority to conduct construction within the riverbed lies with the person who obtains all approvals. Usually that is the state or federal government. Sometimes it's landowners. In order to conduct construction, one must obtain consent of all property owners, obtain all permits. Larry asked who maintains the grade controls. Shane Shickey replied that grade control structures will be placed in Leighton Brook and the Little Suncook River. With sound engineering, they should function for about 50 years without any maintenance needs, but typically it would be the responsibility of the property owners.

Richard Debold asked what the grade control is made of: Shane replied that it could be a concrete step within the channel to rest the head cut that is currently there. These would be mostly located in Epsom and the number will be determined after studying to see how many are necessary to be sure the infrastructure upstream is not affected. In regard to who owns them, they sit on the land of the river bed. Final ownership & responsibility will need to be determined.

John Duggan, Pembroke Selectman, asked how many years it will take to finish project. He is frustrated with the continued engineering and permitting and lack of work. Tom replied that within the next year the Buck Street Dam should be removed. This is DES's goal. DES is asking fed government to do all they can to move this along.

Cindy Lewis, Pembroke Selectman asked what will be done to secure the US Route 4 Bridge. Tom replied that 2 different bridges have been affected that are vital infrastructure for communities. They want to make sure these bridges are maintained. They must arrest erosion that otherwise moves upstream and reduce the sediment that is moving downstream. Cindy asked if the Buck Street dam

planned to be removed anyway regardless of any other action. Tom replied that there have been issues about dam removal – because of historic resources. Cindy noted that the Town of Pembroke was undecided about whether they were supportive of removing the dams. Tom said we must balance all competing needs & interest. They will be removing the West Buck Street Dam only, most likely not the East Buck Street Dam. DES toured the dams a few years ago and upon determining that the State of NH owns them, it was looked at removal of the dams and the process of removing the dams began.

**7:30 PM Joanne opened the floor to State Elected Officials:** No comment.

**Joanne opened the floor to the public:**

Tony Soltani – Epsom resident – He noted that this flood happened in 2006 and it was not the first flood in NH. Tony feels we are reinventing the wheel by still talking about concepts. He is very frustrated that the only work completed by the State has been a historian has been consulted & 4 water samples have been taken. A study was taken several years ago & residents have been waiting for FEMA money. He is frustrated that another \$450K will be spent on studies & permitting and no work is still going to be done. He also asked if there is a backup plan should the capital appropriations not be approved. He said every time it rains the people in these town suffer. Tony stressed his frustration that it has taken 4 years to get this far and nothing has been completed by the State to stabilize the river.

Pentti Alto, Pembroke resident stated that his house is in the flood plain. With the plan as proposed, it will help with the reduction of erosion & improved stability, but will do nothing to protect structures. Removal of the dam and installation of the grade controls will not stabilize the sand pit, and it will continue to flow downstream. He said the Buck Street Dam is not a historic structure and he fears that removing that will destabilize the river & may cause another avulsion. He also fears we will lose the potential for hydro power by removing the dam. In the past, several mills ran off power from the river and it produces 300kw of energy, enough for many houses. He asked about a proposal for a small dam to be installed north of the avulsion site, and a small channel to be cut thru landowners' property that is stable to allow flow & control the flow, and to stop the flow through the sand pit. He asked if there was ever a study looked at to do this. Was any financial consideration given to this option? He said abandoning everyone downstream of Route 4 will not control flooding, will not stop erosion, will not do much for residents in that area.

Dave Richards – owns a house just south of West Buck Street Dam and his son owns property just north of the same dam. He is concerned with method to remove dams as he has an artesian well within 50' of dam and a dug well within 100' of dam. He also reported that in the past, the dams were there to hold back water at night and released in the morning so textile mills can operate during the day.

Sally Highlight – Bachelder Road asked how does this plan impact the erosion beyond the sand pit? She also asked why the State needs to spend \$450K for permitting. Why are we paying for state & federal permits? Why can't permits be given at no charge & the money be spent on different parts of the project?

Tom Beaumeister – stated that victims of prior flooding will be victims of future flooding. He has met almost everyone who lives along river during the past 3 weeks and they have formed a residents' group. They will be meeting at the Elks club in Epsom and stressed that everyone affected needs to be involved. This is 14' deep river that has 13' of silt in it. He asked that anyone he has not met along the river should give their contact info to him tonight. Tom said 1/2 of the sandpit has washed down the river. \$60K was spent on a study that does not benefit anyone that is below Short Falls. He stated that the plan does not include restoring the river & will do nothing to keep the sand/silt from washing downstream.

Stephanie Bernier lives along the riverbank in Epsom and gets nervous when it rains. She requests that the 4 Boards of Selectmen find a better way to keep all residents informed of progress and future meetings. She said it was suggested earlier to lobby to elected officials and asked how to do that.

Bill Allaire stated the dam needs to be removed.

Susan Intinarelli – said all of this money that has been spent to do more studies should have been spent on fixing river. Her property value has declined a great deal.

Ron Swiggart – Bachelder Road said in the spring the river was so high that when there was ice coming down river they evacuated their home for fear it would hit his foundation. If the river had come up another foot – he feels he might have lost his home. He feels removing the dam may help people below it, but not above the dam. The bridge on Bachelder Road is beginning to cave in.

Tom Burack assures the public that he hears all the concerns. DES has spent 3.5 million dollars to address concerns since the avulsion and they are working hard to find additional resources.

Grace Lovergood – replied to the concern about dam removal and said no blasting will be used for removal; it will be done with a hydraulic hammer. Only in one instance was blasting needed to be done for dam removal, but there were no homes nearby.

Regarding instability, she thinks there might be a natural grade control where the dams are located & questions whether there will be greater instability.

Tom Burack stated that in regards to putting river back into its original channel. It would not have been easy to do it the day after the avulsion, and doing it now would be monumental. It would require a very very large dam not just to hold water back, but to get it to change direction & flow up hill in order to get into old channel. The elevation of the new channel is considerably lower than the original channel. He feels this is a major undertaking and it is unreasonable. Even if assuming it was done – the magnitude of construction would affect the river upstream and downstream of that construction.

He recognizes the river is picking up vast amounts of silt. The VHB study is out of date and undertaking dredging cannot be done without further assessment. The river is going to change its course overtime and everyone must work together as these changes take place.

Chris Vogel stated that immediately after the 2006 flood, this area was considered a disaster. Much money was received by the federal government to repay the communities for costs incurred & some money was spent to repay private citizens. He stated the projects that have been done in the area: culverts, bridges, modifications to homes to better withstand high water & relocating some residents.

Dick Verville, State Emergency Management & Homeland Security Director said there have been two projects in Allenstown - properties along the Suncook River were bought out by FEMA and then demolished including 6 mobile homes near the Buck Street Dam were acquired. They have been working to restore the area to a healthy flood zone.

In the town of Pembroke there has been one bridge project on the Soucook River and North Pembroke Road to assist with recent road washouts. Four other grants have been awarded for work for various bridges & large culverts.

Chris Vogel doesn't suggest that everyone relocate, or elevate their homes. He Suggests working with the Emergency Management Director in your town to find the best solution.

In response to the questions about permit costs, and why the money can't be spent on projects instead of permits: Some permits are required by federal statute. There are situations where permit fees can be waived and in those instances, they will apply for that. He stated that the costs of engineering design/permits are always considered as part of the project.

They are securing \$200K for removal of West Buck Street Dam and additional money is being sought through the capital budget process. They are hopeful that they can obtain matching Federal funds for some of the \$2 Million additional funds.

Tom said they are requesting \$850K for construction of grade controls, \$185K for river study involved in all 6 communities to discover the meander belt from the origin of the Suncook River to Merrimack River – which is 35 miles. In response to whether the project that is planned for grade control will address erosion & silt from the sandpit south, Tom feels the grade controls will prevent significant erosion & will help reduce the amount of sediment flowing down. However it will not affect the amount of sediment already there. Shane Shickey said there are techniques available to address that issue, however trying to design stabilization in an unstable river is a major undertaking. There are many technical challenges that have to be addressed to be sure that any modifications do not fail. The river is still adjusting. Once the grade controls are installed, they will wait to see how it performs before considering further action.

Allen Bailey – Brookside Terrace, Allenstown, member of the public, is questioning the description that it is monumental to stabilize the river, and monumental to stabilize the sand pit. He stated that the Army Corps of Engineers has the ability. Why not stop the head cutting first?

Tom Burack replied that they need a better understanding of how the river will stabilize itself on its own. From there, an assessment can be made about dredging.

Senator Barnes thanked all BOS members for their participation tonight. He notes that frustration is very high here. In regard to Capital budget requests, the residents need to come forward and ask their elected representative to make sure the budget includes the money needed. There are public hearings – private citizens need to make their voices heard. He stressed that people need to talk to their elected officials. There are representatives from Senator Jeanne Shaheen's office & Senator Gregg's office and John Lynch's office tonight. He hopes residents take the opportunity to speak to these people tonight.

**8:43 PM** Joanne indicated there is contact information for all Suncook River Watershed inquiries available for the public to take. She stated the minutes from this meeting will be available on the town website after they have been finalized by the Board of Selectmen of Epsom.

Joanne said meetings have been and will be posted in the Concord Monitor and the Suncook Sun, on the Epsom town's website and in the Epsom Post Office & the Epsom Town Office.

Commissioner Tom Burack introduced Steve Landry who is the primary contact for the Merrimack River Watershed. They will compile an email listing for anyone who wishes to be kept up to date about progress. He stated that the group that Tom Beaumeister mentioned should share their email information with this office as well.

**8:47 PM** Joanne thanked everyone that is here tonight.

**8:50 PM** Keith made a motion to adjourn. Bob seconded the motion. All in favor.