

Central NH Regional Planning Commission

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Warner River Nomination Committee Meeting

Wednesday, May 18, 2016

Warner Town Hall, 5 East Main St, Warner NH 03278

7:00 P.M.

Minutes:

Attendees	
Chris Connors, Trout Unlimited	Sue Hemingway, Town of Warner
Scott MacLean, Town of Bradford	Nancy Martin, Town of Warner
Susan Roman, Town of Webster	Michael Simon, Town of Warner

Commission Staff: Sam Durfee, Michael Larson

Members of the Public: James Gaffney, Martha Mical

The meeting began at 7:04 P.M, convened by Nancy Martin.

Review of Minutes from last Meeting

Minor edits were mad to the May 3rd minutes. Chris Connors corrected with spelling of Colin Lawson’s name. Ms. Martin noted a repetition of words that needed to be removed. Ms. Hemingway corrected the spelling of her last name as recorded in the minutes.

The minutes were passed with amendments.

M/S/Passed Sam Durfee/Chris Connors

Comments on Draft

Sam Durfee began by saying the nomination draft has been forwarded to the committee as well as Tracie Sales at NHDES in Word Doc. Format for review. He asked if anyone had read parts of the draft, or had any comments on it. He will be sending a .pdf version to the committee as well.

Ms. Martin asked if the committee should post the draft to town websites now, or wait until feedback from NHDES is received. Mr. Durfee said there is information that is still needed to be added such a cited sources and additional photo information. Ms. Martin proposed posting the draft as is given public sensitivity and note that there are still updates that need to be made. Mr. Simon agreed. Ms. Roman suggested that a summary or table of contents be made available on town websites. Mr. Durfee added

that given the size of the document, it may be easiest for the CNHRPC website to host the document and town websites and link to it.

Warner River Nomination Blog

Ms. Connors drafted an idea for a blog. The basic outline is as follows; one page welcomes people and explains why we need feedback. Another section would explain the RMPP process and would have all the appropriate documents and links to rivers that are already a part of it, as well as the document that we have created and any appendices or maps. Additional critical sources will be listed by link. Another section on public outreach and feedback and public opinion. Perhaps a form to contact us that would send an email to the wrnomination@gmail.com address. A sample letter of support could also be provided as well as information letting people know where to send it. The last section would be for minutes and agendas.

Ms. Martin and Mr. Durfee both liked the of providing a sample letter of support.

Ms. Roman asked if the committee had made a decision on having the respective towns vote on the nomination or just leave it to the Selectmen to decide. Ms. Martin responded that the committee has not figured that out yet and that what the committee had been talking about is doing a road show presentation to each of the towns and that perhaps after visiting the towns, the committee could decide between the Selectboards or a warrant article. Mr. Durfee added that the committee could leave it up to the towns to decide as it would be inappropriate to force them one way or another.

Ms. Roman agreed with Mr. Durfee, but believed that the committee needs to be ready to explain the process to the towns and what they can choose to do. When introducing the project, this is something that the committee have to keep in mind, especially the deadlines for getting the warrant article into place.

Ms. Hemingway asked about the process of receiving feedback, as speaking with people on the street will be hard to collate. Would a survey be appropriate?

Mr. Durfee explained that unless we do our due diligence in providing information to the public, we would be putting ourselves in a tough spot by giving the public an opportunity to comment on something that they might not necessarily know much about. Ms. Martin tied the ability to receive feedback to the comment section of a nomination website.

Ms. Roman stated that she would like to see the presentation reduced down to one or two pages. In an effort to make sure that people don't jump to conclusions simply based on the fact it is state legislation. We need to give them the facts. They can oppose it if they have the facts, but it would be unfortunate for the nomination get an unfair hearing if they don't know the information. A one or two-page sheet that is right to the point would be great, an executive summary if you will.

Mr. MaCLean agreed, saying an executive summary document that is short would be useful. Mr. Durfee agreed and said CNHRPC would put something together based on the press release and NHDES documents that will be put to the committee for review.

Ms. Hemmingway asked if everyone one who visits the blog would be able to see questions/comments submitted by others. Mr. Durfee and Ms. Connors explained that the comments and questions would be received privately via email and would not be posted on the blog in a public forum style.

Mr. Maclean was curious as to how the average resident would find out about/access the blog. Ms. Roman said it would be publicized through town websites, Ms. Connors stated it would be added to Trout Unlimited press releases and posted in public places.

Ms. Roman asked what would be the procedure if a town decided they did not want to be a part of the nomination. Mr. Durfee responded that the project can still go forward, omitting that section of the river. Mr. Durfee also noted that if town residents were to vote against supporting the nomination at town meeting, it would be a very clear indicator to NHDES at the time of review, that there is insufficient support for that town's section of the river for nomination.

Discussion of Timeline

The conversation moved to plans for presenting to each of the river front communities and contacting the respective select boards.

Ms. Martin suggested sending a letter of introduction to the Selectboards to invite them to their town's presentation. Mr. MacLean and Ms. Roman both stated that they plan to go before their respective selectmen to share the committee's plans going forward. Mr. Simon saw this appropriate as it should be the ones who originally approached the Selectboards to provide updates and invite the Selectmen to the presentations. Ms. Roman suggested that once the presentations are completed, town reps go back to their Selectmen and ask if they would support the nomination or prefer to put it to a vote at town meeting.

Mr. MacLean wondered what the appropriate action would be if a Selectboard does not want to support the nomination. Would the committee pursue it through a warrant article? What constitutes dropping out? Mr. Durfee responded by saying if at the public hearing held by NHDES, the local support is not strong, the nomination would not go through.

Ms. Roman asked if the plan would be to ask from a letter of support from the Selectboard and leave it up to them if they want to decide or leave it to a town vote. Mr. Durfee said he would contact Ms. Sales at NHDES to clarify some of these details and figure out what appropriate action would look like.

Mr. Gaffney asked the committee why the whole discussion of this item assumes that nomination is a positive thing and that he just wants to hear some more objective information about the project. He also noted that he has read the minutes and seen concern expressed about hydropower and the openness of the meetings. He also has looked at the legislation and he just wants to hear both sides of the argument. What will the effect be on private property owners? Ms. Roman explained that she feels the discussion has been fairly balanced over the course of the project. She also stated that at a previous meeting, Michele Tremblay of the Upper Merrimack River LAC said that there have been no observed

decreases in property values. Ms. Martin noted that one of the committee members who often provides counter arguments was not in attendance.

Mr. Gaffney posited that if the committee expects residents to participate, a well-rounded discussion will be needed and if everyone in town was polled, it would be found that there are people on both sides of the issue. Ms. Connors added that she has heard very positive feedback from five people in town.

Mr. MacLean addressed Mr. Gaffney's concern of an unbalanced discussion, saying that he is on the committee because he thinks the project is worthwhile and that he is not going to be the one to beat the project down, yet would be happy to hear other people's opinions. Mr. Gaffney appreciate Mr. MacLean's honesty about his position.

Ms. Martin shifted the conversation back to the timeline regarding town presentations. Ms. Connors suggested that the committee should plan starting at town meetings and work backwards.

Ms. Hemingway suggested that the committee take time to go out and interact with the river, perhaps view some of the old mill sites. Ms. Connors responded that there is a lot to do in a short amount of time and is unsure if a tour of the river would be possible. Ms. Martin posited that if the calendar is set up well, there will most likely be time to view the river, although not during scheduled meetings.

Ms. Mical brought in to question deeded dam rights, referencing a Sutton resident and wondered if the committee had reached out to him. She also posited that the only way to adequately understand who has deeded dam rights is to do a deed search. Ms. Connors suggested talking to the Warner Historical Society and to see if they have any information on the Sutton owner. She also noted that when Hopkinton was looking for information about cemeteries, they put an ad in the paper. Ms. Martin suggested drafting an ad asking for information related to dam rights. Responses could be collected with the wrnomination@gmail.com address.

Mr. Durfee stated that he has all of the slides from the presentation at the initial public information session and that he would be able to create the frame work for a master presentation that the committee would review.

Extending the Scope of the Nomination

Mr. MacLean explained that by extending the nomination up the West Branch of the Warner River to Andrew Brook, which flows from Todd Lake, it would allow for the inclusion of Bradford's most significant sections of the river. This section has also had some major issues in the past including an EPA Superfund site.

M/S/Passed Nancy Martin/Sam Durfee

Mr. Durfee noted that the riparian owners along this section will need to be notified. He also mentioned that an initial search showed that there are no active dams on the river extent in question.

Public Comment

Mr. Gaffney: To properly consider property right of all riparian landowners, the committee should go deed by deed. It would be the right thing to do and it is public record. Ms. Mical agreed.

Mr. Gaffney expressed concern over the potential for additional regulatory burden caused by the new legislation. Ms. Connors responded that NHDES makes the regulations very clear. Mr. Durfee handed Mr. Gaffney a NHDES fact sheet with excerpts from RSA 483 showing the river classifications only affect hazardous waste sites, new dams, new solid waste storage or treatment facilities, motorized water craft speeds, and new solid waste landfills.

Mr. Gaffney stated that there are very few laws passed that do not create a regulatory burden. Ms. Roman asked if he would ever consider that this could be one of those rare few. Mr. Gaffney responded, "when pigs fly", but acknowledged that there is always the possibility that pigs may fly.

Next Meeting Date

The next Warner River Nomination Committee meeting is scheduled for June 15th, 2016 at 7:00 P.M., in the Warner Town Hall.

Meeting was adjourned at 8:44 P.M.