

TOWN OF FITZWILLIAM

PLANNING BOARD

Minutes

March 15, 2022

Planning Board Present: Suzanne Gray, Chairman; Paul Haynes, Vice Chairman; Barbara Young; Ed Goodell, Alternate; and JEF Craig, Selectmen's Representative.

Planning Board Absent: Robin Peard Blais, Secretary; and Nolan Buonomano.

Conservation Commission Present: Paul Kotila, Chairman; Kevin Woolley; Susan Silverman; and Hiel Lindquist.

Board of Selectmen Present: Brian Doerpholz; and Martin Nolan.

Staff Present: Lori Nolan, Land Use Coordinator; and Glenn Smith, DPW Director;

Guests Present: Stillman Stone; Christine and Bob Onges (remote); and Dave (remote).

Presenters Present: Jason Reimers, BCM Environmental and Land Law; Ron Rhodes, Connecticut River Conservancy; Andy Hoak, DuBois and King; Tara Kessler, BCM Environmental and Land Law; Nathan Alexander, Ferguson and Alexander; and Bill Thomas, NHDES (remote)

Chairman Suzanne Gray called the meeting to order at 7:00 pm and held roll call. She then turned the meeting over to Jason Reimers, attorney from BCM Environmental and Land Law representing the dam owner.

Informational Session: Stone Pond Dam Removal at Templeton Turnpike. [Map 7, Lot 26 – Rural District]

Jason Reimers, attorney at BCM Land Law, represented the property owner. He began the presentation stating the only viable option is to remove the deficient dam. They will remove the barrier and sediment, restore the stream, engineer the land to prevent future flooding, and finally donate the land to the town. This will be a two-part project. Currently there is 40 feet between the dam and culverts under Templeton Turnpike. The bottoms of those culverts have rotted out. If the culverts are fixed in conjunction with the dam removal, it will be more efficient in time and money. The dam removal team has met with the BoS and had an on-site meeting. They have also spoken with immediate abutting land owners. The team is fully committed and involved with the public and the town. They would like to help acquire the funds to offset any public expenses, primarily through ARM (Aquatic Resource Mitigation) funds. Ultimately, this project will require a Conditional Use permit from the Planning Board and recommendations/feedback from the Conservation Commission. Reimers finished his presentation by stating the best option must be chosen before engineering can move forward.

Ron Rhodes, Connecticut River Conservancy (CRC), will oversee the restoration project. He has done 21 dam removal/culvert projects since 2014. He explained that the State and Federal governments are provisionally supportive of the project. The CRC can be the staff completing behind the scenes tasks like paperwork, hiring of contractors, seeking grants, etc. He is currently involved with the dam removal but can play a role with town areas, if the town would like. The group has conducted two site walks. From Rhodes perspective, Option 2 is the best option. They would like to start local before obtaining the state/federal permits. The estimated timeline is 3-5 years to complete engineering, permitting, funding, and finally construction. Grants are competitive. However, 2022 has a large amount of ARM funding for this watershed and specific region (last year the amount was \$0). Typically, projects have 2-3 years to spend grant funds. Rhodes explained that the CRC is funded by grants and fundraising/donors. However, regardless of funding sources, all structures remain town property. Rhodes explained that the NHDES Dam Bureau may have a timeline for action but they understand projects take time. Bill Thomas, NHDES, stated that the State knows the property owner is working towards a solution. As long as progress is being made, the State is okay.

Susan Silverman asked how it will look at Stone Pond and the existing wetlands five years from now. Rhodes explained they will remove sediment, raise storage capacities, reduce flooding, and change the wetland. They will plant native species but the natural community will change. All permits require restoration of trees and shrubs. However, the end result partially depends on which plan is followed. But the project will shrink the pond acreage.

Glenn Smith, DPW Director, commented that FEMA and Emergency Management mentioned funding as well. Rhodes replied that FEMA funding is available but hard to obtain. ARM funding is more favorable if the town matches.

Andy Hoak, engineer with Dubois and King, presented stating they have studied how much water flows, how much sediment is present, and the costs/alternatives. He then explained the current conditions and the three options.

Conceptual Alternative 1

1. Dam removal to the pre-existing mill foundation and creation of a 24 ft. wide stream channel.
2. Improvement of the single 24" HDPE stream crossing on Number 4 Road to a 24 ft. wide by 7 ft. high box culvert.
3. Raise Number 4 Road by one foot to pass 100 year storm without overtopping
4. Improvement of the twin 48" HDPE stream crossing on Templeton Turnpike to a 24 ft. wide by 7 ft. high box culvert.
5. Raise Templeton Turnpike by one foot to pass 100 year storm without overtopping.

Gray commented that this involves a lot of wetland disturbance for culvert construction. Rhodes stated they will use fabric and stone, or wooden mats, which is all handled through the permitting process. All work must be done in the summer when it is the driest. It will be a temporary disturbance. Thomas stated that NHDES prefers that the ultimate goal be restoring the area to natural conditions, converting wetland types. Rhodes stated they have estimated that 12,000 cubic yards of sediment would need to be removed. It is nutrient rich, which could do damage downstream. However, the sediment and concrete can be reused by the town.

Conceptual Alternative 2

1. Dam removal to the pre-existing mill foundation and creation of a 24 ft. wide stream channel.
2. Create new exit channel from Stone Pond which involves a singular 24 ft. wide by 7 ft. high box culvert stream crossing structure across Templeton Road.
3. Raise Templeton Road by approximately two feet to pass 100 year storm without overtopping.
4. Existing 24 inch HDPE culverts on Number 4 Road and Templeton Turnpike to remain.

Hoak stated this is the preferred option in regards to cost and area of impact. This would require an easement for working on private property as the stream would go through Stillman Stone's property.

Hoak explained that each option has the same two additional options.

- A. Removal of the auxiliary spillway. They would build the berm back up and fill in the spillway.
- B. Lower the auxiliary spillway. It would only be activated/used in a 100 year flood. It must be lower than the stream height.

Smith felt the culverts should be removed if filling in the auxiliary spillway as they are rotted and failing. Thomas stated that if the auxiliary spillway is left in place, it must be lower than 6 feet or else the spillway would be considered a dam. Keep in mind, the cheapest option is not always the best option.

Conceptual Alternative 3

1. Dam removal to the pre-existing mill foundation and creation of a 24 ft. wide stream channel.
2. Relocation of Number 4 Road approximately 250 south along Templeton Turnpike
3. Create new exit channel from Stone Pond which involves a singular 24 ft. wide by 7 ft. high box culvert stream crossing structure across Templeton Turnpike.
4. Raise Templeton Turnpike by approximately one foot to pass 100 year storm without overtopping.

Hoak stated that all options are about the same in regards to flood reduction. The result will be a mainly winding stream approximately 24 feet in width. Thomas stated that they must remove enough so that water from a 100 year storm event can flow freely. Everything must pass Dam Safety and the Dam Bureau. The spillway to the top of the dam has about a 7 foot difference.

Silverman requested that alternative routes are available during construction for evacuation and weather related detours. Rhodes stated they can put in a temporary bridge when the culverts are installed.

Hoak stated he did not have enough information to know the full pricing. Rhodes stated that the deadline for ARM preproposals is May 31. Reimers stated that the team has spoken to the BoS. Costs were much higher a year ago. However, he is estimating a town contribution to be in the \$200,000 range. Brian Doerpholz, Selectman, stated that contribution will be a major increase to the Town's expenses. Utilizing a revolving fund will take a few years to build up and the town just signed a bond and may not be supportive of another one. Doerpholz continued stating that this culvert project is not high on our priority list. It might take some time to raise that amount of funding. Rhodes suggested another option of either buying a culvert or having DPW help implement the project

so the town contribution could be more in-kind than actual direct funding. Rhodes would like to put in the ARM proposal what the town would contribute – either in-kind or financial. He explained the property owner is paying for engineering and some of the dam removal. NRCS pay per process, which is approximately 75%. This does not affect the town and the culvert portion of the project. He asked for a general letter from the Planning Board, Conservation Commission, and BoS stating their support of the project for the ARM preproposal.

Reimers summarized the main concerns heard from the town, which includes the cost of the culverts and the wetlands impact. He felt it was conceivable that the options could be chosen by the end of May. Rhodes felt the earliest start date of construction, if everything goes perfect with no delays, would be the summer of 2023.

At this point, everyone in attendance except for the Planning Board and BoS left the meeting.

Barbara Young asked the Selectmen for an update on ARPA spending. JEF Craig stated that it is still in process. A few things have been purchased but they are still pursuing options. Doerpholz added that the rules have been relaxed for how ARAPA funds can be spent and the BoS continue to revise the list. They just received another bid for fixing the Town Hall roof.

The Planning Board relayed comments to the Selectmen about how communication and meeting set-ups could be improved. Gray commented that the BoS report on other meetings. She asked if it is possible that the BoS report on their meetings to the Planning Board so that all are informed.

Minutes Review

Gray motioned to approve the minutes of March 1, 2022 as written. Paul Haynes seconded. Motion passed.

Yes: 5 [Gray; Haynes; Young; Buonomano; Goodell]; No: 0; Abstained: 1 [Craig]

With no further items to discuss, the meeting was adjourned at 9:18 pm.

Respectfully Submitted,
Lori Nolan
Land Use Coordinator

Minutes approved as amended on April 5, 2022.