



**SOUTHEAST WATERSHED ALLIANCE
BOARD OF DIRECTORS
MINUTES - Meeting No. 61
Hoyle-Tanner
100 International Drive, Suite 306
Newington, NH 03801
February 17, 2016**

DRAFT

members present: Candace Dolan, Wally Fries (by phone), Shelley Frost, Brian Goetz (by phone), Dick Snow, Mike Trainque Attendance

guests present: David Cedarholm, Julie LaBranche, Suzanne Petersen

1. **Call to Order:** Meeting began at 3:05.

2. **Approval of Meeting Minutes**

Dick Snow made a motion to approve the minutes of January 13, 2016 as presented. Shelley Frost seconded. Minutes were approved unanimously.

3. **Next BoD/Quarterly Meeting:**

March 23, prior to quarterly meeting, tentatively at Regional Economic Development Center, 57 Main Street, Raymond (?) Fall-back dates March 9 or 30. Presentations: stormwater model ordinances revision, legislative update (?)

4. **Financial Report:**

Treasurer Dick Snow received a request from UNH to enable future electronic transfers from UNH to SWA. **Dick Snow made a motion to grant UNH's request for enabling electronic transfers. Shelley Frost seconded. Motion passed unanimously.**

The bank has notified SWA that a fee of \$2.00 will be assessed each month if SWA receives a paper account statement in the future. The information is available on-line. The group agreed that mailed paper statements are not necessary.

Concern was noted that the IRS probably does not have SWA's AN. The NH state attorney general's office was notified when SWA was first formed. Per protocol, the state does not send letters of confirmation; letters are sent only

when there is a problem. The state is probably all set, but SWA does need a letter from the IRS acknowledging SWA's status as a body politic so that donations can be properly cleared as a charitable deduction to a registered non-profit.

5. Strategic Plan Update:

Deferred.

6. Stormwater Model Ordinances Draft Revisions by Julie LaBranche, Rockingham Planning Commission):

As part of their jobs, Julie and Jamie Houle routinely receive requests from PREP and municipalities about the process of enacting the model ordinances. Some towns have made changes as they worked with them and updated climate change protocols have effected additional revisions. Julie and Jamie have been tracking these changes and following the lessons learned by the towns. They would like to incorporate the changes and lessons as well as revise the ordinances to be more robust. (Draft revision is attached at end of these minutes.)

Discussion points:

- pros and cons of enacting as ordinances versus zoning changes
 - o Zoning can be tricky.
 - o Ordinances focus on new development or redevelopment; won't capture issues on existing sites, ex. IDDE. Ordinances are more difficult to update.
- Durham enacted the regulations as part of water protection.
- It is encouraging that towns are aware of these ordinances and are investigating or acting on them. Julie will provide current list of towns. Direct technical assistance to adopt the ordinances costs about \$6000 per town.
- Outreach opportunities:
 - o Publicize for general public why these are important and how attitudes differ town to town.
 - o Offer as a presentation at the next quarterly meeting.
 - o Share lessons learned and examples, help to minimize and avoid emotions and misconceptions.
 - o Getting towns on board is a long process and requires one-on-one technical assistance from RPC. Best chances are by working with full-time time planner or champion.
 - o Use as a good topic to reinvigorate relationship with SWA advisory committee.

7. Funding Opportunities:

Candace Dolan attended the NH Charitable Foundation's informational session on January 28 in Portsmouth. Topics included eligibility criteria and funding limits. Deadline for \$5000 grant applications is May 1.

8. Miscellaneous:

- If SWA were to offer technical advice or products, what would Julie suggest?

- o standard operating procedures
 - o list of preferred (tried and true) LID manuals, on-site design level
 - o stormwater narratives and color graphics added to ordinance implementation plan to help planning boards visualize the final outcome
- Can we get examples of solid legal conservation easements for stormwater treatment?
- With the requirements for nitrogen removal in septic systems in Rhode Island and Massachusetts, are there data about water quality improvements due to the regulations?

9. Adjournment:

Dick Snow made a motion to adjourn. Shelley Frost seconded. Meeting was adjourned at 4:55.

DRAFT ADDENDUM (revised 9/25/15)
Southeast Watershed Alliance (SWA) - Model Stormwater Standards for NH's Coastal Watershed.
NOTE: This draft Addendum has not been endorsed by SWA.

Based on experience implementing the adopted Southeast Watershed Alliance (SWA) Model Stormwater Standards for NH's Coastal Watershed, the UNH Stormwater Center and Rockingham Planning Commission recommend the following revised to the model. Note the recommended content immediately follows each of the bolded subheadings below.

Element A. Applicability Standards

Element A Applicability Standards, Section 2 states:
"All projects under review by the Planning Board of such magnitude as to require a stormwater permit from EPA Construction General Permit (CGP) program or NH Department of Environmental Services (NHDES) Alteration of Terrain (AOT) program shall comply with the standards of EPA and/or NHDES permits and this section, where ever as the has the stricter standards shall apply."

Municipalities should be aware that the requirements of these model standards are in some instances more stringent than the EPA Construction General Permit program and/or NH Department of Environmental Services Alteration of Terrain program permits.

Element B. Threshold for Applicability of Stormwater Management Standards

Revised Text:
Section 1. These stormwater management standards apply to projects requiring Planning Board review and approval under the {insert references to applicable zoning or regulation here} that result in 5,000 square feet or greater of total site disturbance. For smaller projects that result in less than 5,000 square feet of total site disturbance the applicant may request a waiver of the full standards providing minimum protections and management are implemented as described in sections 2 and 3 below. For the purpose of these standards, disturbance is defined as any alteration of the land surface or **permanent removal of vegetation or trees** associated with a development ~~or~~ **ether**-activity.

Note: The UNH Stormwater Center has gathered data (based on development applications for the Town of Durham) indicating that a lower applicability (trigger) threshold captures a significantly greater percentage of development projects and thus overall better

TRIGGER THRESHOLD	PERCENT REGULATED
5,000 sf	80%
10,000 sf	60%
20,000 sf	50%
40,000 sf	30%

stormwater management. This is particularly important for municipalities subject to the new water quality and stormwater treatment requirements under the EPA MS4 permit. Refer to the statistics for a range of threshold values in the table below.

Element C. Best Management Practices

section 3.b. Low Impact Development

Revised Text:

3.b. Low Impact Development (LID) techniques that preserve existing vegetation, reduce the development footprint, minimize impervious area and use of enhanced stormwater BMPs such as raingardens, bioretention systems, tree box filters, and similar stormwater management landscaping techniques shall be incorporated into landscaped areas with the goals of protecting water quality, maintaining predevelopment site hydrology. Capture and reuse of stormwater is strongly encouraged.

Section 3.h Water Quality Treatment

Shall we add that “all new impervious area draining to nitrogen impaired waters shall be treated with stormwater BMPs designed to optimize nitrogen removal efficiencies based on design standards and performance data published by the UNH Stormwater Center and/or included the latest version of the NH Stormwater Manual”.

section 3.i. Drainage Analysis and Precipitation Data

Add New Text to this section or as a separate line item:

3.i. Drainage analyses shall include calculations comparing pre- and post-development stormwater runoff rates (cubic feet per second) and volumes (cubic feet) based on a 1-inch rainstorm, and the 2-year, 10-year, and 25-year 24-hour frequency storms. The sizing and design of stormwater management practices and drainage analyses shall utilize precipitation data from the Northeast Region Climate Center (<http://precip.eas.cornell.edu>) or the most recent precipitation atlas published by the National Oceanic and Atmospheric Administration (NOAA).

Element D. Applicability for Redevelopment

section 1. Redevelopment Criteria

Revised Text:

- a. In order to determine the stormwater requirements for redevelopment projects, the percentage of the site covered by existing impervious areas must be calculated. Stormwater requirements for redevelopment will vary based upon the amount of site surface area that is covered by existing impervious surfaces.
- b. For sites meeting the definition of a redevelopment project and having less than 40% existing impervious surface coverage, the stormwater management requirements will be the same as other new development projects with the important distinction that the applicant can meet those requirements either on-site or at an approved off-site location. The

applicant must satisfactorily demonstrate that impervious area reduction, LID strategies and BMPs have been implemented on-site to the maximum extent practicable.

- c. For sites meeting the definition of a redevelopment project and having more than 40% existing impervious surface coverage, stormwater shall be managed for water quality in accordance with the following: Implement other LID techniques onsite to the maximum extent practicable to provide treatment for at least 50% of the entire site area

Recommend adding the following revised definition of Redevelopment to section 1 (revised from Glossary section)

Redevelopment (as applicable to this stormwater regulation): Any construction, alteration, or improvement that disturbs a total of 5,000 square feet or more of existing impervious area where the existing land use is commercial, industrial, institutional, governmental, recreational, or multifamily residential. Building demolition is included as an activity defined as “redevelopment”, but building renovation is not. Similarly, removing of roadway materials down to the erodible soil surface is an activity defined as “redevelopment,” but simply resurfacing of a roadway surface is not. Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain, is not classified as redevelopment. In general, the requirements in this manual do not apply to projects or portions of projects when the total existing impervious area disturbed is less than 5,000 square feet. However, specific regulatory programs may impose additional requirements. Any creation of new impervious area over portions of the site that are currently pervious is required to comply fully with the requirements of this manual, with the exception of infill projects. Any redevelopment activity that results in improvements with no increase in impervious area shall be considered redevelopment activities under this regulation if capital cost of improvements in greater than 30% of the appraised property value.

section 2. Off-Site Mitigation

Revised Text:

- a. In cases where the applicant demonstrates, to the satisfaction of the planning board, that on-site treatment has been implemented to the maximum extent possible or is not feasible, off-site mitigation will be an acceptable alternative if implemented within the same subwatershed, within the project’s drainage area or within the drainage area of the receiving water body. To comply with local watershed objectives the mitigation site would be preferably situated in the same subwatershed as the development and impact/benefit the same receiving water.
- b. Off-site mitigation shall be equivalent to no less than the total area of impervious cover NOT treated on-site.
- c. An approved off-site location must be identified, the specific management measures identified, and an implementation schedule developed in accordance with planning board review. The applicant must also demonstrate

that there is no downstream drainage or flooding impacts as a result of not providing on-site management for large storm events.

Submitted by:

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