

**Upper Valley Subcommittee  
Minutes**

Monday, March 21, 2022 at 6:00 PM

Hybrid Meeting - Latham Library, Downstairs, 16 Library Rd, Thetford, VT

**Attendance**

<b>NH Members:</b>	<b>Present</b>	<b>Absent</b>	<b>VT Members:</b>	<b>Present</b>	<b>Absent</b>
Alice Creagh, Hanover		X	Vacancy, Bradford		
Vacancy, Hanover			Vacancy, Bradford		
Eric Agterberg, Lebanon	✓		Ben Dana, Fairlee	✓	
Ruth Bleyler, Lebanon		X	Vacancy, Fairlee		
Bruce Garland, Lebanon (alt)	✓		David Barrell, Hartford	✓	
Bill Malcolm, Lyme	✓		Lynn Bohi, Hartford	✓	
Vacancy, Lyme			Bill Bridge, Thetford	✓	
Ted Cooley, Orford	✓		Linda Matteson, Thetford	✓	
Carl Schmidt, Orford	✓		Chet Clem, Norwich		X
Vacancy, Piermont			Vacancy, Norwich		
Vacancy, Piermont					

Attending Virtually: Olivia Uyizeye (Staff, UVLSRPC); Kathy Urffer (River Steward Connecticut River Conservancy); Paul Reysn (Resident, Lebanon)

**Minutes**

**1. Welcome and Introductions**

Chair Bill Malcolm started the meeting. Chair Malcolm conducted a roll call of LAC members, invited guests to introduce themselves, and welcomed all present.

**2. Membership updates**

Malcolm informs members that after review of the CRJC bylaws regarding member resignations, a method is being employed by the organization to facilitate better meetings of a quorum. It has been determined that if a member does not attend at least 3 meetings in a row and fails to respond to communications by CRJC members or staff, then that person may be resigned in consultation by the subcommittee chair and CRJC president. This action does not impact any of these individuals' ability to again join the LRS at a future time. For the Upper Valley LRS, 2 members fell into this category – Karyn Brown and Helga Mueller of Piermont.

**3. Meeting Minutes from January**

By motion of Barrell/Schmidt, the January meeting minutes passed unanimously.

**4. Permit Review**

**a. Orford Shoreland Permit**

Schmidt reports that the shoreland permit, currently available to members, is only the first of two permits. One by Gradient Aspect Architecture and the other by Pathways consulting. This property was under review during the past two years for herbicide use to remove poison ivy. The property owners

decided to expand their site by putting in a pool, a “sport court”, and several other expansions. There is an existing seasonal dock just beyond the house itself. (Malcolm shows site plan). Schmidt continues explanation of the middle roof draining onto a patio with concrete blocks then off in direction of river. The house is very close to the river. Schmidt suggests waiting for the second permit to comment.

Malcolm says that the most critical thing in his judgment is how to maintain the bank, described in this permit as a bank stabilization. This aspect of the work will be full addressed in the separate wetlands permit, not yet received.

Barrell asks if they are doing anything to mitigate this drainage impact. Malcolm responds that this is an existing structure and outside the scope of this permit application.

Dana agrees with Schmidt. The bank of concern is very steep. Dana informs the group that the property is very close to him.

Malcolm shares with other members conversations with NHDES Tracie Sales about the timing of permits. Sales encouraged the LRS to do our best. Malcolm expresses that he is discouraged by this process. Even when the LRS does review, Malcolm has not seen the verbiage NHDES responses.

Barrell adds that sometimes when we speak up, somebody does listen.

Matteson suggests that the parcel have a 100 ft buffer from the top of the bank planted with natural vegetation.

Agterberg notes that the property owners are optimizing their current situation that is in the river zone. They are not doing anything new.

Urffer has found folks at NHDES feel it is helpful to have comments from LAC/LRS because it helps to stand them up. NHDES needs to stick to regulation. When they have comments from a group, they can refer to them. This provides some leverage for changes in the plan. Urffer adds that the whole bank DS of the house is rip rap, likely due to the steepness of the bank. Urffer also notes a net increase to impervious surface on the parcel. The LRS likely needs to wait for the other permit to be up for review.

Barrell suggests no comment on the current application and scheduling a site visit when the other is received.

**b. Relicensing process for the Glen Hydro facility on the Mascoma River in Lebanon**  
[https://elibrary.ferc.gov/eLibrary/filelist?accession\\_num=20220228-5369](https://elibrary.ferc.gov/eLibrary/filelist?accession_num=20220228-5369)

Urffer orients the LRS to the FERC relicensing process initiated for the Mascoma River dam. This is a run of the river dam. The preliminary application document has been received. Next step will be to include studies, often requested by public agencies or bodies. After the permit application, comment can be provided. LRS members may have local information relevant to possible gaps in knowledge or inaccuracies. These contributions are important to justify why requested studies are needed and their associated potential impacts on the dam. Sometimes the public can request a recreation assessment, depending on the application.

Malcolm asks for the schedule of the process and comments, and for the application to be on the cloud.

Urffer offers to send notices and a schematic schedule, although it can change dramatically dependent on how things go.

Garland asks whether the water used by the City relates to this Dam at all. Garland adds that there are many potentials for development in areas around the site where it is zoned industrial.

**c. Route 5 Drainage Ditch, Fairlee, VT**

Malcolm informs members that the full permit is now available on the cloud storage. A challenging project to review, replacing an existing facility.

Bohi notes that if you look at the site, it is obvious the degree of disturbance.

Matteson notes that for the Agency of Transportation has internal experts that provide the necessary perspectives, thus they do not coordinate with other agencies as significantly.

**5. Updates & Other Business**

**a. Aquatic Resource Mitigation 2022 Grant Announcement**

<https://www.des.nh.gov/business-and-community/loans-and-grants/aquatic-resource-mitigation-fund>

Malcolm shares an announcement of funding for members aware of any potential projects.

**b. Water quality monitoring**

Uyizeye summarizes the water quality monitoring work planned for the 2022 season

<https://www.crjc.org/water-quality-monitoring/> Uyizeye asks if other members would like to participate, or know of someone who would enjoy this work, to be in touch.

**c. New permit & report reference document**

Uyizeye shares a document now on the cloud storage for members to use as a single stop resource to look up relevant permits and reports in both states.

**6. Adjourn**

By motion of Garland/Agterberg the meeting is adjourned, approved unanimously.

*Respectfully Submitted by Olivia.*