

MINUTES of the National Guard Building Reuse Commission  
ZOOM ELECTRONIC MEETING  
March 17, 2021 @ 4:00 p.m.

Committee Members present electronically  
via Zoom:

Councilor David A. Witham, Chairman  
Councilor Matt Gerding  
Councilor Richard R. Michaud

Staff Members present electronically  
via Zoom:

City Manager Bob Belmore  
Finance Director Scott Smith  
City Engineer Amber Ferland  
Fire Chief George Kramlinger (Joined at 4:22 p.m.)  
Public Works Director Michael Bobinsky  
Director of Planning Michelle Mears  
City Clerk Jonathan Slaven

Public present:  
via Zoom:

James Burdin, Senior Planner - SRPC  
Tim Andrews, Director of Env. Serv. - Nobis Group

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The meeting was called to order by Chairman Witham at 4:00 p.m.

As Chairman of the Somersworth National Guard Building Reuse Commission, I, Councilor David Witham find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

We are utilizing Zoom for this electronic meeting. All members of the Committee have the ability to communicate contemporaneously during this meeting through this platform. The public was asked to submit comments via email to [jslaven@somersworth.com](mailto:jslaven@somersworth.com) or [bbelmore@somersworth.com](mailto:bbelmore@somersworth.com) by Wednesday, March 17, 2021 at 12:00 p.m.

***\*Please note that all votes that are taken during this meeting shall be done by roll call vote.***

APPROVAL OF PAST MINUTES, JANUARY 25, 2021

***Councilor Gerding made a motion to approve the past minutes from January 25, 2021. The motion was seconded by councilor Michaud and passed 3-0 by roll call vote.***

SRPC BROWNFIELDS GRANT – NOBIS PHASE-1 ESA STUDY

Manager Belmore introduced Tim Andrews, from the Nobis Group Engineering firm and James Burdin, Senior Planner from the Strafford Regional Planning Commission (SRPC), who are helping the City get started on the Phase-1 environmental assessment of the National Guard property. Manager Belmore informed the Committee he recently received documents from the EPA regarding hazardous materials at the site of the National Guard building as well as other documents outlining ongoing utilities. Belmore also stated the Deputy Adjutant General has given the City permission to begin necessary work on site before the keys to the building are handed over.

James Burdin from the Strafford Regional Planning Commission spoke about available Brownfields Assessment Grants which can cover costs for assessing hazardous materials, in addition to cleanup planning. Burdin stated the first necessary step is to perform a phase-1 ESA environmental assessment which looks at the history of activities on site and makes recommendation on items to potentially sample in a phase-2 study. He indicated having the phase-1 assessment complete prior to conveyance of the property is ideal. If the timeline is extended it is important to know the ESA assessment is good for 6 months before updating is necessary.

Mr. Andrews added that the phase-1 assessment covers standards established by the American Society for Testing and Materials (ASTM) to meet requirements for the transfer of ownership in the case the City decides to sell the property. The assessment serves to provide due diligence and essentially serves as a baseline to avoid liability if hazardous material issues are found subsequent to transfer of ownership.

Councilor Witham asked if the brownfields phase-1 assessment is akin to what the City did with the former Somersworth Police Station. Mr. Burdin replied that the former Police Department was assessed through this program. Witham also mentioned that this is a transfer the City cannot refuse and asked if there were protections in place in the case the National Guard turns the building over sooner than anticipated. Mr. Burdin stated he has had conversations with the EPA who said there used to be language for involuntary transfers, however, he was unsure if the protections have ultimately been removed or not. He further stated that protections of the sort are afforded if the phase-1 assessment is completed in time. Witham followed up with a question of whether the protections afforded in the phase-1 assessment transfer to a potential buyer. Mr. Burdin replied that it would only transfer if the assessment was complete and there was no time lapse. If not, any buyer coming in would have to complete their own phase-1 assessment.

Councilor Witham asked if the documents provided to the City by the EPA were helpful during the phase-1 assessment process. Mr. Burdin replied that they would be used as background information to consider in the report. Mr. Andrews added that the assessment looks for issues beyond the National Guard's regulations for compliance. The documents received should be helpful, but they do not imply the site is in the right state to acquire as it relates to liability.

Councilor Gerding asked for clarification on whether or not a new assessment is required if the City decides to sell the property and if liability is transferred to the buyer. Mr. Burdin explained the point of the phase-1 assessment is to demonstrate that the City is not the responsible party for issues found. Subsequent assessments done, if the City sells the property, are done to prove the purchaser is not the responsible party. The City, in the case of selling the site, would only be liable for items found in the second assessment. Gerding also asked about funding for cleanup of fossil fuels and if funds are available should the City need them. Both Mr. Andrews and Mr. Burdin responded that the petroleum remediation funds are different from typical brownfields cleanup funds and that the City could potentially be reimbursed if such cleanup is necessary. Manager Belmore added that the City has tapped into this fund previously with a project at a garage on Green Street.

Councilor Witham indicated the building's site has monitoring wells adjacent to a superfund site and asked if this could complicate the assessment. Mr. Burdin replied it potentially could complicate things, but it depends on what is found. Manager Belmore suggested that Mr. Burdin reach out to the City Consultant engineers for the Superfund site through him, as they are the most knowledgeable about the site and the history of the cleanup.

Mr. Andrews added that the schedule of the assessment is typically 3-4 weeks under normal circumstances, however, due to necessary review with the EPA and NHDES, it could take approximately 6-8 weeks. Andrews added he would be happy to address this Committee once the results are in.

***Councilor Gerding moved to endorse the phase-1 environmental assessment. The motion was seconded by Councilor Michaud and passed 3-0 by roll call vote.***

#### REACTION TO READINESS CENTER TOUR

Councilor Witham stated his initial reaction is that the structure of the main building is robust and well maintained, yet does clearly show signs of it being built in the 1950's. He said the facility was larger than he thought and said regardless of future use, the City should strongly consider subdividing the Little League baseball field. Councilor Gerding said he feels the same about the baseball field and is interested in exploring zoning for potential uses. He also mentioned he was impressed with the size and condition of the storage facility on site. Councilor Michaud agreed with both other Councilor's comments and said he was impressed with how great a shape the National Guard has kept the structures. Michaud also concurred with keeping the ball field.

#### PROCESS MOVING FORWARD

Councilor Witham stated that subsequent to completion of the phase-1 assessment, a next step would be a market analysis of the site. Councilor Michaud and Gerding both agreed.

Councilor Gerding asked for clarity on the charge of this Committee. He asked if the Committee is to come up with decisions on what we would like to see done with the property or accumulate information to present to Council. Councilor Witham stated it was a little of both. He said the Committee is to research reuse options and bring forward to Council, perhaps with an endorsement on one of the recommendations. Manager Belmore concurred.

Councilor Witham said it makes sense to meet again once the phase-1 assessment is complete. Then a discussion can take place on zoning regulations, possible rezoning, and market analysis. Manager Belmore said he would contact Mr. Burdin immediately to see if any market analysis could be started, look at options for rezoning the facility, and come back to the Committee with suggestions on moving forward.

Councilor Witham brought up questions of moth-balling the facility and whether to keep the lights and heat on. Manager Belmore stated he spoke with the facility manager who recommended keeping the heat on to some degree. Councilor Witham asked if there were any funds in the FY 2022 proposed budget for such expenses. Belmore replied in the negative, but recommended we could use contingency funds for any smaller funding needs.

#### ADJOURN

***Councilor Michaud made a motion to adjourn. Councilor Gerding seconded the motion, the motion passed 3-0 by roll call vote. The meeting adjourned at 4:49 p.m.***

Respectfully submitted,

Jonathan Slaven, City Clerk