

MINUTES OF THE PUBLIC WORKS AND ENVIRONMENT COMMITTEE
MEETING HELD VIA ZOOM PLATFORM
February 16, 2021 3:45 p.m.

Committee Members present via Zoom:	Councilor David A. Witham, Chair Councilor Matt Gerding Councilor Martin Dumont Councilor Kenneth Vincent
Administration/Staff present: via Zoom:	City Manager Bob Belmore Finance Director Scott Smith Director of Public Works Michael Bobinsky Deputy City Clerk Ammy Ramsey City Engineer Amber Ferland Director of Planning and Community Development Michelle Mears

As Chair of the Somersworth Public Works and Environment Committee, 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. Please note that all votes that are taken during this meeting shall be done by roll call vote.

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 or bbelmore@somersworth.com by Tuesday February 16, 2021 at 12:00 p.m.

Chairman Witham called the meeting to order at 3:45 p.m.

MINUTES OF THE PREVIOUS MEETING ON JANUARY 14, 2021

Councilor Dumont made a motion to approve the minutes of the January 14, 2021 meeting. The motion was seconded by Councilor Gerding and passed 4-0 by roll call vote.

WILLAND DRIVE STREET LIGHTS

Councilor Witham stated that a safety concern has been brought forward concerning the limited lighting on Willand Drive, and with the Warming Center locating there pedestrian traffic has increased. City staff looked into the cost for additional lighting to address the concern.

Director Bobinsky provided a memorandum detailing the cost for the installation of two LED lights is \$700.00 and the estimated annual power cost is \$266.00.

City Manager Belmore read Chapter 15 of the City Ordinance regarding requests for new street lights, which informed the Committee of the purpose, considerations, and procedure for approving the installation of street lights. City Manager Belmore notified the Committee that in accordance with the Ordinance the Traffic Safety Committee needs to review this issue and make a recommendation to be presented to the City Council for their consideration.

Councilor Gerding inquired if the City staff looked into the motion activated street lights. Public Works Director Bobinsky stated they did look into them, but motion activated lights would not be appropriate for this project.

Councilor Dumont stated that the additional lighting would be beneficial.

Councilor Dumont made a motion to support the recommendation of a request for the addition of two LED lights on Willand Drive for pedestrian safety and forward this to the Traffic Safety Committee for their consideration. The motion was seconded by Councilor Gerding and passed 4-0 by roll call vote.

DRIVEWAYS: ZONING AMENDMENT

Councilor Witham informed the Committee that a few years ago there was a Zoning amendment considered in regards to vehicles parked on residential lawns and dirt areas. At a recent Council meeting, Councilor Dumont brought forward a concern about vehicles being parked on front lawns and sidewalks. Councilor Witham stated he felt that the consideration should be brought forward again. He looked at the current Ordinance, Chapter 12.7 Driveways and sent City Manager Belmore a suggested amendment for the Committee's consideration. Councilor Witham asked if the other Committee Councilors would like to continue to have staff work on a recommended Amendment.

There was some discussion pertaining to the current reasons for the Driveway Permit process, and that there is only one driveway allowed per single family residence.

Councilor Vincent mentioned that the City has had issues in the past with parking with multi-unit residences and not having enough on street parking which resulted in parking on the lawn and that could affect property values. He is in favor of Driveway Permits, but feels that an amendment should be considered carefully.

Councilor Dumont feels there are many challenges with this concern and gave some examples of properties that use multiple cars to one driveway, or don't have driveways. He agrees with Councilor Vincent that there are concerns that should be addressed but will be very challenging coming up with an amendment.

Councilor Witham also agrees it will be challenging. He informed the Committee that the amendment he proposed does not prohibit parking on the lawn, but the access needs to be by the permitted driveway. It will not solve all the problems, but it could help the City move in the right direction.

Councilor Dumont mentioned the importance of the having the driveway in a safe location to avoid any accidents when entering or exiting.

Councilor Gerding expressed that it is important to use the approved driveway.

Councilor Witham stated that the number of cars in a single family has changed over the years because parents are not the only ones driving now in a household, and with children of driver age some homes might have 3, 4, or 5 cars.

The consensus of the Committee is to have City staff present a draft Ordinance at a future meeting.

LOWER GREAT FALLS (BAXTER MILLS) HYDROELECTRIC DAM FERC FISHWAYS AGREEMENT

City Manager Belmore informed the Committee that the company that leases the dam from the City is requesting the City a negotiated agreement that Green Mountain Power (GMP) and the US Fish and Wildlife Service have worked out. GMP has applied for a renewal permit to operate the dam with the Federal Energy Regulatory Commission (FERC). The current permit expires April, 2022 and this will be a 40-year license if approved by FERC. As part of the agreement, GMP would be required to install a fish ladder sometime by 2041. The City leases the Hydroelectric Dam hence the need for City approval.

Councilor Witham inquired if there are any downsides to this agreement and also mentioned that the owner of the dam seemed to have worked well with the recent constructions project. Belmore stated there doesn't seem to be a downside as the City received lease payment revenue.

Councilor Gerding inquired about the fish ladder being installed before the projected date of 2041. City Manager Belmore stated that was negotiated by GMP and the US Fish and Wildlife Service and it could be funding and scheduling issues. In the interim period, the US Fish and Wildlife Service will be capturing and moving fish up river. Public Work Director Bobinski believes it is cost and also they are going to be monitoring the issue to determine if the ladder needs to be done sooner.

Councilor Witham inquired about the current process of capturing and moving fish now, and Director Bobinski stated that this has just come up in this negotiation process. There was further discussion pertaining to how and where this process has or is being done currently.

Councilor Vincent expressed that he is in favor of this agreement and that FERC is well versed in hydro-power.

Councilor Dumont made a motion to support the Hydro-Electric Dam FERC Settlement Agreement and move it forward to the full Council. The motion was seconded by Councilor Vincent and passed 4-0 by roll call vote.

UNITIL EASEMENT UPDATE

City Manager Belmore informed the committee that Unitil has updated their request for an easement near the Maple St. pit. They are requesting a little larger easement to include an area for the storage of some equipment and miscellaneous materials. The intent is to forward the easement for legal Counsel review, which Unitil is sending funds to be put in escrow to pay for the review. City Manager Belmore asked the Committee if they would like to support a Resolution when the material comes back from the attorney.

Councilor Witham inquired about the existing site on Blackwater and Maple St and what it will look like. Public Works Director Bobinsky stated they will get more detail with the site plan, but he believes it will be loamed and seeded after the Unitil equipment is relocated to the other site.

Councilor Witham confirmed with Director Bobinsky that their equipment will be secured in a safe location from possible damage from the City trucks moving around in that same location and suggested bollards be considered.

Motion made by Councilor Dumont to support a Resolution in support of the Easement agreement to move it forward for full City Council consideration. The motion was seconded by Councilor Gerding and passed 4-0 by roll call vote.

City Manager Belmore mentioned they had offering \$5,000. For the easement, however staff will be in further talks Unitil regarding the value.

EPA GREAT BAY TOTAL NITROGEN GENERAL PERMIT

City Manager Belmore informed the Committee that EPA has drafted a General Permit for the Seacoast Cities and Towns and several communities have drafted an Intermunicipal Agreement (IMA) to implement the requirements of the permit. Manager Belmore stated that staff's present recommendation is to agree to the General Permit, but he has asked Tim Vadney of Wright-Pierce engineering to analyze the IMA to determine if it is in our best interest to join the IMA.. City Manager Belmore mentioned that they are not looking for a decision at this meeting because they will be coming back with costs to be able to determine if we go with the IMA or do the project alone.

Public Works Director Bobinsky informed the Committee that this is a project across several communities to decrease the nitrogen discharge in the Great Bay. Director Bobinsky informed the Committee about some of the details of the permit and what is required to be done.

Financial Director Smith mentioned that we are not required to join the IMA if we decide to agree to the general permit.

Councilor Witham confirmed with Director Bobinsky if the general permit would be negotiated with the EPA based upon the scientific data that would be less than the limits of technology. Further discussion was held concerning the three different options for the City: accept the EPA issued General Permit; accept the General Permit and join the IA spearheaded by Rochester, Dover and Portsmouth; or negotiate a City stand-alone permit with EPA.

Councilor Gerding inquired about the difference between the general permit and the independent negotiated permit and if we go with the independent permit is there room for negotiation. Director Bobinsky stated that there is not a lot of negotiation room and he believes the EPA will just draft a permit requiring the City to upgrade to current level of technology.

City Manager Belmore stated that we need a decision by April 1st and inquired if the Committee would like Tim Vadney of Wright-Pierce to give a presentation to this Committee or the full Council. Councilor Witham stated he would like a presentation given to this Committee. There was also some discussion pertaining to a presentation and all the work that has been done so far.

MISCELLANEOUS

Councilor Gerding would like to look into a Community composting program. He looked into getting a composting dumpster that Dover is doing with a company and the cost would be \$70.00 a month. Councilor Gerding mentioned that it would save on waste and also help residents with blue bag costs because a good portion of what people throw away is food that is compostable.

Councilor Dumont confirmed with Director Bobinsky that the leaves at Malley Farm are turned over periodically and used for compost by residents and community gardeners.

ADJOURNMENT

Motion to adjourn made by Councilor Dumont seconded by Councilor Vincent, motion passed by roll call vote 4-0. Meeting adjourned at 5:12 p.m.

Respectfully submitted,

Ammy Ramsey, Deputy City Clerk