

# **Minutes of Souhegan River Local Advisory Committee**

## **Milford Police Facility and River Walk**

**August 17, 2023**

In attendance were members Cory Ritz (New Ipswich), Cam Lockwood (Temple), Rich Hart (Amherst), Rob Clemens (Amherst), George May (Merrimack), Marshall Buttrick Greenville, Peter Howd (Wilton), and Kleta Dudley (New Ipswich.)

We met at 6:30 P.M. at Boys and Girls club for a short walk along the River's Edge Trail behind the Club to view the story boards that had been installed there. We were duly impressed with the boards as well as pollinator gardens and the labeling along the way on the trees. Meeting followed shortly after 7:00 p.m.

**Review of July Minutes-** Minutes accepted.

### **Old Business**

**Souhegan River Corridor Plan-** No updates. Cory has not heard from Emily at NRPC who is waiting to hear back from DES.

**RMAC approved the Milford DOT easement-** This was an easement for the Pennichuck pump station.

**Eversource maintenance in Merrimack "Administratively Incomplete"-** Cory was uncertain exactly why we received this. Apparently there is some maintenance being done within our watershed so we were notified.

## **New Business**

**Wilton Project-** 27 Island St. in Wilton is a tear down structure. DES has yet to confirm they have received plans, but we had a copy of the plans. The structure is right on the river and plans to rebuild in original footprint. The owner is working with various departments in Wilton and has sent out letters detailing his plans. Old foundation will be used. We were not overjoyed at the plans but agreed it was an improvement over existing building. We would like to see a silt fence installed and oversight during the construction.

**Legislative Update remote meetings-** Governor Chris Sununu has signed House Bill 308 into law. This revision to RSA 91-A amends the number of voting members that are required to be physically present at a meeting to one third of the members, with the remaining members able to participate electronically. For example, on a committee of 9 voting members, only 3 need to be present physically while at least two more members participating online can fulfill the standard meeting quorum requirements.

Conditions to the new law:

HB 308 goes into effect on October 3, 2023.

The committee must vote to allow a member to participate remotely, and the minutes must state why the member was not able to participate in-person (e.g. scheduling conflict, weather, personal reasons, health, etc.)

All hybrid meetings (with physical and remote participants) must vote via Roll Call.

Electronic participants must state who else is in the room with them.

All members, however they are participating, must be able to see and hear one another during the meeting.

This new law only applies to state committees, commissions, and board, not to county or municipal boards.

For us...Quorum is zero

**Greenville Mill #6, Drug Rehab Center-** Marshall attended a hearing earlier this evening and updated us on the lack of progress regarding the plans for the Mill, hearing will be continued in Sept. 21<sup>st</sup>.

### **Local Updates**

**Souhegan Watershed Association-** Check out Eric's newsletter. There have been dips and rises in E-coli levels . George noted that we have 20 years of data on the River but we don't know what is happening in the tributaries (except Stoney Brook.) He noted it would have been a good summer to do an overview of the watershed.

**New Ipswich-**Patriot Scaffolding permits granted.

**Temple-** Still working on easements.

**Greenville-**Pilgrim Foods (Old Dutch Mustard)- Big EPA investigation initiated. Pilgrim Foods is in violation again for dumping into river. Marshall's history with them goes back to the 70's. He makes a point of calling State on a quarterly basis to check to see if they are paying on their fines (from former

infractions,) and if they are in compliance with consent decrees. He is determined to make sure the State knows that the locals are concerned about Pilgrim Foods frequent violations. Attorney Generals come and go with new administrations and tend to be willing to cut a break for violators, due to a disconnect with DES. Marshall has made sure to point out that locals have been dealing with these violations for decades. Marshall set out the history of consent decrees. Selectmen in Greenville have been under pressure to allow Pilgrim Foods to use the WWTP in Greenville, but they did not comply with their discharge contract. Pilgrim Foods offered to buy the town's wells. The town wouldn't sell them so Pilgrim Foods rented them for a period of time, but due to the amount of water they used a great deal of iron was introduced to the system and that arrangement was ended. Pre treatment of waste water used to be done in lagoons but that resulted in a stench that was determined to be unacceptable. DES ordered closure of lagoons.

Pilgrim Foods discharged waste liquid into an unnamed brook downstream of our testing sites polluting the brook to the point it would not sustain organic life.

On May 23, 2023 DES raided and worked to determine source of discharge. A cease and desist order was issued. They have till the 22<sup>nd</sup> of Aug to give EPA a plan for remediation otherwise civil and maybe criminal litigations could take place. Marshall will be contact EPA on Aug. 23 to determine the status of the problem and if they have any proposals. Marshall

thought the solution would involve shipping the waste material off to a remote site able to deal with it.

Cory is going to consult with Tracy.

It was noted at this point that the property that the brook is located on was once part of the B&M railroad and Pilgrim Foods had bought some of this property. Most of the railroad's property was acquired by the State Bureau of Trails.

**Wilton-**Next month's meeting will be in Wilton. Fairway LLC have been invited to join us. They were at a recent meeting of the Planning Board with their engineer and lawyer. Fairway LLC is a spinoff of Fairway Industries in New Ipswich. This property is in the middle of an aquifer protection area and was cleared to within 150' of the river. DES had come down and "slapped them on the wrist" for Alteration of Terrain without a permit.

They are looking to build a distribution center warehouse to store cables. There will be acres of impervious surface. So much that they will have to redo the 4 lot subdivision back to 2 lots. They have not submitted plans to DES yet. Peter said they heard a lot of concerns from the Planning Board. Cory commented that we should come up with what we want from them- perhaps a river easement for a trail, an easement for Goldsmith Brook, planting of willow along stream (which is flat and in a flood plain.) Anything else? This facility is just upstream from Wilton's town wells.

There was short discussion on possible easements on abutting properties.

There was discussion on suggesting “after the fact permits” Perhaps they should cost more. Cory thought that if he could bring data to the RMAC, it might be worth having a discussion with Michelle Trombley.

**Amherst**-Congratulations to Rob regarding the land acquisitions by the Amherst CC. Rob explained this was the 2<sup>nd</sup> of 3 pieces. The final piece should be settled by next July. There is another piece they are considering in the Beaver Brook watershed. The CC will be asking for a warrant article next year for money. There is a problem with Cyanobacteria in Baboosic Lake.

**Merrimack**-Monitoring for E-coli at Watson Park.

**RMAC**-At the meeting this month they reviewed State lands in Sullivan County. They will be reviewing State lands county by county evaluating them on a list of criteria they have prepared and making recommendations to the State as to whether the properties should be retained or sold.

They did a tour of Exeter Dam Removal site. Shad have returned.

**Field Trip to Billy Ward Pond with President of the Billy Ward Pond Association- Postponed, new date to be determined**

Submitted by Kleta Dudley, Sec. August 21, 2023  
Next Meeting Sept. 21, 2023 Wilton Town Hall.