

**Town of Auburn
Board of Selectmen
May 22, 2017
Town Hall
7:00 p.m.**

() Call to Order – Pledge of Allegiance

Approval of Payroll for Week of May 15th, 2017

Approval of Accounts Payable for Week of May 22nd, 2017

Consent Agenda – as of May 22nd, 2017

() Appointments with the Board

David Nye / Parks & Recreation – Event Closure of Eaton Hill Road Extension

() New Business

Schedule Eddows Field Site Walk for BOS & P&R Commission

Right-of-Way between Cottage Avenue and Paradise Lane

Potential Special Election

Landfill Monitoring Wells Sampling

Perambulation of Town Line - Hooksett

() Old Business

() Other Business

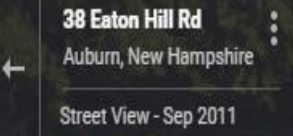
() Minutes

- May 8th, 2017 Public Meeting

() Non-Public Session

Pursuant to the provisions of RSA 91-A: 3, II (e) -- Consideration of pending claims or litigation and (c) – Review of previously sealed meeting minutes / Consideration of the reputation of someone other than a member of the Board

Note: "Any person with a disability who wishes to attend this public meeting and needs to be provided reasonable accommodations in order to participate, please contact the Board of Selectmen's Secretary at (603) 483-5052 x100, so that arrangements can be made."



NEED PD/FD OFFICERS AT:

FIREWORKS/SCHOOL

EATON HILL RAYMOND RD/ROVING
RAYMOND RD AS WELL

ROVING EVENT AREA

SOCCKER/SCHOOL PARKING AREAS

FIRST AID AREA/SHIRT SALES

CORNHOLE

FIREWORKS

VIEWING



TOWN OF AUBURN

May 8, 2017

Office of the Selectmen
P.O. Box 309
Auburn, N.H. 03032

Dear Selectmen:

A request from Christopher Pepper of 27 Cottage Avenue regarding the right of way between Cottage Avenue and Paradise Lane has come to this office. Mr. Pepper would like to have the right of way extinguished and turned over to the property owners that would be affected between Cottage Avenue and Paradise Lane which would require a decision from the Board of Selectmen.

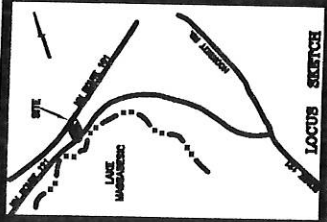
In speaking with Carrie Rouleau-Cote, Building Inspector and Michael Dross, Road Agent who are both against the Town of Auburn extinguishing the right of way between Cottage Avenue and Paradise Lane as there could be a potential for future connection between the two roads. Also, Mr. Dross has stated that if the Town of Auburn were ever to relinquish the right of way to the abutters that there would still be the need for a turnaround for plowing and the like.

My question for the Board of Selectmen would be to ask what your initial thoughts would be regarding this request. Mr. Pepper is awaiting a response from me regarding the Board of Selectmen's decision. I have included a packet of information with this letter for your review.

Thank you,

Denise Royce
Land Use Administrator

Enclosure



- REFERENCE PLANS
- 1- PLANS 02328 & 02327: PROPERTY OF MRS. H. LAURENCE, DATED 7/17/1935
 - 2- RORD PLAN 03028: PROPERTY OF MR. D. BEADON LOTS 1 & 1A, SCALE 1"=80', BY R.P. THERREN, DATED 7/27/1980
 - 3- NH DEPT. OF TRANSPORTATION PROJECT #2685
 - 4- NH DEPT. OF TRANSPORTATION PROJECT #43375A
 - 5- RORD PLAN C-2183E: LOT LINE ADJUSTMENT... GERALD LACOURSE .. SCALE 1"=40', BY DUAL SURVEY INC.

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

A COPY OF THIS PLAN HAS BEEN GIVEN TO THE PLANNING BOARD OF THE TOWN OF AUBURN

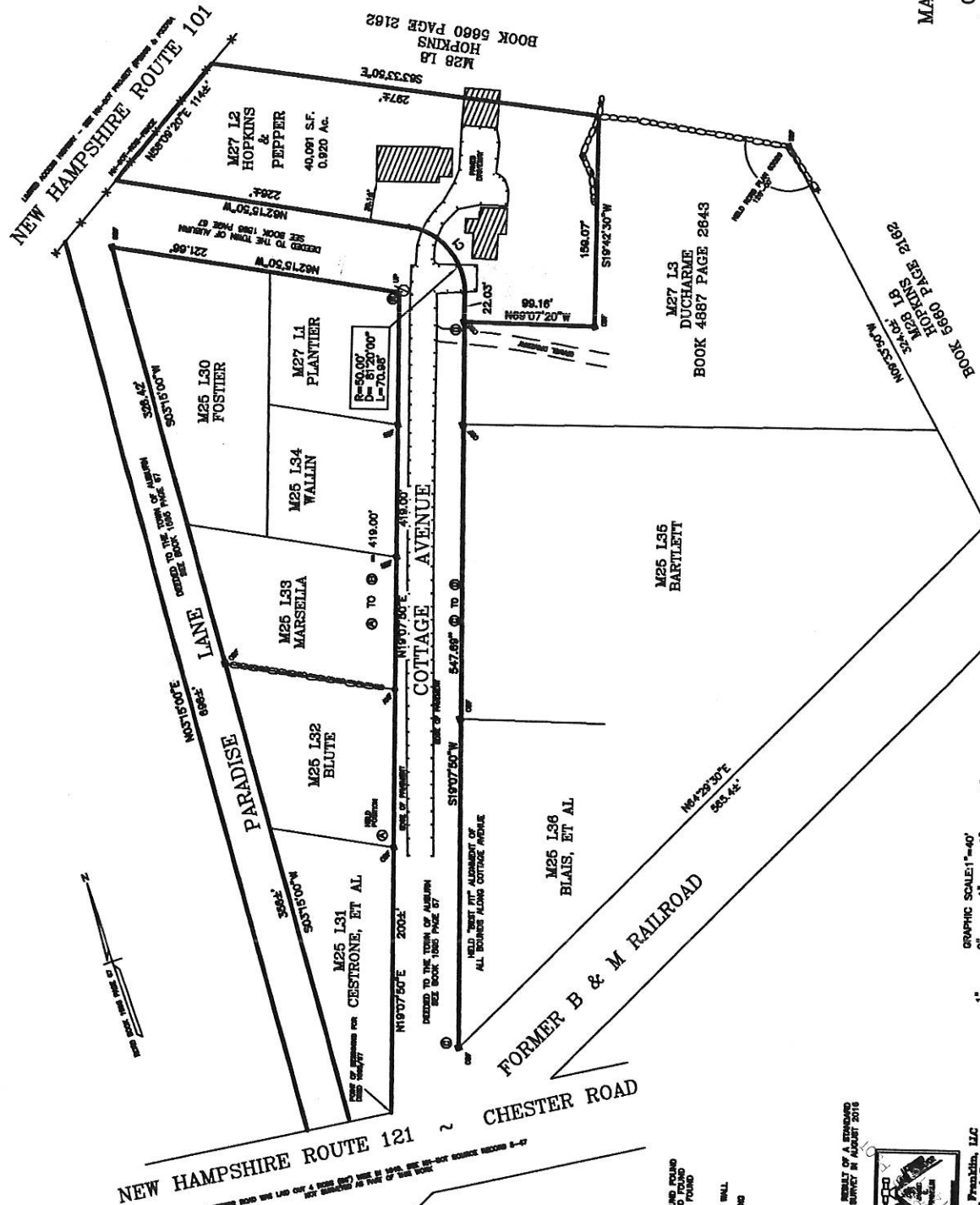
DATE: _____

DATE: _____

OWNER OF RECORD:
MAP 27 LOT 2
MARK & JOANNE HOPKINS
AND
CHRISTOPHER PEPPER
BOOK 5660 PAGE 2182

SURVEY PLAN
LAND OF
MARK & JOANNE HOPKINS
AND

CHRISTOPHER PEPPER
Assessor's Map 27 Lot 2
27 Cottage Avenue, Auburn, New Hampshire
Scale: 1"=40' ~ September 14, 2016




- ALL NEW FOUND
- ALL OLD FOUND
- ALL PRIVATE BOUND FOUND
- ALL PUBLIC BOUND FOUND
- UTILITY POLE
- FIELD STONE WALL
- WOOD BUILDING

THIS PLAN IS THE RESULT OF A SURVEY MADE BY A LICENSED SURVEYOR IN AUGUST 2016

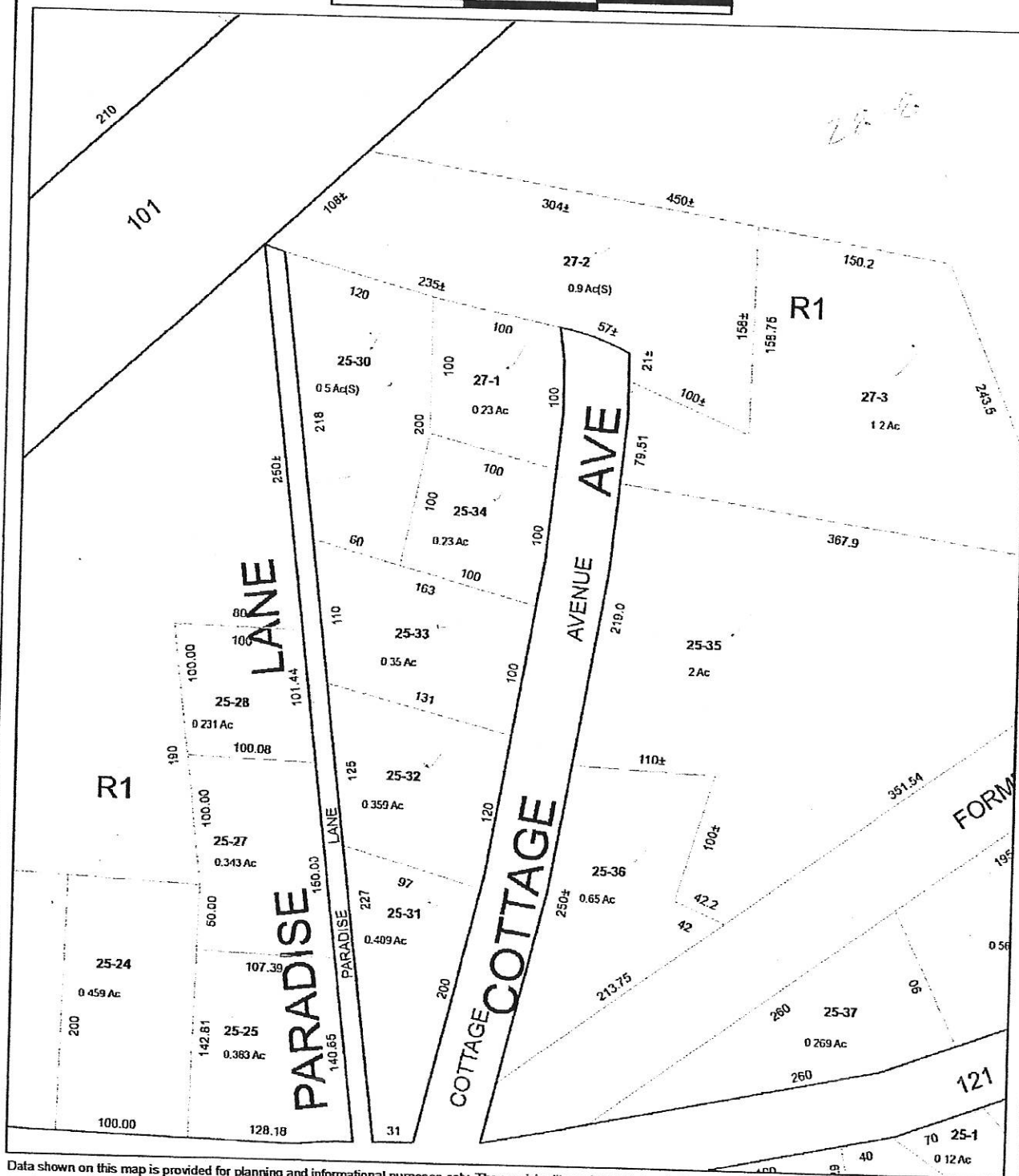


James E. Franklin, LLC
Licensed Land Surveyor
178 Deerfield Rd., Candia, NH 03084
Tel: (603) 483-3096


GE Technologies

1 inch = 100 Feet 92

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

William B. Severance,

of Manchester, Hillsboro County, State of
New Hampshire, for consideration paid, grant to The Town of
Auburn, New Hampshire

of _____ County, State of

New Hampshire, with warranty covenants, a certain tract or
parcel of land bounded and described as follows: said land
being situate in Auburn aforesaid:

1. "Beginning at a stone bound situated at a point where the
Boston & Maine R.R. intersects the southwest corner of Cottage
Ave.;
2. Thence in a northerly direction along the westerly side of
said Cottage Avenue a distance of six hundred and nineteen (619)
feet more or less to a stone bound set in the northeast corner
of land of Mealey;
3. Thence westerly with an inside angle of $98^{\circ}40'$ to said
Avenue line two hundred twenty-two (222) feet more or less to a
cement marker;
4. Thence South $30^{\circ}15'$ West six hundred eighty-three (683)
feet more or less to a stone bound set in the north line of State
Highway #121, said bound being Thirty-one (31) feet more or less
from the bound begun at;
5. Thence westerly by the north line of said highway thirty-
five (35) feet to an iron pin set in the ground fifteen (15) feet
east of the corner of land owned by Cecile Lacourse, this Lacourse
corner being a hole drilled in a stone boulder in the north line
of said highway;
6. Thence in a northerly direction seven hundred sixty-seven
(767) feet more or less, (said line being parallel to the line
described above in clause #4), to a cement marker in the south
side of State Highway #101. This is the old original line sur-
veyed by J. Lane Fitt between Charles Whittemore and Harvey
Severance, and checked by John P. Young, May 26, 1896.
7. Thence along the south line of said highway a distance of
forty-three (43) feet in a course North $62^{\circ}51'40''$ east to a
cement marker;
8. Thence south $30^{\circ}15'$ west fifty (50) feet more or less to a
cement marker;
9. Thence easterly two hundred forty-one (241) feet more or
less, on a line parallel to the line described in clause #3 above,
to a cement marker set fifty (50) feet north of the stone bound
in the northeast corner of Mealey land;
10. Thence with $127^{\circ}40'$ arc to a cement marker set fifty (50) feet
east of the stone bound in the northeast corner of Mealey land;
11. Thence southerly five hundred sixty (560) feet more or less
to a cement marker set in the north line of the B & M R.R.,
seventy-two (72) feet more or less from the bound begun at;
12. Thence westerly along said B & M R.R. seventy-two (72) feet
more or less to the point begun at."

The same being two (2) acres more or less and being part of the
land of the grantor, whose title is derived as only heir of Harvey
Severance, see Rockingham County Probate Records.

Any building or parts of buildings now situated on the tract here
in conveyed, are excepted from this conveyance and are reserved to
the grantor, his heirs and assigns, and will be removed by the
Grantor, his heirs and assigns within a reasonable time after
written request to do so.

The grantor hereof expressly reserving to himself, his heirs, and

successors and assigns, the title and ownership of any and all water pipes laid under the surface of any of the land herein conveyed, and expressly reserving to himself, his heirs, successors and assigns, the right and authority at any time to excavate near or under the lands herein conveyed for the purpose inspecting or making repairs to any or all of said pipes.

Said land being conveyed to said Town of Auburn upon the Towns' acceptance of said land as a public road.

May G. Severance , wife
 , husband of said grantor, release to said
 grantee all rights of dower and each of us releases homestead
 curtesy
 and other interests therein.

WITNESS our hand s and seal s this 4th day of March, 19 58

Paper Name: _____
 Typed Name: _____
 ✓

W. B. Lerrance...
May E. Lerrance

The State of New Hampshire

County of Hillsboro

On this the 4th day of March, 19 58, before me, the undersigned officer, personally appeared William E. Severance and May G. Severance, known to me to be the person whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me.

Norma F. Davis
Justice of the Peace
Justice-of-the-Peace
Notary Public

Rec'd & recorded August 16, 10:00 A.M., 1961.

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION
PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND
WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS
ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

DATE:

A COPY OF THIS PLAN HAS BE GIVEN TO THE PLANNING
BOARD OF THE TOWN OF AUBURN

DATE:

OWNER OF RECORD:
MAP 27 LOT 2
MARK & JOANNE HOPKINS
AND
CHRISTOPHER PEPPER
BOOK 5660 PAGE 2162

SURVEY PLAN LAND OF

MARK & JOANNE HOPKINS
AND

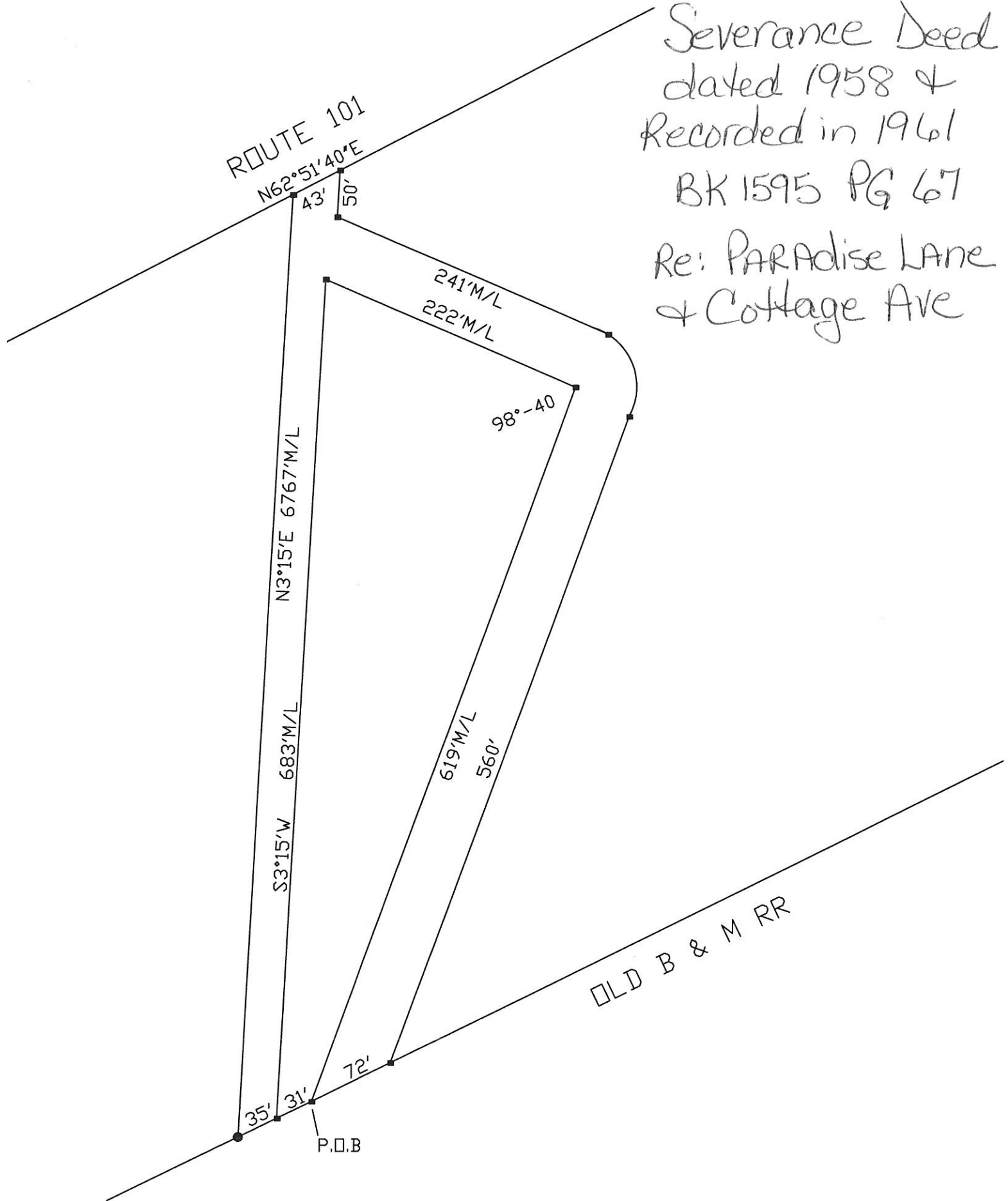
CHRISTOPHER PEPPER

Assessor's Map 27 Lot 2

Avenue, Auburn, New Hampshire

"=40' ~ September 14, 2016

Severance Deed
dated 1958 &
Recorded in 1961
BK 1595 PG 67
Re: PARADISE LANE
& Cottage Ave



Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: May 17, 2017

Re: Probable Special Election for State Representative

As I believe you are aware, State Representative William C. Polewarczyk, Jr., of Chester passed away on May 6th.

It is my understanding the Town of Chester is likely to formally request that a Special Election to fill the vacancy be called by the Governor and Executive Council.

The Sandown Board of Selectmen discussed the potential of a Special Election at their meeting on May 15th and, from contact with their Town Administrator, I believe their board is in favor of holding a Special Election.

The Auburn Board of Selectmen does not have to take any action in this area unless it chooses to do so. My understanding of RSA 661:8, II is that if one of the communities in the three town district (Auburn, Chester and Sandown) requests the Special Election, the Governor and Council will act on that request. It does not require a request from all three communities.

As of this writing, I am lead to believe there are at least two Republicans interested in filing for this position should a Special Election be called. One is from Auburn and a second from Sandown. There may be others, and there certainly may be Democratic candidates as well.

Assuming that follows through, the Special Election will first require a Primary Election, to be followed by a General Election. The Town would not have a choice in holding these elections, neither of which were budgeted in the FY 2017 budget.

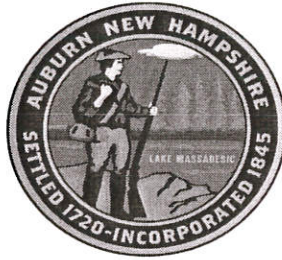
This was not an item on today's meeting of the Governor and Executive Council. The next meeting of the Governor and Council is scheduled for June 7th. That appears to be the earliest date that an election could be approved and scheduled. RSA 655:81 clearly establishes a *"special election shall be held on a Tuesday not less than 110 nor more than 124 days following the day the governor and council declare that there shall be a special election"*.

Assuming the Governor and Council acts on June 7th, a Primary Election will likely be scheduled for August 8th and the General Election on September 26th.

Thank you for your consideration.

Town of Auburn

Town Hall
47 Chester Road
P.O. Box 309
Auburn, NH 03032



Town Administrator

William G. Herman, CPM
Phone: (603) 483-5052 Ext. 111
Fax: (603) 483-0518
E-Mail:
townadmin@townofauburnnh.com

To: Board of Selectmen

From: Bill Herman, CPM, Town Administrator

Date: May 18, 2017

Re: Landfill Monitoring Wells Sampling 2017

We have today received from Stantec Consultants the report documenting the data from the April 2017 sampling from the four monitoring wells and two surface water sampling locations on the Town's closed landfill property.

As I believe you will recall, the NH Department of Environmental Services (NHDES) sought to have the testing expanded this year or next to include detection of PFCs, which had not previously been part of the monitoring testing. Auburn chose to include that testing in this round of sampling.

The attached summary results and submission to NHDES indicates that PFCs were detected in all of the site wells. The numbers for PFOs and PFOA (combined) of 70 ng/l was exceeded in Monitoring Well 3 and Monitoring Well 4 samples (134 ng/l and 87 ng/l respectively).

Since Monitoring Well 4 is the most downgradient well on the site, Stantec advises that we do not have the PFC plume delineated, so it is possible that NHDES may want at least one more well installed to the southwest of Monitoring Well 4.

At this point, Stantec is not recommending any action on the part of the Town. They are waiting to see what recommendations or directions come from NHDES.

The full report with supporting data sheets are available at the Town Hall for review and inspection. We have only attached the summary report & submission with this cover memo.

Thank you for your consideration.

Attachment

**DES Waste Management Division
29 Hazen Drive; PO Box 95
Concord, NH 03302-0095**

**APRIL 2017 GROUNDWATER MONITORING
DATA SUBMITTAL
Auburn Landfill
Chester Turnpike
Auburn, NH 03032**

**NHDES Site #: 199002015
Project Type: Landfill Closure
Project Number: 1521**

Prepared For:
Town of Auburn
47 Chester Road, P.O. Box 309
Auburn, NH 03032
Phone Number (603) 483-5052
RP Contact Name:
Board of Selectmen, Russell Sullivan
RP Contact Email:
townadmin@townofauburnnh.com

Prepared By:
Stantec Consulting Services Inc.
5 Dartmouth Drive, Suite 101
Auburn, NH 03032
Phone Number: (603) 669-8672
Contact Name: David A. Allwine, P.G.
Contact Email: dave.allwine@stantec.com



Date of Report: May 17, 2017

Groundwater Monitoring Report Cover Sheet

Site Name: Auburn Landfill

Town: Auburn

Permit #: GWP-199002015-A-003

Type of Submittal (Check all that apply)

- ☐ Periodic Summary Report (year) :
 - ✓ Data Submittal (month and year per Condition #7 of Permit): April 2017
-

Check each box where the answer to any of the following questions is "YES"

Sampling Results

- ✓ During the most recent monitoring event, were any new compounds detected at any sampling point? Yes
Well/Compound: MW-1 (PFOA), MW-2 (PFOA, PFOS), MW-3 (PFOA, PFOS), MW-4 (PFOA, PFOS)
- ☐ Are there any detections of contamination in drinking water that is untreated prior to use?
Well/Compound:
 - ☐ Do compounds detected exceed AGQS?
- ☐ Was free product detected for the first time in any monitoring point?
 - ☐ Surface Water (*visible sheen*)
 - ☐ Groundwater (*1/8" or greater thickness*)
Location/Thickness:

Contaminant Trends

- ✓ Do sampling results show an increasing concentration trend in any source area monitoring well?
Well/Compound: MW-2 (Manganese)
- ✓ Do sampling results indicate an AGQS violation in any of the GMZ boundary wells?
Well/Compound: MW-4 (PFOA, PFOS)

Recommendations

- ✓ Does the report include any recommendations requiring DES action? (*Do not check this box if the only recommendation is to continue with existing permit conditions.*)

Since downgradient extent of PFCs in groundwater not defined, consider installing additional downgradient well(s) at landfill.

This form is to be completed for groundwater monitoring data submittals and periodic summary reports submitted to the New Hampshire Department of Environmental Services Waste Management Division.



Stantec Consulting Services Inc.
5 Dartmouth Drive, Suite 101, Auburn NH 03032
Tel: (603) 669-8672, Fax: (603) 669-7636

May 17, 2017
File: 191710504

Attention: Groundwater Management Permits Coordinator
New Hampshire Department of Environmental Services
PO Box 95
Concord NH 03302-0095

Reference: April 2017 Groundwater Monitoring Data Submittal
Auburn Landfill, Chester Turnpike, Auburn, NH
NHDES Site #199002015, Project #1521

Dear Sir or Madam,

The April 2017 groundwater sampling event for the above-referenced site was completed by Stantec Consulting Services Inc. (Stantec), on behalf of the Town of Auburn, on April 6, 2017 in accordance with Groundwater Management Permit (GMP) No. GWP-199002015-A-003, which was issued by the New Hampshire Department of Environmental Services (NHDES) on March 24, 2015.

Although not included in the GMP sample program, this sample event was the first time this site was sampled for the nine-compound list of perfluorinated chemicals (PFCs) requested by NHDES in their Stakeholder letter dated November 22, 2016. Of the four wells tested (MW-1 to MW-4), all contained perfluorooctanoic acid (PFOA) at concentrations above laboratory reporting limits (4-56 nanograms per liter (ng/l or parts per trillion [ppt])). No PFOA concentrations exceeded its Ambient Groundwater Quality Standard (AGQS) of 70 ng/l. Wells MW-2, MW-3, and MW-4 also contained perfluorooctanesulfonate (PFOS) at concentrations above laboratory reporting limits (8-78 ng/l), with the MW-3 concentration of 78 ng/l exceeding its AGQS of 70 ng/l. The AGQS for PFOS and PFOA (combined) of 70 ng/l was exceeded in the MW-3 and MW-4 samples (134 ng/l and 87 ng/l, respectively).

Please find attached the following documentation as part of the required data submittal:

- *Table 1 – Groundwater Elevation Data;*
- *Table 2 – Groundwater Quality Data Summary;*
- *Table 3 – Surface Water Quality Data Summary;*
- *Figure 1 – Site Location Plan;*
- *Figure 2 – Site Plan; and*
- *April 2017 Laboratory Analytical Report.*



May 17, 2017
Groundwater Management Permits Coordinator
Page 2 of 2

**Reference: April 2017 Groundwater Monitoring Data Submittal
Auburn Landfill, Chester Turnpike, Auburn, NH
NHDES Site #199002015, Project #1521**

Please call the undersigned at (603) 206-7553 if you have any questions.

Regards,

STANTEC CONSULTING SERVICES INC.

Derek Clay
Staff Scientist
Phone: (603) 206-7557
Cell: (603) 370-7681
derek.clay@stantec.com

David A. Allwine, P.G.
Senior Associate
Phone: (603) 206-7553
Cell: (603) 498-6135
david.allwine@stantec.com

Attachments

c. Bill Herman, Town of Auburn, NH

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approves study of PFC limits in water**Senate**

..

Unity:

In an unusual display of unanimity, the Senate passed HB 463 as amended on a voice vote.

By DAVE SOLOMON

State House Bureau

CONCORD — State Rep. Mindi Messmer, D-Rye, was in the Senate gallery on Thursday, smiling broadly as the Senate passed a bill calling on state environmental officials to study limits for perfluorinated chemicals in groundwater, with an eye toward tougher standards in New Hampshire.

Messmer ran for office in the fall with the goal of influencing state policy on water-borne toxins, particularly perfluorinated chemicals like PFOA that have contaminated so many New Hampshire wells.

In an unusual display of unanimity, the Senate passed HB 463 as amended on a voice vote.

Senator Dan Feltes, DSenate .

approves study of PFC limits in water**Senate**

Concord, and Sen. Andy Sanborn, R-Bedford, who rarely vote on the same side of any issue, both spoke in support of the measure.

“When the people of New Hampshire turn on the water faucet and put a glass underneath it, they have to know it is going to be safe to drink,” said Sanborn. “I know we all share that view.”

Feltes pointed out that the law is written so that the investigation by the Department of Environmental Services focuses on the impact of PFC contamination on prenatal and early childhood health. The federal maximum contaminant limit for PFCs is 70 parts per trillion, but other states have adopted much lower standards on their own, such as Vermont, at 20 parts per trillion.

PFC pollution has emerged as a widespread threat to water quality in southern New Hampshire in the past two years, with nearly 400 homes in Litchfield, Bedford and Merrimack affected. High levels of PFCs also caused the closing of the Haven drinking water supply well located at the former Pease Air Force Base.

Election law

The Senate also passed HB 552 on a voice vote, requiring the Secretary of State to investigate all voter verification letters that are returned as undeliverable or if the recipient fails to respond.

The bill also requires the Secretary of State to use interstate comparisons of voter databases to see if voters are registered in more than one state.

Any cases where the Secretary of State concludes a voter may have been ineligible will be turned over to the attorney general for further investigation.

Messmer initially proposed adopting the Vermont standard, but working with Feltes and Sen. Jeb Bradley, R-Wolfeboro, crafted a compromise that was acceptable to DES as well.

“We know there will be some costs associated with it,” said Bradley, who acknowledged Messmer in the gallery, “but there are costs to families with young kids who believe these PFCs have caused cancers in their families.”

The House is expected to concur with the Senate amendment and send the bill to Gov. Chris Sununu for his signature.

The bill creates an investigator position in the Secretary of State’s Office to handle the new responsibility at a total cost, including benefits, ranging from \$69,000 to \$74,000 a year.

dsolomon@unionleader.com

Friday, 05/19/2017 Pag.A01

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HB 463-FN - AS AMENDED BY THE SENATE

23Mar2017... 0875h

05/18/2017 1678s

2017 SESSION

17-0553

08/10

HOUSE BILL

463-FN

AN ACT regulating groundwater pollution caused by polluting emissions in the air and relative to standards for emerging contaminants in drinking water.

SPONSORS: Rep. Byron, Hills. 20; Rep. Lascelles, Hills. 20; Rep. Azarian, Rock. 8; Rep. Suzanne Smith, Graf. 8; Rep. Backus, Hills. 19; Sen. Soucy, Dist 18

COMMITTEE: Resources, Recreation and Development

AMENDED ANALYSIS

This bill:

I. Allows the department of environmental services to make rules regarding air pollution and the deposit of such pollutants on soils and water.

II. Regulates devices emitting or having the potential to emit air pollutants that may harm soil and water through the deposit of such pollutants.

III. Requires the commissioner of the department of environmental services to adopt a state drinking water standard relative to perfluorochemicals.

IV. Requires the commissioner to establish ambient groundwater quality standards.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 463-FN - AS AMENDED BY THE SENATE

23Mar2017... 0875h
05/18/2017 1678s

17-0553
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT regulating groundwater pollution caused by polluting emissions in the air and
relative to standards for emerging contaminants in drinking water.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subparagraph; Rulemaking; Air Pollution Impacts on Soil and Water. Amend RSA 125-
2 C:4, I by inserting after subparagraph (s) the following new subparagraph:

3 (t) The determination of air contaminants subject to regulation, applicability thresholds,
4 determination of best available control technology, and procedures to determine potential impacts of
5 the deposit of such contaminants from the air on soils and water resources to implement RSA 125-
6 C:10-e.

7 2 New Section; Requirements for Air Pollutant Emitters Impacting Soil and Water. Amend
8 RSA 125-C by inserting after section 10-d the following new section:

9 125-C:10-e Requirements for Air Contaminant Emitters Impacting Soil and Water.

10 I. For the purposes of this section:

11 (a) "Best available control technology" means "best available control technology" as
12 defined in RSA 125-C:10-b, I(a); and

13 (b) "Ambient groundwater quality standard" means "ambient groundwater quality
14 standards" as defined in RSA 485-C:2, I.

15 II. A device that emits an air contaminant that has caused or contributed to an exceedance
16 of an ambient groundwater quality standard or other applicable standard, as a result of the
17 deposition of the contaminant from the air, shall be subject to the determination and application of
18 best available control technology. Within 6 months of the department determining that the device
19 is subject to such control technology, the owner of the device shall submit to the department an
20 application for a permit. Within 12 months of permit issuance, the applicant shall complete
21 construction and installation of controls consistent with the permit. Operation of the source may
22 continue through the permitting, construction, and installation time period. A source which can
23 demonstrate to the department that its device no longer contributes to an exceedance of an ambient
24 groundwater quality standard or other applicable standard shall be exempt from this section.

25 III. The construction, installation, or modification of any device that has the potential,
26 based on an applicability threshold adopted by the department, to cause or contribute to an
27 exceedance of an ambient groundwater quality standard or other applicable standard as a result of
28 the deposition of contaminants from the air, shall be prohibited without first applying for and
29 obtaining a permit from the department that establishes emission limitations for such device based
30 on best available control technology.

1 IV. Part of the initial application for a permit under this section shall include an analysis of
2 best available control technology for controlling emissions. Any permit issued shall contain
3 inspection, testing, and reporting requirements, as applicable, to ensure the conditions of the permit
4 are met.

5 V. Any determination of best available control technology under this section shall be subject
6 to the following:

7 (a) In no event shall application of best available control technology result in:

8 (1) Emission of any air contaminant that would exceed the emissions allowed by any
9 applicable standard under RSA 125-C or RSA 125-I or rules adopted pursuant to either chapter.

10 (2) Emission of any air contaminant subject to this section in an amount
11 disproportionate to the emissions of such air contaminant from other similar air pollution control
12 devices for that air contaminant at facilities using similar technology.

13 (3) Emission of any air contaminant subject to this section which causes or
14 contributes to or has the potential to cause or contribute to an exceedance of an ambient
15 groundwater quality standard or other applicable standard, as a result of the deposition of the
16 contaminant from the air.

17 (b) If the department determines that the facility has more than one device that emits
18 such air contaminants, the department shall determine best available control technology emission
19 limitations for each such device.

20 VI. This section shall only pertain to contaminants for which at least one study has been
21 conducted in accordance with generally accepted scientific principles that demonstrates that the
22 contaminant of concern is known to cause or may reasonably be anticipated to cause acute, chronic,
23 mutagenic, reproductive, or developmental health effects in humans as a result of exposure to such
24 contaminant. The implementation of this section shall only rely upon standards that are based on
25 federal maximum contaminant levels, health advisories, provisional health advisories; standards
26 that are derived from federally published toxicological data; or more restrictive New Hampshire
27 state standards.

28 3 New Subdivision; Contaminants in Drinking Water. Amend RSA 485 by inserting after
29 section 16-d the following new subdivision:

30 Perfluorochemicals

31 485:16-e Perfluorochemicals. The commissioner shall, in consultation with the commissioner of
32 the department of health and human services and stakeholders, within 120 days from the effective
33 date of this section, initiate rulemaking to adopt a maximum contaminant limit (MCL) for
34 perfluorooctanesulfonate (PFOS) and perfluorooctanoic acid (PFOA) for public water systems
35 regulated by this chapter. The commissioner shall consider the standards of other states, including
36 the science considered by states with standards lower than those contained in health advisories
37 from the United States Environmental Protection Agency. The commissioner shall adopt MCLs
38 that reasonably protect public health, particularly prenatal and early childhood health, and that are

1 reasonably supported by peer reviewed science and independent or government agency studies,
2 provided no MCL shall exceed that contained in any MCL promulgated by the United States
3 Environmental Protection Agency. The commissioner shall annually review the newest peer
4 reviewed science and independent or government agency studies and undertake rulemaking in
5 order to comply with this paragraph, if necessary.

6 4 New Paragraph; Ambient Groundwater Quality Standards. Amend RSA 485-C:6 by inserting
7 after paragraph III the following new paragraph:

8 IV. The commissioner shall, in consultation with the commissioner of the department of
9 health and human services and stakeholders, within 120 days from the effective date of this
10 paragraph, determine whether to revise the ambient groundwater quality standards for
11 perfluorooctanesulfonate (PFOS) and perfluorooctanoic acid (PFOA) established in rule in order to
12 comply with this paragraph and shall make public his or her determination. The commissioner
13 shall consider the standards of other states, including the science considered by states with
14 standards lower than those contained in the lifetime health advisory promulgated by the United
15 States Environmental Protection Agency. The commissioner shall adopt standards that reasonably
16 protect public health, particularly prenatal and early childhood health, and that are reasonably
17 supported by peer reviewed science and independent or government agency studies, provided no
18 standard shall exceed that contained in any standard promulgated by the United States
19 Environmental Protection Agency. If the commissioner determines that the standard should be
20 changed, the commissioner shall initiate rulemaking within 60 days of making the determination.
21 The commissioner shall annually review the newest peer reviewed science and independent or
22 government agency studies and undertake rulemaking in order to comply with this paragraph, if
23 necessary.

24 5 Effective Date. This act shall take effect 60 days after its passage.

HB 463-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT 2017-0875h)

AN ACT regulating groundwater pollution caused by polluting emissions in the air.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Air Pollution Control Permit Fee Program Fund and Air Resources Fund			

METHODOLOGY:

This bill establishes new standards under Chapter 125-C (Air Pollution Control) for devices emitting air contaminants that cause or contribute to an exceedance of an ambient groundwater quality standard or other applicable standard. The Department of Environmental Services states entities with such devices would have to pay an application fee and an emissions-based permit fee which would increase state restricted revenue. The fee amounts would be established through administrative rules. The Department is unable to estimate how many entities would be impacted. Application fees collected under Chapter 125-C are deposited into the Air Pollution Control Permit Fee Program fund (RSA 125-C:12, IV-d) and permit fees are deposited into the Air Resources fund (RSA 125-C:12, V).

AGENCIES CONTACTED:

Department of Environmental Services

From: Jim Donison [mailto:JDonison@hooksett.org]
Sent: Thursday, May 18, 2017 1:36 PM
To: Bill Herman <townadmin@townofauburnnh.com>
Cc: Robert Duhaime <RDuhaime@hooksett.org>
Subject: RE: auburn and hooksett town line - preambulation

bill, yes if not too late and BOS wants to do the perambulation in the next 2 weeks
I believe there is only 3 points and I am familiar with all three point, so this should be relatively quick

James J. Donison, P.E.
Assistant Public Works Director/Town Engineer
35 Main Street, Hooksett, NH 03106
(603) 485-8471 ext 241

jdonison@hooksett.org

TOWN OF HOOKSETT

MUNICIPAL BUILDING

16 Main Street
Hooksett, New Hampshire 03106-1397



485-8472	Administration
268-0003	Assessing
485-4117	Building
485-4117	Code Enforcement
736-8801	Conservation
485-8769	Family Services
485-4423	Fax
485-2017	Finance
268-0279	Planning
485-9534	Tax Collector
485-9534	Town Clerk
485-8472	Town Council
268-0279	Zoning

August 22, 2002

Frank C. Mevers
N.H. State Archives
71 South Fruit St.
Concord, NH 03301

Dear Mr. Mervers:

Re: Perambulation of Record
Town Line between Hooksett and Auburn – Year 2002

Please find enclosed the original, signed document as referenced above for your archives.

I look forward to receiving, from your office, an acknowledgement of this filing.

Thank you for your attention in this matter.

Sincerely,

Tina M. Paquette
Administrative Assistant
Hooksett Town Council

TMP:tp
CC: Town of Auburn
Encl.: 2 Pg. Of Peramb.

PERAMBULATION OF RECORD

Town Line Between Hooksett and Auburn – Year 2002


On May 10, 2002, we the undersigned representatives of Auburn and Hooksett met and traversed the town line between Auburn and Hooksett, renewing the marks and bounds thereof, and have agreed upon the line between the towns and describe the same as follows:

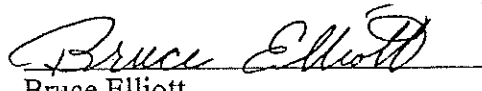
All course directions are given as "Magnetic North" compass readings, with longitude and latitude readings placed in parenthesis (), having been taken from Global Positioning System, using an E-Trex Legend by Garmin, simply for locating purposes. These are not to be considered surveyor points.


1. Beginning at a 6" x 6" granite bound 24" high marked "A", "H", "M", bound at 115.5 ft. +/- north of Wellington Road and is 49.5 feet +/- west of the Amos Young House. (North 43 degrees 00.559, West 071 degrees 23.537)
2. Thence in a N 06-06-33 W direction 2864.61 feet to a 24 " diameter flat rock marked "A", "H", "O". Said bound being on the west line of the old rifle range, accessible from EastPoint Industrial Park from Hooksett leading into Auburn. (North 43 degrees 01.001 West 071 degrees 23.781)
3. Thence N 07-54-10 E, 3044.52 feet to a field stone bound marked "A", "H", "71", on west slope, east of the beaver pond. (North 43 degrees 01.490, East 071 degrees 23.874)
4. Thence N 01-23-20 E, 3022.74 feet through Neal Swamp to a 2" diameter iron pipe, 24" high, along the old wire fence line, the pipe is Marked "A", "H" and shown as bound #4 on said plan. Marker accessible from the end of Auburn's Squirrel Road. (North 43 degrees 07.970, West 071 degrees 24.052)
5. Thence N 08-35-19 E, 1623.25 ft. to a 6" x 6" Granite bound 24" high marked with "A", "H", found on the northerly side of Auburn. (North 43 degrees 02.225, West 071 degrees 24.097)
6. Thence, N 05-30-17 E, 1463.17 ft. to a drill hole in field stone bound marked "A", "H", "L", accessible from Hooksett's Park or Jamie Lane (North 43 degrees 02.477 West 071 degrees 24.155)
7. Thence, S60-51-25 E, 2932.35, to a drill hole in a fieldstone bound marked "H", "C", "1823", "1868", accessible from Auburn's Hills Road. (North 43 degrees 02.371, West 071 degrees 23.512)
8. Thence N-37-23-50 E, 641.04 to a triangular fieldstone bound marked "H", "A", "C", accessible from Auburn's Hills Road. (North 43 degrees 02.469, West 071 degrees 23.464)

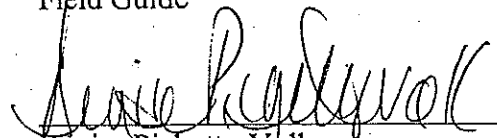
PERAMBULATION OF RECORD
Town Line Between Hooksett and Auburn – Year 2002

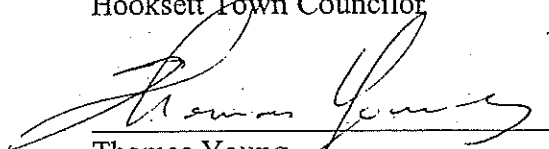
In witness whereof we have mutually set our hands this 29 day of May, 2002.


Harland Eaton
Auburn Selectman


Bruce Elliott
Town of Hooksett Councilor's
Field Guide


David Anderson
Auburn Selectmen


Denise Pichette-Volk
Hooksett Town Councilor


Thomas Young
Hooksett Town Councilor