

Town of Hillsborough Water & Sewer Commission
May 9, 2024 Meeting Minutes

The meeting was called to order at 6:00 p.m. Present were Commissioners Peter Mellen, Dave Lewis and Dana Clow; and Penny Griffin, Water and Sewer Administrator.

Also in attendance were Alyson Lyons and James McGuire III, owners of 29 West Main Street, to discuss the System Development Charge (SDC) for their proposed Sewer Change of Use application.

1. Alyson and James were in attendance to discuss the System Development Charge (SDC) that is to be imposed on their Sewer Change of Use application for 29 West Main Street that they just purchased and want to change the use from an approved 23-person daycare (230 GPD) to a hair salon with 2 hairdresser chairs and 2 barber chairs.

Alyson stated that when they purchased the property, they had no knowledge of this impending fee and were surprised to learn the ordinance change had gone into effect literally days before submitting her change application. James McGuire III asked the commission why the fee change had been implemented and how the fee was determined. Commissioner Peter Mellen provided the history of the wastewater plant up to its current status highlighting the issue of inflow and infiltration that unnecessarily reduces available capacity as it is "clean water". It was explained that under the new SDC, new and expanding users will be charged a "buy-in" fee to achieve an equity position with currently existing users. New and expanding customers will make an initial one-time payment that will cover their share of the value of the existing infrastructure already paid for by the existing users. The SDC of \$6.71 per gallon per day (gpd) of estimated flow was calculated by the commission's engineers by dividing the sewer system's total asset value of \$4,028,269 by the current system capacity of 600,000 gpd to derive an existing asset per gallon capacity of \$6.71. The Commissioners believe this new fee system will more adequately reflect a new or expanded user's actual impact on the sewer system than the previous three-tier fee format. Commissioner Peter Mellen stated that all fees collected under the SDC will be placed in the Sewer System I/I Removal Capital Reserve and earmarked for infrastructure improvements.

Alyson Lyons stated that she had been in business in Hillsborough for years and didn't think it was fair that she must pay this fee as she is just moving her business from one property to another. Commissioner Dana Clow explained that each property has its own approved discharge and they can only review the current property usage as the usage from her previous business at another property remains with that property. James McGuire III asked the Commission if there was any way to dispute the projected flow in gallons per day per Table 1008-1, of the New Hampshire Code of Administrative Rules, Chapter Env-Wq 1000? Alyson Lyons produced some invoices from other hairdressers in other Town's showing less water usage than what the 1000-8 Table states, however, the comparison was not "apples to apples". The Commissioners explained that Env-Wq 1008.03 (d) provides an alternative to consider and it reads:

(d) Design flows based on metered water readings shall be calculated:

- (1) By finding the average of water meter readings over a period of time that is representative of the volume of water used and multiplying the*

average by a minimum peaking factor of 2 for commercial light flow or a maximum peaking factor of 3 for commercial heavy flow; or

(2) By measuring not less than 6 months of consecutive daily meter readings, including the month(s) of heaviest use for uses that are seasonal in nature, and using the highest daily flow without application of a peaking factor;

The Commissioners agreed that if Alyson and James could provide such comparable data, the Commission would gladly review and consider it.

A discussion was held regarding the type of chairs in the building on the application. The Commissioners acknowledged that the 1000-8 Table does not have a specific category for barbers, and they understand that typically barbers do not have as much usage as a hairdresser chair. The Commissioners stated that per the 1000-8 Table each hairdresser chair usage is listed at 150 GPD and they would be willing to use 75 GPD for each of the proposed barber chairs.

Alyson related that she would be the only professional on-site initially. With that adjustment to the GPD and the change to the number of employees to 1 on the application, the Commission determined the proposed change total projected flow in gallons per day per Table 1008-1, of the New Hampshire Code of Administrative Rules, Chapter Env-Wq 1000 to be 470 GPD (150 GPD/hairdresser chair = 300; 75 GPD/barber chair = 150; and 20 GPD/employee).

The Commissioners determined the total proposed change of use increase to be 240 GPD (470 GPD total requested less 230 GPD – current approved usage for the property) and calculated the SDC to be \$1,610.40.

James McGuire III stated that they will attempt to get more information that is more comparable and see what that shows and get back to the Commission on how they want to proceed.

6:45 pm Alyson Lyons and James McGuire III left the meeting.

2. Water and Sewer Change of Use/Occupancy applications for 69A West Main Street were reviewed. The Commissioners approved both the Water and Sewer Change applications as submitted without any conditions as the space is currently approved as a dry goods retail space and per the application, is to remain a dry goods retail business.
3. Water and Sewer Change of Use/Occupancy applications for 2 West Main Street were reviewed. The Commissioners noted that the building is currently connected to the water system with a 1" domestic water service and a 6" fire service. The Commission approved the Water Change of Use application without any conditions.

It was noted that the water and sewer property records for 2 West Main Street indicate that in 2003 the property owner at that time requested to relinquish all but one sewer unit as they had "guttered" the building and had no plans to rebuild at that time. The board of Commissioners at that time approved their request, noting that any changes in the future would need to be applied for. The current approved gallons per day discharge is 450 GPD.

The Sewer Change of Use application currently submitted requests approval for (3) 1-bedroom apartments, (2) 2-bedroom apartments, (1) 2,000 sq. ft. dry goods retail space with 5 employees and (1) 2,000 sq. ft. unspecified office space with no cafeteria.

The applicant further requests that the current allotted discharge from 10 West Main Street be transferred to the 2 West Main Street usage as 10 West Main Street has also been purchased by the applicant, the building demolished and the water and sewer service lines will be capped for discontinuation. Penny Griffin advised the board that Cody Boisvert, water operator, has met with the property owner to begin working on getting the service lines for 10 West Main Street located and capped appropriately.

The Commission determined the proposed change total projected flow in gallons per day per Table 1008-1, of the New Hampshire Code of Administrative Rules, Chapter Env-Wq 1000 to be 1,525 GPD.

The Commissioners approved the applicant's request to discontinue water and sewer services to 10 West Main Street and transfer the current approved GPD flow (525 GPD) to the 2 West Main Street project. The Commissioners determined the proposed change of use increase to be 550 GPD (1,525 GPD total requested less 975 GPD - 2 West Main 450 GPD and 10 West Main Street 525 GPD) and calculated the SDC to be \$3,690.50. The number of sewer billing units will be changed from the current 1 to 7 once the certificates of Occupancy have been issued. The Commissioners approved the Sewer Change of Use application with the condition of payment of the SDC.

4. The Commissioners reviewed a Planning Board application for 2 West Main Street and commented that applicant has been proactive and will cap abandoned water and sewer services under parking lot for former building (was 10 West Main Street).
5. The Commissioners noted that they have had no response to their letter to the owner of 219 West Main Street (Avanru Development) which advised the owner that the damaged portion(s) of the sewer line between manhole #1864 and the projects new manhole #7 must be replaced and successfully tested in order to ensure watertight integrity. It was also noted that the owner has also not made any contact to schedule the required NHDES sewer deflection testing per Env-Wq 704.06 (d) which has a deadline of May 12, 2024. Other testing also needs to be conducted, including sewer manhole vacuum testing and sewer main low-pressure testing.
6. The group discussed outstanding projects with Underwood Engineers. It was agreed to invite Cole Melendy of Underwood Engineers to the next meeting to discuss project status updates.
7. Penny Griffin advised the board that Laura Buono, Town Administrator, has sent an email confirming the requested meeting with the Selectmen for Thursday, May 30th at 6 p.m. Laura's email states she will follow up with the meeting site as she has not reserved a spot for it yet.
8. The Commissioners reviewed and authorized the following:
 - a. 2024 AP Voucher #9 W= \$ 23,369.71 S= \$ 30,136.15
 - b. 4/23/2024 Meeting Minutes
 - c. Timecards

Commissioner Dave Lewis motioned to adjourn the meeting. Commissioner Dana Clow seconded the motion. All voted in favor.

Meeting adjourned at 8:30 pm.

Respectfully submitted,

Penny Griffin, Administrator

Water and Sewer Commissioners Meeting Minutes
Approved by:

Date:

Peter Mellen

Dave Lewis

Dana Clow
Water and Sewer Commissioners