

**Town of Hillsborough Water & Sewer Commission**  
**May 24, 2016 Meeting Minutes**

Meeting called to order 6 pm. Present were Commissioners Peter Mellen, Herm Wiegelman, and Chris Sieg; and, Penny Griffin, Administrator.

The Commissioners reviewed and authorized May 12, 2016, meeting minutes; AP vouchers number 10 for water in the amount of \$17,230.57 and sewer in the amount of \$7,572.89; and time cards.

6:15 pm Michael Black and Wayne Morrill of Saxon Partners entered the meeting.

Mr. Morrill explained to the Commissioner that he and Mr. Black were there to follow up on an email he had previously sent to the Commission requesting a “can-and-will serve” letter for the first building at the Weatherstone Crossing development. He presented the Commissioners with a letter that he requested they sign, as well as an application for NHDES and 3 sets of plans. The Commissioners reviewed the letter and the plans. Mr. Morrill stated that the plans submitted were for the first store and infrastructure for future development. Commissioner Mellen asked when they will be submitting a sewer permit application to the commission. Mr. Morrill stated that he could complete it tonight. Mr. Morrill and Mr. Black were given an application. As the application requires a signature of the property owner they were unable to complete it. Mike Black asked the Commissioners if they know the amount needed for the escrow account yet. Commissioner Mellen stated that they are obtaining an estimate from the engineer and will be asking the attorney for their estimate as well. Commissioner Mellen noted that the application to the NHDES states that the first building is requesting 10,220 GPD discharge; he asked Mr. Morrill why they had decided to use the state table 1008-1 to figure the amount of discharge needed per day as they had stated in previous meetings that those figures were very high and they had historical data from other developments to gauge it’s required usage. Mr. Black stated that they made the change as they believe it will be easier and cleaner when dealing with NHDES. Commissioner Mellen advised Mr. Morrill and Mr. Black that the Commission is unable to sign the “can-and-will serve” letter presented to them tonight. Mr. Black asked when they would be able to sign it as he needs it to be able to negotiate with the possible tenant. Commissioner Mellen read aloud the portion of the letter they presented for signature that states “Water & Sewer Service availability approved by the Hillsborough Water & Sewer Commissioners for the above mentioned project estimated flow rate (10,220 GPD) with approval of plans for connections to the existing water and sewer system.” Commissioner Mellen stated that they could not sign it as the plans are not approved as they need to be reviewed by their engineer and that the “can-and-will serve” letter should be reviewed by their attorney. Mr. Black stated that towns do it all the time and he needs it soon. Commissioner Wiegelman stated that he thought that the Commission should sign the letter. Commissioner Sieg stated that he has a problem with agreeing that they have approved the documents without review. Commissioner Mellen suggested that the Commissioners could prepare a letter that states that capacity currently exists to fulfill their request and forward it to them. Mr. Black asked if Underwood Engineers is still the firm that the Commissioner intends to use to review the plans. Commissioner Mellen confirmed that they are. Mr. Morrill and Mr. Black agreed that they would complete the application provided and submit it. They stated that they look forward to receiving the Commissioners letter and would appreciate receiving it as soon as they could.

7 pm Wayne Morrill and Michael Black left the meeting.

The Commissioners reviewed the Agreement for Representation sent by Attorney Michael. Commissioner Sieg motioned to accept and authorize the Agreement for Representation as submitted by Attorney Greg Michael. Commissioner Wiegelman seconded the motion. All voted in favor. The Commissioners approved and signed the agreement. Commissioner Mellen asked Penny to request an estimate for services for legal representation for the Weatherstone project so they can tell Mr. Black the amount needed for the escrow account.

The Commissioners discussed a letter they could provide to the Weatherstone project regarding available capacity. All agreed the statement should be limited to the availability of capacity to fulfill their request as that is all they can confirm at this time until an application and fees are submitted and the plans are reviewed by an engineer.

7:10 pm Tom Gagnon arrived at the meeting.

Mr. Gagnon advised the Commissioners that he has recently completed renovating 19 Bridge Street. A discussion was held regarding upgrades he did to that property. Mr. Gagnon stated that he is looking for other potential development sites in old buildings that he would renovate. A discussion was held regarding potential properties and the different items he will need to address during renovations. He told the Commissioners that in order to make any renovation project profitable it would need to be residential and he believes there is a need for apartments in Hillsborough. He explained that he will be attending the upcoming Economic Development Committee (EDC) meeting to discuss his plans with them and to ask them for their input. He stated that he has been working with Robyn Payson, Town Planner, as well. Tom told the Commissioners that he would like to obtain some assurance from the Commission that sewer capacity would be available should he purchase a property to renovate. A discussion was held regarding how much discharge Mr. Gagnon would be looking for. Mr. Gagnon decided he would be looking for 4,500 GPD sewer discharge. Commissioner Mellen discussed the history of the sewer capacity issue and explained the current status. A "can-serve" letter was discussed. Mr. Gagnon agreed that it would be sufficient. Commissioner Wiegelman motioned to provide a "can-serve" letter to Mr. Gagnon stating that there is currently sufficient sewer capacity to provide 4,500 GPD for property at 2 West Main Street and the Commission will hold the capacity for one (1) year; a Change of Use application must be submitted no later than May 31, 2017 to utilize this capacity. After that date, if no application is received, the capacity will be release for other potential development. Commissioner Sieg seconded the motion. All voted in favor.

9 pm Tom Gagnon left the meeting.

The Commissioners reviewed and discussed the General Service contract from Underwood Engineers. Commissioner Sieg pointed out two (2) areas of concern; ownership of instruments of service and limitation of liability. Each area was discussed. All agreed to have Penny Griffin contact Cole Melendy of Underwood Engineers to discuss these items and request they be removed from the contract.

The Commissioners created and signed "can-serve" letters to Weatherstone project and Tom Gagnon for property at 2 West Main Street.

The letter to Weatherstone states that sufficient water and sewer capacity exists to fulfill their request for 10,220 GPD for the proposed 158,583 sq ft. retail building 1. This letter is to aid Mr. Black in securing a tenant for that building.

The letter to Mr. Gagnon states that sufficient capacity currently exists within water and sewer to provide 4,500 GPD for 2 West Main Street and the Commission will hold that capacity for one (1) year; within that year, a Change of Use Application will need to be filed with the Water and Sewer Commission.

A discussion was held regarding the sewer accessibility fee report. Mr. Jackman has sent over the final draft report. The Commissioners will review it and continue discussions at the next meeting. Commissioner Mellen stated that the next step will be to schedule a public hearing with John Jackman in attendance to present, discuss and answer any questions.

Commissioner Sieg motioned to adjourn the meeting. Commissioner Mellen seconded the motioned. All voted in favor. Meeting adjourned 9:45 pm

Respectfully submitted,

Penny Griffin, Administrator

Water and Sewer Commissioners Meeting Minutes  
Approved by: Date:

Peter Mellen, Chairman

Herm Wiegelman

Chris Sieg  
Water and Sewer Commissioners  
Town of Hillsborough