



## Milford Pipeline Task Force Meeting Minutes, March 25<sup>th</sup> 2015, 6.30pm

Location: Board of Selectman Meeting Room, Milford Town Hall

**DATES OF NOTE:**

- Next meeting will be held on Weds April 1<sup>st</sup>, 6.30pm. Location BoS Mtg Rm

**Attendance**

- **Task Force Members (Gray = absent)**

Mark Bender <i>Town Administrator</i> <a href="mailto:mbender@milford.nh.gov">mbender@milford.nh.gov</a>	Steve Duncanson <i>Planning Board</i> <a href="mailto:slduncanson@comcast.net">slduncanson@comcast.net</a>	Herb Adams <i>Heritage Commission</i> <a href="mailto:Hradams57@comcast.net">Hradams57@comcast.net</a>	Don Jalbert <i>EDAC</i> <a href="mailto:djalbert@sau40.com">djalbert@sau40.com</a>
Andy Hughes <i>Vice Chair, Conservation Commission</i> <a href="mailto:andrew.g.hughes.99@gmail.com">andrew.g.hughes.99@gmail.com</a>	Carolyn Halstead <i>Town Resident</i> <a href="mailto:rhalstea@msn.com">rhalstea@msn.com</a>	Steve Bonczar <i>Town Resident</i> <a href="mailto:sbonczar@myfairpoint.net">sbonczar@myfairpoint.net</a>	

- **Members of the Public**

Judy Gryval	Karen Johnson	Jeff Wells	Gary Daniels (Milford Selectman)
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**Abbreviations frequently used**

CC	Conservation Commission
FERC	Federal Energy Regulatory Commission
KM	Kinder Morgan
NED	Northeast Energy Direct
TBD	To be determined

Records below are divided into three categories:

1. Items new at this meeting
2. Items open from previous meetings
3. Items closed in meetings prior

**Items new at this meeting**

Topic	Discussion and Activity	Owner(s)	Status
Previous mtg minutes	Minutes of 3/18 meeting were amended then approved by unanimous vote.	n/a	Closed
Awareness of Pipeline-related activity outside of Milford	Mark B passed out copies of the following: <ul style="list-style-type: none"> <li>• KM NED Newsletter</li> <li>• Letter to FERC from Nick Miller (Groton PA)</li> <li>• Amherst CC's EIA (Environmental Impact Assessment) report</li> <li>• Letter from Townsend (MA) CC to FERC</li> <li>• Pipeline route maps for Mason, Merrimack, Amherst,</li> </ul>		Closed



Topic	Discussion and Activity	Owner(s)	Status
	Brookline, Milford		
Bonds for well & road crossings	Steve D said that he wants to see bonds from KM for Wells and Road Crossings. This should considered for inclusion in the final Report.		
Blasting monitoring	Steve B wants to see monitoring, by parties independent of the pipeline contractor, of blasting. This should considered for inclusion in the final Report.		Open
Destination(s) of gas flowing through the pipeline.	Carolyn is investigating the issue of where the gas in the pipeline is going. She explained the current situation in that regard for natural gas currently supplied to New England.	<b>Carolyn H</b>	Open
Safety issues	<p>Steve B reported that KM have offered, in general, to provide:</p> <ul style="list-style-type: none"> <li>• Annual training for local responders</li> <li>• Assistance in development of an Emergency Response Plan</li> <li>• Provision of equipment</li> </ul> <p>This should considered for inclusion in the final Report.</p>		Open
Economic Impact	Don J is meeting this week with Bill Parker (Milford Community Development Director) to begin discussion of the potential economic impacts of the pipeline.	<b>Don J</b>	Open
Notification (or lack thereof) to the Town from KM of intention/desire to route the pipeline across Town-owner land	The question was raised whether the town has received official notification from KM of the desire for the pipeline to cross Town land. <i>Note the only town-owned property the Pipeline crosses is that to east of Federal Hill Rd known as the Dadoly property.</i> Gary Daniels said the Town had not received any such communication. Mark B hypothesized that since the Town had already communicated to KM that it did not have permission to survey the land on the ground, that might explain the absence of such a notification.		Closed
Natural resources, environment and conservation	<p>Andy H reported that he had gathered the following data:</p> <ul style="list-style-type: none"> <li>• Official Documents against which to assess the environmental impact of the development: <ul style="list-style-type: none"> <li>○ RSA 79-A-1 Preservation of Open Space</li> <li>○ RSA 162-H:16 sect IV.c “The site and facility will not have an unreasonable adverse effect on aesthetics, historic sites, air and water quality, the natural environment, and public health and safety”</li> <li>○ Milford ZBA Wetland Ordinance 6.02.0-6.02.7</li> <li>○ NHWAP (New Hampshire Wildlife Action Plan)</li> </ul> </li> <li>• Wetlands affected, as identified from maps</li> <li>• Town Lands affected – only the Dadoly property (east of Federal Hill Rd).</li> </ul>		



Topic	Discussion and Activity	Owner(s)	Status
	<p>Andy stated he now has sufficient information to start writing the natural resources, environment and conservation section of the report.</p> <p>ACTION:- Make copies of all Maps presented during the discussion for distribution at the 4/1/15 meeting</p>	<p><b>Andy H</b></p>	<p>Open</p>

**Misc.** "[Misc. Issues / Status]" - NONE

**Items open from previous meetings**

Item (Date introduced)	Discussion and Activity	Owner(s)	Status
<p>Eminent Domain (3/18/15)</p>	<p>3/18/15: Investigate the process of acquiring Eminent Domain for this proposed pipeline and report to the Task Force</p> <p>3/25: Carolyn reported:</p> <ul style="list-style-type: none"> <li>• Legislation is in process in Concord such that when a utility infrastructure eventually goes out of use, any land-related costs that the utility was paying for it will continue to be borne by the utility/company and not the landowner.</li> <li>• FERC is reluctant to permit the use of Eminent Domain except as a last resort.</li> </ul> <p>Carolyn is continuing to gather further information.</p>	<p><b>Carolyn H</b></p>	<p>Open</p>
<p>Discussion of likely Property Tax revenues, and who benefits (3/18/15)</p>	<p>3/18/15: KM will only pay Property tax to Milford Town on the land it crosses that is owned by Milford Town.</p> <p>It was thought that while KM may have to pay annual Property Tax compensation to non-Milford Town landowners, those with mortgages may find the mortgage lender(s) are entitled to a share in proportion to their ownership.</p> <p>3/18:15 ACTION:- Get clarification on the above points.</p> <p>3/25/15</p> <p>Carolyn is looking into this.</p> <p>Gary Daniels stated that Milford Town would be paid \$438k in Property Tax, which would be paid into the Town's General Fund.</p>	<p><b>Carolyn H</b></p>	<p>Open</p>
<p>Maps of all town routes (3/18/15)</p>	<p>3/18/15: The members would like copies of the maps produced by 'Tennessee Gas Pipeline North East Energy Direct Project' for all towns affected in NH</p> <p>3/25/15: Mark passed them out at 3/25 meeting</p>	<p><b>Mark B</b></p>	<p>Closed</p>
<p>Discussion of ROW (Right of Way) (3/18/15)</p>	<p>3/18/15: The Residents Powerpoint presentation highlighted that 'col-location', a term used by KM to describe the route running along the powerline strip, does not imply the pipeline and its construction path will be wholly or even mostly located within the current cleared powerline path. KM's current FERC submission</p>		



<b>Item (<i>Date introduced</i>)</b>	<b>Discussion and Activity</b>	<b>Owner(s)</b>	<b>Status</b>
	<p>gives a figure of 15' overlap. They also state they will need up a 150' path for construction, implying substantial timber removal along the route.</p> <p>Andy H pointed out that the 15' figure is a placeholder only while KM negotiate with Eversource/PSNH, the holder of the current powerline ROW.</p> <p>3/18/15: ACTION: Circulate the FERC submission from KM, highlighting the 15' figure and the note that defines it as a nominal figure</p> <p>3/25: Action completed.</p>	<b>Andy H</b>	<b>Closed</b>
Tax from lumber removal (3/11/15)	3/11/15: Who pays timber tax & who gets log/lumber revenue	<b>TBD</b> (@3/11/15)	Open
Stone Walls (3/11/15)	<p>3/11/15: Need to identify stone walls</p> <p>3/25: There are no significant historical features on the pipeline route as is currently defined.</p>	Herb A	<b>Closed</b>
Ponemah Hotel & Milford Springs (3/11/15)	3/11/15: Find or get a best estimate of the location	<b>Herb A</b>	Open
Review the route (3/11/15)	3/11/15: Walk the proposed route as soon as the snow has melted	<b>All Members</b>	Open



**Items closed in meetings prior**

Topic	Discussion and Activity	Owner(s)	Status
Discussion of job creation potential	3/18/15: General consensus was that the chances of the pipeline creating any short-term, let alone long-term, work is almost nil as construction will be performed by contractors dedicated crews, given the skills and speed required.		Closed 3/18/15
Previous mtg minutes	3/18/15: Minutes of 3/11 meeting were approved by unanimous vote.	n/a	Closed 3/18/15
Task Force assignments	3/11/15: Task Force assignments – areas of interest/potential impact – report progress at the next meeting <ul style="list-style-type: none"> <li>a. Herb - historic component</li> <li>b. Steve D and Mark – infrastructure and construction</li> <li>c. Andy – natural resources, environment and conservation</li> <li>d. Don – economic</li> <li>e. Steve B and Carolyn – demand needs analysis and safety</li> </ul>	Herb A Steve D, Mark B Andy H Don J Steve B, Carolyn H	Closed 3/11/15
Discussion re Amherst Task Force	3/11/15:- Amherst has created a task force. <ul style="list-style-type: none"> <li>• It is chaired by John De Angelo.</li> <li>• Identified areas of interest and then assigned members to address each area which will be compiled for a report to the Board of Selectmen               <ul style="list-style-type: none"> <li>i. Environmental</li> <li>ii. Ecological</li> <li>iii. Economical</li> <li>iv. Historical</li> <li>v. Safety</li> <li>vi. Transportation</li> </ul> </li> <li>• They referenced the 2010 Master Plan for the framework of their research and how the proposed pipeline will impact goals stated in the Master Plan including community values, semi-rural character, undeveloped industrial area, etc.</li> <li>• FERC (Federal Energy Regulatory Commission) website will send emails to anyone who is registered on their site notifying of new comments received.</li> <li>• Kinder Morgan will have a presentation in Amherst on March 23 at the Souhegan High School at 8:00 in the auditorium. There will be an opportunity for the public to comment.</li> </ul>		Closed 3/11/15



<p>Discussion of EFAC</p>	<p>3/11/15: Mark reported that:</p> <ol style="list-style-type: none"> <li>a. Mark is a member of EFAC (Energy Facility Advisory Committee) hosted by NRPC (Nashua Regional Planning Commission) which has also identified areas of concern.               <ol style="list-style-type: none"> <li>i. Environmental</li> <li>ii. Construction – impact on roads and bridges with the heavy equipment needed for construction</li> <li>iii. Economic</li> <li>iv. Historic</li> <li>v. Infrastructure and safety</li> <li>vi. Demand need analysis</li> </ol> </li> <li>b. There are approximately 45 homes in Milford with wells that are ¼ to ½ mile of the proposed route</li> <li>c. During construction of the pipeline tree cutting must be complete by the end of March each year to avoid impacting bird breeding season.</li> </ol>		<p>Closed 3/11/15</p>
<p>Roundtable of opinions/ concerns</p>	<p>3/11/15:</p> <ol style="list-style-type: none"> <li>a. The effect on property owners is immense and permanent</li> <li>b. Greenhouse emissions at the compressor stations are significant.</li> <li>c. Eminent Domain is a huge concern among the group; need to understand the powers and process for the government to execute a taking on this scale</li> <li>d. Need to educate the landowners of their rights before they sign away use of their property</li> <li>e. Will homeowners be coming to the town hall in search of tax abatements once there is a pipeline on their property</li> <li>f. Dead grass is an indicator of a gas leak. Pipeline personnel use aerial flyovers to scan for dead grass</li> </ol>		<p>Closed 3/11/15</p>
<p>Background informational awareness</p>	<p>3/3/15: ACTION –review supplied Information Packet by next meeting particularly with a view to discussing at next week’s meeting how best impacts can be addressed.</p>	<p>All Members</p>	<p>Closed 3/11/15</p>
<p>Appointment of Chairman</p>	<p>3/3/15: Steve Duncanson volunteered. Approved unanimously by other members</p>	<p>n/a</p>	<p>Closed 3/3/15</p>
<p>Appointment of Minute Taker</p>	<p>3/3/15: Andy Hughes volunteered to take minutes for the meetings</p>	<p>Andy Hughes</p>	<p>Closed 3/3/15</p>
<p>Discussion of Task Force Charge</p>	<p>3/3/15: Q’s from Andy H:</p> <ul style="list-style-type: none"> <li>• “Goals”? As defined in NH Site Evaluation Committee presentation slide deck (part of info pack supplied to attendees by Mark B)</li> </ul>	<p>n/a</p>	<p>Closed 3/3/15</p>



Topic	Discussion and Activity	Owner(s)	Status
	<ul style="list-style-type: none"><li data-bbox="386 289 1073 352">Metric for "...reasonable.."? – As determined by Task Force</li></ul>		
Regular Meeting schedule & location	3/3/15: It was decided that meetings would occur weekly, Weds 6.30pm. Location: BoS Mtg Rm unless otherwise advised.	n/a	Closed 3/3/15