



Town of Chester

Board of Selectmen
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December 20, 2012

Thelma Murphy, Chief
Stormwater and Construction Permits Section
Water Permits Branch, Office of Ecosystem Protection
U.S. Environmental Protection Agency
5 Post Office Square – Suite 100
Boston, MA 02109-3912

Re: Request for Waiver for Town of Chester from
Municipal Separate Storm Sewer System (MS4) Permitting Requirements

Dear Ms. Murphy:

The purpose of this letter is to formally request that the Town of Chester be granted a waiver pursuant to 40CFR122.32(d) from the requirement to obtain coverage under an NPDES permit for the MS4 that we own and operate in the small urbanized area (UA) in Town.

The Town of Chester is a small community of 4,768 people in southeastern New Hampshire. It is a rural and slowly developing bedroom community. The Town does not have sewers and zoning requires that single-family homes be built on lots of at least two acres.

We believe that this request is appropriate for the following reasons:

- Our UA, based on the 2010 Census, shows a population of only 754 people.
- The two small isolated UA's total only 1.37 square miles or only 5.3 percent of the Town's total area (26.1 sq. mi.).
- The storm drainage system in the UA is almost totally drainage swales discharging to intermittent streams and the soils in the area allow for significant infiltration. We do not believe that any of the swales are interconnected to a neighboring town's MS4 since the land all slopes toward either unnamed tributaries to the Exeter River or Towle Brook, which is also a tributary to the Exeter River.
- The unnamed tributary to the Exeter River is not on the State's 303(d) list of impaired waters. We believe that the listed impairment for Towle Brook (bacteria) is due to wildlife sources from the wetland source of the brook.

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We discussed this matter with Jeff Andrews of the NH Department of Environmental Services on December 19, 2012 and he supports this request. Mr. Andrews recently evaluated the potential for activities occurring within our UA to affect surface water quality.

A prompt reply to this letter is requested since we do not wish to expend resources unnecessarily on the Notice of Intent if the permit requirement can be waived.

If you have any questions relative to this request, please call me at (603) 887-4979.

Sincerely yours,

A handwritten signature in dark ink, reading "Stephen O. Landau". The signature is fluid and cursive, with a stylized "S" and "L".

Stephen O. Landau, Chairman

cc: Jeffrey G. Andrews, P.E., NHDES