



Troy Mills Landfill Superfund Site Reuse Assessment



July 2005

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Cover photo: View of marsh from the 270-acre Troy Mills property

PURPOSE

EPA-New England is responsible for the cleanup of over 100 Superfund sites throughout New England. Although protecting human health and the environment is the primary objective of these cleanups, EPA also recognizes the value in helping to return Superfund sites to beneficial reuse. Understanding the current and reasonably-anticipated future uses of a site are fundamental to achieving both objectives.

Accurate information on the likely uses of a Superfund site and the surrounding area is necessary to make reasonable assumptions about possible exposures to contaminants. These assumptions form the basis for establishing site-specific cleanup levels and, ultimately, for designing a protective remedy. Uncertainty in this information makes it difficult to appropriately tailor the site investigation and cleanup, and oftentimes leads to increased project costs and delays.

From the standpoint of facilitating site reuse, details regarding current or planned uses can enable EPA to consider those uses in the selection, design and implementation of the remedy. For instance, it may be possible to locate a soil or groundwater treatment system so as not to physically restrict the construction of future buildings. In other cases, the cleanup might be phased in a way that allows certain portions of a site to be available sooner. There are numerous Superfund sites across the country where reuse has already been facilitated in this manner. However, such accommodations will only be considered if they do not compromise the protectiveness of the cleanup.

This Reuse Assessment summarizes information on the current and potential future land uses at the Troy Mills Landfill Superfund Site that is currently known to the EPA case team. Potential reuse-related issues, data gaps and other relevant considerations are also described.

EPA will continue to work with the local community and other stakeholders to resolve remaining uncertainties and develop a more complete and realistic understanding of site use. This information will be used to support EPA's decisions regarding future response actions at the Site.

The Reuse Assessment is presented in three sections:

- \$ Section 1 - Site Background: Describes the physical, environmental, and historical context of the site.
- \$ Section 2 - Use/Reuse Status: Describes the current and potential future uses of the separate parcels or discrete areas within the Site. Potential use/reuse considerations relating to these parcels or areas are also discussed

SECTION 1 - SITE BACKGROUND

General Description

Overview

The Troy Mills Landfill Superfund Site (TML site or site) sits on a 270-acre parcel (property) located in the rural town of Troy, New Hampshire (See Figure 1). The property was used by Troy Mills, Inc. to dispose of solid waste and hazardous substances that were generated at its manufacturing facility in the center of town. The manufacturing facility and the 270-acre parcel were owned by Troy Mills, Inc., which filed for Chapter 11 bankruptcy in November 2001. This was later converted to a Chapter 7 bankruptcy in September 2002. The manufacturing facility is not considered part of the Superfund site.

Quick Facts

Location:	Off of Rockwood Pond Road
Acreeage:	270 acres
Current Uses:	Undeveloped
Ownership:	In bankruptcy
Zoning:	Rural District
Cleanup Status:	Removal actions completed, Proposed Plan prepared
Surrounding Land Uses:	Rural, mostly residential and undeveloped

On the southeastern corner of the property is an approximately two-acre drum disposal area where thousands of 55-gallon drums were buried from about 1967 to 1978. Drummed wastes included paint resins, plasticizers, pigments, top-coating products and industrial organic solvents. Immediately to the north of this disposal area is a separate eight-acre solid waste landfill, regulated by the State of New Hampshire, which was used for waste fabric scraps and other miscellaneous solid waste from the former mill. The TML site is limited to the two-acre former drum disposal area.

The TML site was added to the Superfund National Priority List in September 2003. Cleanup actions undertaken to date by EPA at the site include: (1) the installation of an interceptor system to collect free product from the ground water, and (2) the removal of 7,692 drums that has generated 29,924 gallons of flammable liquid waste, 3,099 cubic yards of waste sludge and 26,244 tons of contaminated soil. Excavated areas have been backfilled with screened soils and a two-foot clean fill cap installed. The cap has been re-

vegetated to provide additional stability and erosion control. All remaining work under the removal action will be completed by August 2005.

EPA began a remedial investigation (RI) in July of 2004 to determine if any additional actions will be needed. A Record of Decision (ROD) documenting EPA's conclusions is expected by the fall of 2005.

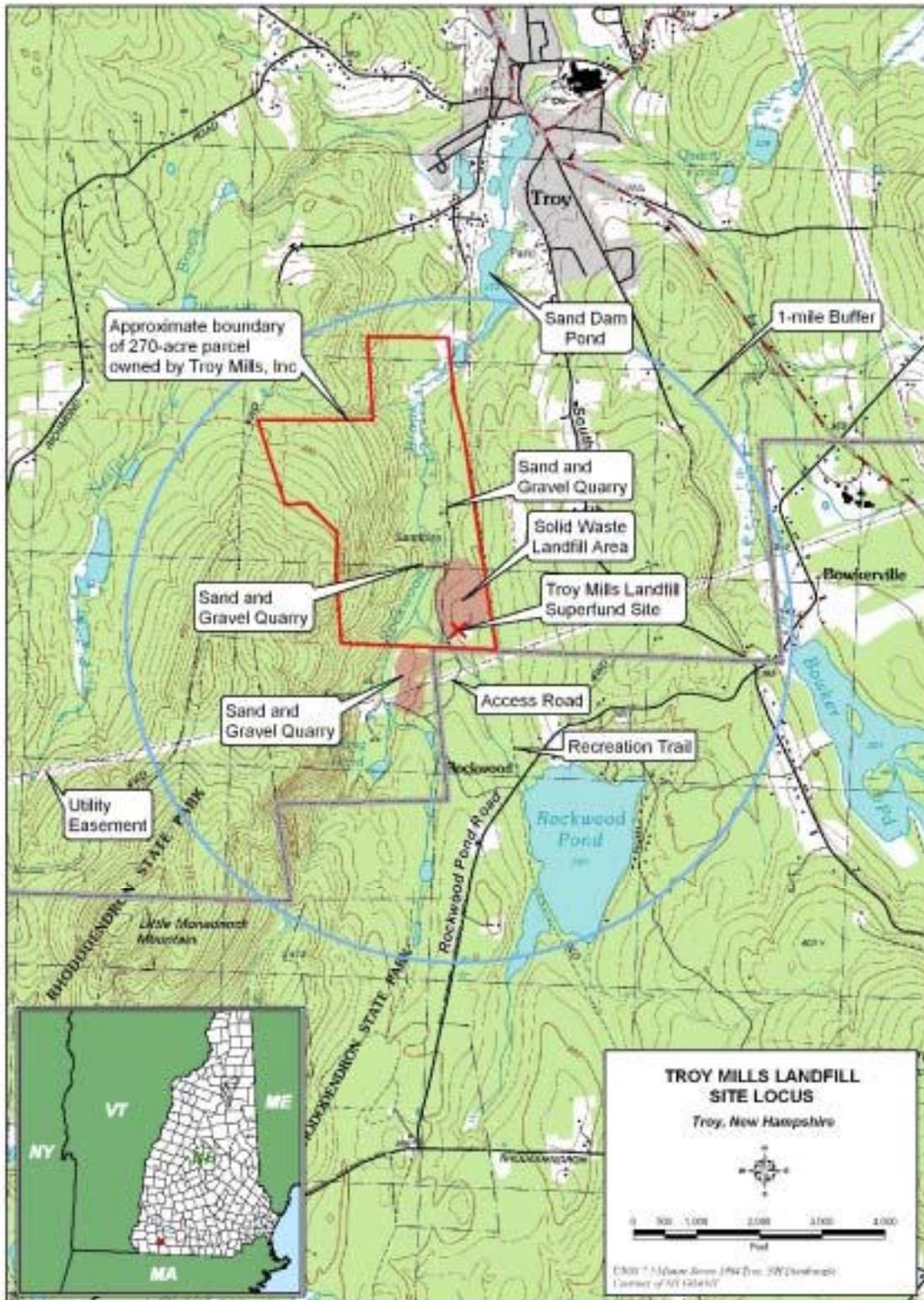


Figure 1 – Site Map

Topography

The surface of the property generally slopes steeply downward from the west to Rockwood Brook, which traverses the property in a northerly direction. The area to the east of the brook flattens somewhat before again sloping upward. Surface drainage primarily flows to Rockwood Brook. Two sand and gravel quarries are located to the northwest and north of the TML site, and a third is located beyond the property boundaries to the southwest. Except for the quarries, TML site and certain wetland areas, the property remains mostly wooded and undeveloped.

Surface Water/Wetlands

The eastern and western branches of Rockwood Brook merge to form Rockwood Brook, which then discharges into Sand Dam Pond about a mile north from the TML site. A number of wetland areas and tributaries have been identified along the brook between the TML site and Sand Dam Pond. Sensitive environments located within four radial miles include 2,173 acres of wetlands and habitats for eight State-listed endangered or threatened species.



Section of Rockwood Brook

Site Zoning

The property and immediately surrounding parcels are zoned “rural district” (See Appendix A for the full text of the zoning by-law). Allowable uses include: one and two-family dwellings, agricultural uses, stables and riding academies, plant nurseries and greenhouses, veterinary hospitals, family daycare, and sand and gravel operations. Other allowable uses subject to a special permit are: conversion apartments, accessory apartments, family group day care and group childcare centers.

Surrounding Land Uses

The property is located in an area of mostly undeveloped woodlands. The town center is about 1/3 mile from the northernmost extent of the property and approximately one mile from the TML site. The town center includes a mix of commercial, municipal and residential uses. There are a number of residential properties on South Street, which parallel to the eastern boundary of the TML site about a ½ mile distant. Further to the east is the village of Bowkerville. An estimated 3,886 people reside within four radial miles of the TML site.

Troy lies about six miles from Mt. Monadnock, which, with over 125,000 hikers reaching its peak each year, is reported to be one of the most climbed mountains in the world. Rhododendron State Park and Little Monadnock Mountain are located about a mile to the south and southwest, respectively. The Metacomet-Monadnock Trail, a popular interstate hiking trail system, passes through Troy just to the north of the property. The nearby Sand Dam Pond is used for swimming and fishing. On the east side of the property runs a section of the 42-mile Cheshire Branch Rail Trail system that is managed by the NH Department of Resources and Economic Development (NH DRED). This section of trail is located on a former railroad bed.

Allowable trail uses include horseback riding, snowmobiling, mountain biking, hiking, cross-country skiing, and other forms of recreation. (NH DRED, 2005)

Local Water Supply

The Troy Water Department operates a water supply and distribution system that serves an area radiating outward from the town center. The distribution system does not come closer than about a mile to the site. The nearest public drinking water supply well is approximately 2.8 miles to the southeast. A transient water supply well is located at the Meadowood Assembly Hall on Bowkerville Road, about a mile away. The nearest private drinking water wells are on South Street in Troy and Rockwood Pond Road in Fitzwilliam. An evaluation of the public and private water supply wells by EPA in 2003 concluded that no impacts were known or suspected. (Weston, 2003) This was later confirmed in EPA's remedial investigation. (Metcalf & Eddy, 2005a)

Local Transportation Infrastructure

Primary access to the property is through a privately-owned gravel road that intersects with Rockwood Pond Road, a meandering two-lane paved road in the adjacent town of Fitzwilliam. Rockwood Pond Road turns into Bowkerville Road, which connects with Route 12 about two miles from the TML site. Limited site access is also available to the east on the state-owned recreational trail. Both access points are gated to restrict unauthorized automobiles and trucks from entering.

The nearest interstate exit for I-91 is approximately 27 miles from Troy Center. There is no railroad service available. The nearest commercial airport is 58 miles away in Manchester, NH.

Town Demographics

Over fifty years, Troy's population grew well below the statewide average rate. Decennial growth peaked at a 24 percent increase in the period 1970-1980, but the population has declined since, dropping by two percent between 1980-1990 and by six percent between 1990-2000. Troy's population grew by 602 residents, going from 1,360 in 1950 to 1,962 residents in 2000. The 2003 Census estimate for Troy was 2,029 residents, which ranked 133rd among New Hampshire's incorporated cities and towns. (NH Employment Security, 2005)

Land Use Trends

The town's largest employers include a resort hotel (approximately 70 employees), two small non-woven textile producers (approximately 23 and 14 employees), and other small commercial businesses. (NH Employment Security, 2005) With its proximity to an extensive network of state and private parks and other recreational areas, Troy's economy appears to be closely linked to tourism.

There are no known large-scale development, public-utility, or transportation projects planned or underway which indicate changing land use patterns involving the property or the immediately surrounding area.

Environmental History/Status

Past Site Operations

From 1967 to 1978, Troy Mills Inc., a manufacturing facility of acrylic fabrics for the automotive industry, disposed an estimated 6,000 to 10,000 55-gallon drums of waste liquid and sludge containing mostly plasticizers such as bis(2-ethylhexyl)phthalate (DEHP) and petroleum-based solvent known as Varsol™, Stoddard solvent, or mineral spirits. The drums were buried in a 2-acre area of the property and covered with clean sand from a nearby sand quarry. Varsol™ contained petroleum-based hydrocarbon solvents. Other drummed wastes included pigments (containing metals such as zinc, chromium, and cadmium), surplus mixes and tank residues of vinyl resins, and top-coating products. An average of 15 to 20 drums per week were dumped from trucks into trenches and compacted under the weight of heavy equipment. The adjacent former solid waste landfill (approximately 8 acres) contains discarded synthetic fabrics and other types of solid waste.

Federal Superfund and State Response Actions

The NH Bureau of Solid Waste Management (NH SWM) and the New Hampshire Department of Health (NH DOH) have had regulatory and compliance issues with the TML site since 1978. Following the discovery by NH SWM inspectors of a leachate breakout at the two-acre drum disposal area, the State conducted sampling of the leachate in July and August of 1980 that detected the presence of inorganic constituents above background concentrations. This triggered a series of engineering studies and health assessments by EPA, the State of New Hampshire and Troy Mills, Inc.

Studies performed by Troy Mills, Inc. in the 1980s identified crushed drums and drummed liquid and sludge wastes in the two-acre drum disposal area. Sampling of these wastes identified metals, semi-volatile organic compounds (SVOCs), and volatile organic compounds (VOCs), including xylenes up to 19,000 parts per billion (ppb), bis-(2-ethylhexyl) phthalate up to 110,000 ppb, benzyl butyl-phthalate up to 13,000 ppb, di-n-octyl phthalate up to 6,200 ppb, and cadmium, chromium, and zinc at varying concentrations. Elevated levels of iron and manganese were detected in ground water and

<u>Key Events</u>	
1967-1978	Troy Mills, Inc. (TMI) disposes of drums in two-acre landfill
1980	Environmental investigation initiated by TMI under state order
1981-1998	TMI conducts various studies
1998	Cleanup plan submitted to NHDES by TMI
2001	TMI requests deferral from NHDES for implementing plan
2001	TMI files for Chapter 11 bankruptcy
2002	EPA evaluates site for short-term risks
2003	Site is listed on NPL. EPA initiates response actions under the removal program
2003	Bankruptcy converted to Chapter 7
2004-2005	EPA implements extensive cleanup activities. EPA conducts RI.
July 2005	EPA issues Proposed Plan

leachate samples, and 1,1,1-trichloroethane, ethylbenzene, toluene, trichloroethylene, 1,2-dichloroethane, 1,1-trichloroethane, benzene, diethylene chloride, and tetrachloroethylene were also detected in the ground water. (Weston, 2003).



Drums being excavated from landfill

Efforts by the New Hampshire Department of Environmental Services (NH DES) to get Troy Mills to conduct cleanup of the TML site were derailed when Troy Mills notified NH DES in December 2000 that they lacked the funds to implement the work. As a contingency should Troy Mills become insolvent, NH DES requested in July 2001 that EPA initiate the necessary studies and evaluations to enable the site to be proposed for listing on the National Priority List (NPL). On November 2, 2001, Troy Mills filed for Chapter 11 bankruptcy in the U.S. Bankruptcy Court for the Northern District of West Virginia. A motion by the bankruptcy trustee on September 4, 2002 to convert the bankruptcy to Chapter 7 was

granted on September 25, 2002 (See Case No.: 1:01-bk-13341). The site was subsequently added to the NPL in September 2003. Concurrent with these studies and the NPL listing process, EPA conducted a Preliminary Assessment/Site Investigation (PA/SI) under its removal program to determine if any short-term actions were necessary to control immediate risks. EPA determined that contaminants from the TML site were potentially endangering the downstream fisheries, recreation areas and wetlands, and initiated a number of actions to address those risks. No impacts to nearby drinking water sources were identified at that time (Weston, 2003).

In May 2004, EPA completed installation of an interceptor trench system to collect free product that was emanating from the TML. Floating product captured in the containment system is removed by vacuum truck or absorbent pads and disposed of off-site preventing it from affecting the adjacent wetlands. The collection system is being regularly operated and maintained by EPA at present, but NH DES may assume all or part of that role after EPA completes its removal action activities.

A second removal action began in July 2004 to excavate the barrels buried in the TML site. By the end of November 2004, a total of 7,692 drums have been excavated and removed from the TML site. This action has generated 29,924 gallons of flammable liquid waste, 3,099 cubic yards of waste sludge and 26,244 tons of contaminated soil. Placement of a final cap of two feet of clean soil has been completed. Equipment and staging facilities are expected to be removed by August 2005.

Also in July 2004, EPA began a remedial investigation to determine if any additional actions will be needed at the site. The primary goal of an RI is to determine the nature and extent of residual contamination and evaluate risks to human health and the environment from any current or expected future exposures to residual contamination. If undue risks are identified, EPA then

conducts a feasibility study (FS) to evaluate remedial alternatives available to mitigate these risks. EPA completed these studies for the site in spring 2005 and has documented the results in a RI/FS report that is now part of the public record. EPA has also prepared a proposed plan that summarizes the RI/FS, outlines the remedial alternatives evaluated, and identifies EPA's preferred alternative and the rationale for its selection. The proposed plan will be available for public comment beginning in July 2005. During the public comment period, EPA will also provide an opportunity for a public meeting to be held and will seek input from support agencies such as the State and other federal agencies. EPA's final remedy selection, along with a written response to significant public comments, will be then be documented in EPA's Record of Decision (ROD) for the site. EPA is scheduled to finalize the ROD by fall 2005.

Environmental Status/Additional Cleanup

The results of the RI indicate that contaminated groundwater is the primary issue at the site. Contaminants in groundwater include alkylbenzenes, chlorinated volatile organic compounds, polynuclear aromatic hydrocarbons (PAHs), phenols, phthalates and metals. The groundwater contaminants do not pose a current risk to human health as no drinking water wells are currently located within the contaminated groundwater plume which is approximately 5-7 acres in size (includes the two-acre drum disposal area).

Groundwater is also known to discharge as leachate along the access road and within a wetland area located downgradient of the access road and adjacent to Rockwood Brook. The RI shows that the leachate along the access road contains elevated concentrations of phthalates. The RI further shows that the light, non-aqueous phase liquids (LNAPL) interceptor trenches installed by EPA in 2003 is effectively capturing free product that may be floating on the groundwater surface, thereby reducing phthalate concentrations in the leachate. In the nearby wetland, an elevated concentration of the metal manganese was detected; however, not at a level that poses a risk to current recreational users of the Site.

The RI found no significant risk to current recreational users of Rockwood Brook, Sand Dam Pond, or the former railroad bed. The RI also found no significant risk to animal species in a variety of ecological habitats throughout the study area.

In early 2005, EPA initiated a feasibility study (FS) to evaluate remedial options to mitigate unacceptable risks posed by contaminants at the site. No unacceptable risk to human health or the environment under current exposure scenarios are known to exist. However, future risks to human health populations may exist from utilizing the site's groundwater for drinking water purposes, from potential exposure to residual soils that remains in the drum disposal area, and from more intensive recreational use of the site resulting from the residential development of portions of the 270-acre property in proximity to the site. The FS provides a detailed description of the actions that EPA proposes to implement to address these risks and remediate the site. (Metcalf & Eddy, 2005b)

The proposed cleanup plan for the site contains the following major components:

\$ Monitored natural attenuation of groundwater along with institutional controls to prevent the installation of groundwater supply wells within a 5-7 acre Groundwater Management

Zone established in accordance with NH DES requirements (See Figure 2). Monitoring of the ground water would also take place.

\$ Continued operation and monitoring of the existing LNAPL interceptor trenches.

\$ Continued maintenance and inspection of the existing permeable landfill cap. Land use deed restrictions would be implemented to restrict activities that could disturb the cap.

Because waste will be left in place at the site (i.e., residual contaminated soils in the drum disposal area), EPA will conduct a review of the site once every five years to evaluate the implemented remedy. The purpose of the review is to evaluate the status and efficiency of the cleanup, and to ensure that the remedy remains protective of human health and the environment over time. EPA may implement additional actions if the review finds that the remedy is not protective.

Responsible Parties

Troy Mills, Inc. is the only party that has been sent a general notice of potential responsibility for the site contamination.

SECTION 2 - SITE REUSE STATUS

This section provides a general summary of the current and potential future uses of the 270-acre property, which includes the TML site, solid waste landfill and remaining undeveloped areas. The former manufacturing facility is considered only to the extent that it may impact the reuse of the property. Potential use/reuse considerations are also discussed. This summary is based on information that was readily available to the EPA case team.

The property is identified on the Town of Troy Tax Assessor as Lot No. 25 on Map Nos. 16 and 17. The property is bordered to the north by an intermittent stream; to the east by a former railroad bed currently utilized as a recreational trail; to the west by a gravel access road, a wetland area, and Rockwood Brook; and to the south by the eastern branch of Rockwood Brook. The property and adjacent parcels are zoned “rural district.” This zoning generally allows residential, agricultural, and veterinary uses.

Property Description

As described previously, most of the property consists of sloping, undeveloped woodland. Two sand and gravel quarries are located just to the north and northeast of the TML site. Quarry operations are not currently taking place. There are several areas of wetlands along the Rockwood Pond Brook, which flows in a northerly direction through the eastern portion of the property. A number of tributaries exist on both sides of the brook.

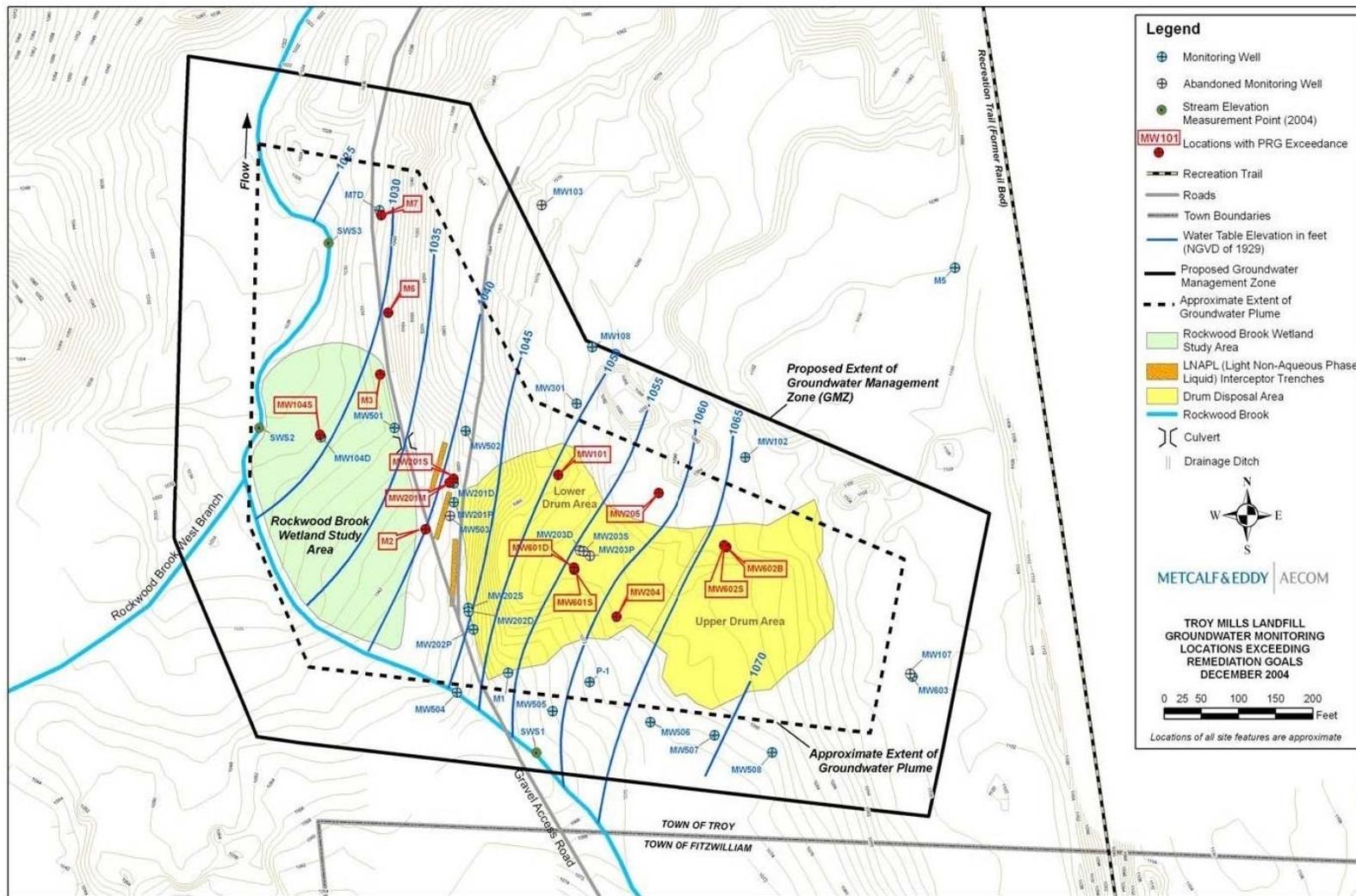


Figure 2 – Proposed Groundwater Monitoring Zone

Other than those structures related to the Superfund cleanup, there are no improvements on the property. Temporary electric power has been brought to the TML site to supply cleanup activities. There is no public water supply or sewer system available.

Access from the south is by way of a gravel road that terminates in the vicinity of the TML site. Most of this gravel road runs through an adjacent privately-owned parcel. A recreational trail along the eastern boundary provides limited access from the north and south. A section of this trail is temporarily being used by construction equipment and vehicles involved in the cleanup of the TML site. Both access points are gated to restrict vehicles from entering the TML site. There is no road access to the interior and western portions of the property.

Background

All known waste disposal activities occurred within the two-acre TML site and eight-acre solid waste landfill, both located in the southeast corner of the property. Because surface water and ground water generally flow in the direction of the Rockwood Pond Brook, site contamination is believed to be limited to the former two-acre landfill and certain areas of the underlying ground water. There are a number of ground water monitoring wells located in and around the TML site.

The 270-acre parcel currently remains under the jurisdiction and control of the Bankruptcy Court as assets of the debtor estate. The railroad bed easement is owned by the State of New Hampshire.

EPA has to date expended in excess of \$9 million on Superfund activities at the TML site.

Current Uses

Authorized public use of the property is limited to the abandoned railroad bed and a temporary by-pass trail that detours around the landfill. The by-pass trail was constructed in July 2004 by EPA, through the cooperation of NH DES and NH DRED, to allow continued use of the trail for recreational purposes while cleanup activities are occurring at the TML site. The trail is part of the 42-mile Cheshire Branch Rail Trail system that is used for horseback riding, snowmobiling, mountain biking, hiking, cross-country skiing, and other forms of recreation. (NH DRED, 2005)

Potential Future Uses

Currently the property is controlled by the Troy Mills bankruptcy trustee. The Town has expressed an interest in acquiring the property either through the bankruptcy or once the bankruptcy is resolved and the property reverts back to the control of Troy Mills, Inc. Among the potential uses being considered by the Town are passive recreation and as the possible location of a wastewater infiltration system. EPA and NH DES have held meetings with town

officials to discuss environmental issues pertaining to both the TMI site and the adjacent solid waste landfill should they acquire and reuse the property.

The town master plan is over ten years old and is in the process of being updated. A recently-established town subcommittee, working in collaboration with the Southern New Hampshire Planning Commission, will be considering potential site reuse options

Potential Reuse Considerations

(1) Construction and Operation of the Town's Wastewater Infiltration System

Should the Town decide to move forward with plans to build the wastewater infiltration system on or in the vicinity of the TML site, it will be necessary to evaluate the impacts of this system on the cleanup of the TML site, particularly with respect to altering the local hydrological conditions. This evaluation would also need to consider the possibility that the installation of underground piping or utility trenches could create preferential pathways for groundwater flow that could adversely influence the cleanup or monitoring activities. Close coordination by the town, EPA and the NH DES will ensure that these potential issues are appropriately addressed.

(2) Institutional controls

Under its proposed cleanup plan, EPA would establish certain restrictions or “institutional controls” to ensure that the site cleanup is not compromised. These include limits on extracting or using contaminated ground water within the Groundwater Management Zone, prohibitions on excavating into or otherwise impairing the TML landfill cap, and other requirements to maintain the interceptor system, ground water monitoring wells, and other components of the remedy. The restrictions will also have a provision that will require EPA and NH DES to be notified if there is more intensive recreational/residential reuse in the area. If land use activity increases, EPA will reassess site risks to determine if additional remedial measures are required to maintain the protectiveness of the remedy. Other non-Superfund restrictions may also apply to the state-regulated solid waste landfill, which is under the jurisdiction of the NH DES and not directly addressed under EPA's Superfund response actions.

Except for the ground water restrictions, the institutional controls are expected to have nominal effect on the future use of the remaining 260 acres of the property (i.e., areas other than the TML and state-regulated landfill). The groundwater restrictions may be a consideration for those uses that require a permanent water supply, such as residential or commercial development. Public water is not currently available at the property, and the installation of ground water supply wells in the vicinity of the TML would require a demonstration that the site cleanup would not be adversely impacted and water quality would meet appropriate standards.

(3) Effect of the Troy Mills, Inc. Bankruptcy

Two pending issues before the bankruptcy court that could have a bearing on the reuse of the property are: (1) future site ownership, and (2) EPA's claims against the site for past unrecovered costs and any potential future costs.

The bankruptcy has created uncertainty regarding the final disposition of the property and the timing of that decision, which can be problematic for a prospective purchaser considering acquisition and reuse. This uncertainty has also made it more difficult for EPA to anticipate the most likely future uses since the uses could vary depending on who acquires the property.

A settlement has not yet been reached with the bankruptcy court regarding EPA's claims.

General Findings

(1) Reasonably-Anticipated Future Land Uses (RAFLUs)

The Cheshire County Rail Trail that passes through the property, and the nearby quarry operations, represent the only current active use. Due to the uncertain ownership status and lack of specific reuse plans, a range of possibilities for future use of the property exist.

A key reuse consideration is the "rural district" zoning, which generally allows for residential, agricultural, veterinary, family daycare and related activities. All surrounding parcels are similarly zoned. There are no known plans by the Town to change the current zoning.

As a practical matter, residential and other uses that require the construction of buildings and other significant structures within the two-acre TML are extremely unlikely due to the need to protect the integrity of the existing cover system. For the solid waste landfill, state regulations could potentially affect the cost and viability of future reuse options.

Town officials have expressed an interest in using the property for passive recreation that might include creating trails that would link up with the Cheshire County Rail Trail. Other than the need to protect landfill covers, monitoring wells and other cleanup-related structures from vandalism or incidental damage, passive recreation could be very compatible with the site and consistent with surrounding land uses.

EPA's remedial actions on the TMI site do not preclude the possibility that other portions of the property could be used for residential development despite challenges posed by the steep terrain, limited road access, and lack of public utilities. Commercial uses, with very limited exceptions, and industrial uses are not allowed under the current zoning and were not considered a reasonably-anticipated future land use.

REFERENCES

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NH Employment Security, 2005. *Website of Economic & Labor Market Information Bureau, New Hampshire Employment Security*; www.nhes.state.nh.us/elmi/htmlprofiles/troy.html

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APPENDICIES

Appendix A – Town Zoning By-Law; Article VI, “Rural District”

Appendix B – EPA Contact Information

Appendix A - Town of Troy “Rural District” Article VI Zoning Bylaw

In the Rural District, buildings and premises may be erected, altered or used and land may be used for the following purposes only, and in accordance with the following provisions:

A. Permitted Uses:

1. One and two-family dwellings.
2. Agricultural uses.
3. Roadside stands for the sale of farm products raised on the premises.
4. Stables and riding academies.
5. Plant nurseries and greenhouses.
6. Veterinary hospitals.
7. Family day care
8. Sand and gravel excavation operations, as per RSA 155E.
9. Any use(s) accessory to the principal uses above.

B. Special Exception Uses: The following uses are permitted by Special Exception of the Board of Adjustment, subject to the provisions outlined in Article XIII:

1. Conversion apartments.
2. Accessory apartments.
3. Family group day care; group childcare centers.

C. Lot and Yard Requirements:

1. Each lot shall have a minimum area of two (2) acres, with at least two hundred (200) feet of contiguous frontage.
2. No structure or parking area shall be located closer than 35 feet from the edge of an approved right-of-way, nor closer than 20 feet from the side and rear property lines.

D. Backlot Development

Because of the value of the preservation of the unique character of the Town of Troy, and because of the rough topography of the land, private access to lots that lack frontage on town- or state-maintained roads is not specifically prohibited. However, for private access to be allowed in such cases, each of the following conditions must be met:

1. Only one back lot shall be created off of a front lot that was an existing lot of record at the time of adoption of this ordinance.
2. The back lot shall have not less than 50 contiguous feet of frontage on a Class V or better road. If the front lot has no more than 200 feet of frontage, an access easement may be allowed across said front lot. In the event the front lot has frontage of 250 feet or greater, the 50-foot access must be deeded to the back lot. The plan identifying such a lot shall clearly indicate on it the private character of said access and shall be so recorded, on the plan and on the deeds to both lots.
3. In the case of an easement being granted over a lot with less than 250 feet frontage, only one curb cut will be allowed for both lots, whenever feasible. The access strip shall meet all the gradient and curvature requirements as specified in the Troy Subdivision Regulations. All curb cuts are to be approved by the Road Agent.
4. The back lot must have a width at the building line of at least 200 feet, and have a lot size of at least five (5) acres. The area, of the access shall not be included in determining the required lot size. The lot shall meet all other requirements of the zoning ordinance for this district, and the Troy Subdivision Regulations.
5. There will be only one single-family dwelling permitted on such lot, and no further subdivision of land shall be allowed without upgrading of the access way to town road standards.

The creation of backlots is not intended to circumvent the zoning ordinance or the subdivision regulations, but to alleviate hardship for a property owner caused by land without adequate frontage. Therefore, the creation of backlots is to be discouraged, and the Board in its discretion may deny requests, when the land could be subdivided through usual methods.

Appendix B - EPA Contact Information

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