



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: January 8, 2024
Submitted by: Community Development Director
Robert Price
Department: Community Development
Speakers: Donna Kerwin Lane

Date of Meeting: January 25, 2024
Time Required: 20 minutes
Background Info. Supplied: Yes: No:

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

Public Hearing – Community Development Block Grant Project

DESCRIPTION OF ITEM

The Merrimack Town Council will hold three consecutive Public Hearings on Thursday, January 25, 2024 at 7:00, at the Town Council Office, 6 Baboosic Lake Road, Merrimack, NH 03054 Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low-income and moderate -income persons.

The Public Hearings will comment on the following:

1. A proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Public Facility Grant Funds. Of the funds, up to \$30,000 will be retained by the Town for administrative and compliance costs associated with the project, and \$470,000 of the funds will be subgranted to Jewel Estates Cooperative, a 44 unit manufactured housing park located at 74 Daniel Webster Highway in Merrimack, NH, for improvements to the park's infrastructure. The majority of the residents in the park are of low and moderate income.
2. The Anti-displacement and Relocation Assistance Plan for the proposed project.
3. The proposed Housing and Community Development Plan.

REFERENCE (IF KNOWN)

RSA: _____ Warrant Article: _____
Charter Article: _____ Town Meeting: _____

Posted in the following 3 town posting places:

Town of Merrimack Bulletin Board (East wing)
Town of Merrimack Bulletin Board (West wing)
Town of Merrimack Website

Signed:



Title: Executive Secretary, Merrimack Town Council **Date:** January 9, 2024

TOWN OF MERRIMACK
Community Development Block Grant Project
Public Hearings

The Merrimack Town Council will hold three consecutive Public Hearings on Thursday, January 25, 2024 at 7:00, at the Town Council Office, 6 Baboosic Lake Road, Merrimack, NH 03054. Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low-income and moderate –income persons.

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2. The Anti-displacement and Relocation Assistance Plan for the proposed project.
3. The proposed Housing and Community Development Plan.
Provisions for persons with special needs can be made by contacting the Town Council's Office via telephone (603) 424-2331 at least 72 hours in advance of the public hearings so that the Town can make any necessary arrangements.

Merrimack Town Council
6 Baboosic Lake Road
Merrimack, New Hampshire 03054
(603) 424-2331

Becky Thompson

From: Donna Lane 603-344-7505 <donnalanebdbg@roadrunner.com>
Sent: Wednesday, January 10, 2024 2:27 PM
To: Becky Thompson; Robert Price
Subject: CDBG PH Script & Handout
Attachments: Merrimack CDBG PH HANDOUT 1-25-24.docx; Merrimack CDBG PH SCRIPT 1-25-24.docx

Attached is the Script and Public Handout for the CDBG PH 1-25

All the documents that need to be signed are included in the script.

Usually, the Council opens the ph and I read from the script (or they can, whatever they want)

I have the Town Manager signing most of the documents, but only the Chair can sign environmental docs – so that one is different.

This environmental document is just for exempt activities (paperwork). Later on, if CDBG approves funding, an environmental engineer will do the required full environment review.

Thanks

Donna Kerwin Lane
CDBG Consultant
60 Ragged Cove Lane
Conway, New Hampshire 03818
603-344-7505
donnalanebdbg@roadrunner.com

Public Handout

TOWN OF MERRIMACK, NH
Public Hearings
Community Development Block Grant Project

January 25, 2024 7:00pm

Public Hearing on the Proposed Jewel Estates Cooperative Infrastructure Improvements Project CDBG Application

Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low- and moderate-income persons.

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Public Facility Grant Funds. Of the funds, up to \$30,000 will be retained by the Town for administrative and compliance costs associated with the project, and \$470,000 of the funds will be subgranted to Jewel Estates Cooperative, a 44 unit manufactured housing park located at 74 Daniel Webster Highway in Merrimack, NH, for infrastructure improvements. The majority of the residents in the park are of low and moderate income.

This project conforms with Merrimack's Housing and Community Development Plan's goals of: Goal: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Public Hearing on the Residential Anti-Displacement and Relocation Assistance Plan for the Proposed Jewel Estates Cooperative Infrastructure Improvements Project

This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. No displacement or relocation is anticipated as this is an infrastructure improvement project.

Public Hearing on the Proposed Housing and Community Development Plan

A Housing and Community Development Plan is required to be eligible to apply for CDBG funds. The proposed Merrimack Housing and Community Development Plan (HCDP) identifies needs, which currently exist or are anticipated during the next three years. The Plan provides a basis for guiding the Town's housing and community development objectives and actions. In addition, the Plan includes a CDBG Citizen Participation plan that details the CDBG requirements for public hearings.

Goal 1: Encourage high-quality housing in attractive neighborhoods through development of innovative land use controls, regulations and programs, such as incentive bonuses to encourage features in site plan/NH Revised Statutes Annotated (RSAs);

Goal 2: Maintain the Town of Merrimack's compliance in meeting the housing affordability goals pursuant to the Workforce Housing Law; Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Goal 3: Ensure that housing choices are available to meet the needs to current and future generations in Merrimack;

Goal 4: Provide for a sustainable and balanced land use pattern that incorporates the needs of the many stakeholders in Merrimack;

Goal 5: Encourage the proper balance between residential, commercial and industrial development to ensure the Town continues to prosper while protecting the historic, environmental and rural character of the community;

Goal 6: Promote activities that protect the health and safety of residents and visitors.

Goal 7: Encourage economic development activities to increase quality industrial and commercial development. Encourage the expansion and retention of employment opportunities for residents. (Short-term and Long-term goal).

Goal 8: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Goal 9: Preserve and promote the Town's historically and culturally significant structures. (Short-term and Long-term goal).

Commented [RP1]: Taken from current Master Plan

Commented [RP2]: Kept from your draft

Script

**TOWN OF MERRIMACK, NH
Public Hearings
Community Development Block Grant Project**

January 25, 2024 7:00pm

(Please note in the minutes that an informational document was available)

Council Opens the Public Hearing on the Proposed Jewel Estates Cooperative Infrastructure Improvements Project CDBG Application

Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. All projects must directly benefit a majority of low- and moderate-income persons.

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This project conforms with Merrimack's Housing and Community Development Plan's goals of: Goal: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

ASK FOR PUBLIC COMMENT (the minutes must reflect that the public was asked for comments – even if there is no public there)

Council Closes Public Hearing

Council Opens the Public Hearing on the Residential Anti-Displacement and Relocation Assistance Plan for the Proposed Jewel Estates Cooperative Infrastructure Improvements Project

This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. No displacement or relocation is anticipated as this is an infrastructure improvement project.

ASK FOR PUBLIC COMMENT

Council Closes the Public Hearing

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Goal 1: Encourage high-quality housing in attractive neighborhoods through development of innovative land use controls, regulations and programs, such as incentive bonuses to encourage features in site plan/NH Revised Statutes Annotated (RSAs);

Goal 2: Maintain the Town of Merrimack's compliance in meeting the housing affordability goals pursuant to the Workforce Housing Law; Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Goal 3: Ensure that housing choices are available to meet the needs to current and future generations in Merrimack;

Goal 4: Provide for a sustainable and balanced land use pattern that incorporates the needs of the many stakeholders in Merrimack;

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Goal 8: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Goal 9: Preserve and promote the Town's historically and culturally significant structures. (Short-term and Long-term goal).

Commented [RP1]: Taken from current Master Plan

Commented [RP2]: Kept from your draft

ASK FOR PUBLIC COMMENT

Council Closes the Public Hearing

VOTING

Council votes to approve the submittal of the CDBG application and vote to authorize the Town Manager to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract, and any amendments thereto.

Council votes to adopt the Antidisplacement and Relocation Assistance Plan

Council votes to adopt the Housing and Community Development Plan

DISPLACEMENT AND RELOCATION CERTIFICATION

Merrimack, NH

For Proposed Jewel estates Infrastructure Improvements Project RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Every effort will be made to avoid temporary or permanent displacement of an individual due to a CDBG project undertaken by the Town.

If relocation is required, the Town will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntarily and permanently displaced.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion date of the demolition or conversion;
- e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
 1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or:
 2. A lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. The right to elect, as an alternative to the benefits in subparagraph 2. above, to received benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and
- j. The right of appeal to the director of CDBA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.

k. Subparagraph (2) a. through g. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

CERTIFICATION OF COMPLIANCE

The Town of Merrimack certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

No displacement or relocation is anticipated as this project is infrastructure improvements.

NAME: Paul Micali

TITLE: Town Manager

SIGNATURE: X

DATE: January 25, 2024

TOWN OF MERRIMACK, NEW HAMPSHIRE
Housing and Community Development Plan
January 2024

The Town of Merrimack's Housing and Community Development Plan (HCDP) identifies needs, which currently exist or are anticipated during the next three years. The Plan provides a basis for guiding the Town's housing and community development objectives and actions. The Housing and Community Development Plan is consistent with the current master plan of the Town.

This document also outlines the Town's efforts to include citizen participation in implementing activities funded through the Community Development Block Grant. That information is found in the section below titled "Citizen Participation Plan."

Housing and Community Development Goals and Objectives

The Plan's goals and objectives are identified below and are consistent with the national Housing and Community Development Act of 1974, as amended, and the State's objectives listed in Chapter CDFR 300 Community Development Block Grant (CDBG) Program Rules (CDFR 305.01 & 310.01). These goals and objectives are both short and long term. Priority will be given to the needs of low and moderate-income persons, minorities and disadvantaged people.

The Town states that as a matter of policy, involuntary displacement of households from their neighborhoods as part of a CDBG project shall be minimized.

Goals and objectives of this plan, both long and short-term, are consistent with following broad national objectives:

- National Objective 1: Direct benefit to low and moderate income persons or households;
- National Objective 2: The prevention or elimination of slums and blight; and
- National Objective 3: Elimination of conditions which seriously and immediately threaten the public health and welfare.

Goals and Objectives of this plan also address as many of the following State's objectives as appropriate for CDBG grant awards, and priority will be given to projects that have a public benefit, in both the short and long-term as follows:

- State Objective 1: Implementing the Housing and Community Development Plan and conforming to the Town's master plan and ordinances;
- State Objective 2: Preserving and promoting existing neighborhoods and community centers;
- State Objective 3: Restoring and preserving properties which have historic, cultural, architectural or aesthetic value;
- State Objective 4: Solving community problems with long term benefits and innovative solutions;
- State Objective 5: Successfully raising funds or securing matching funds and resources from public and private sources; and
- State Objective 6: Funding needed projects for which other private or public funding shall not be available.

The Town's three-year short and long-term goals and objectives are as follows:

GOALS AND OBJECTIVES

The Town commits to the following goals to meet the Housing and Community Development needs of the Town:

Goal 1: Encourage high-quality housing in attractive neighborhoods through development of innovative land use controls, regulations and programs, such as incentive bonuses to encourage features in site plan/NH Revised Statutes Annotated (RSAs);

Goal 2: Maintain the Town of Merrimack's compliance in meeting the housing affordability goals pursuant to the Workforce Housing Law; Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Goal 3: Ensure that housing choices are available to meet the needs to current and future generations in Merrimack;

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Goal 9: Preserve and promote the Town's historically and culturally significant structures. (Short-term and Long-term goal).

Commented [RP3]: Taken from current Master Plan

Commented [RP4]: Kept from your draft

Federal CDBG grant funds awarded shall be consistent with the national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, public facilities, or employment opportunities primarily to low and moderate income persons or households. Grants shall not benefit moderate income persons to the exclusion of low income persons

Citizen Participation Plan

The Town will seek to engage its citizens in implementing housing and community activities funded by the Community Development Block Grant. Its citizen participation efforts will be consistent with the State of New Hampshire's citizen participation plan. Specifically, the Town will adhere to the following steps to engage its citizens:

- 1) Publishing a statement of proposed activities for any application proposed to be submitted by the Town so that affected citizens have an opportunity to submit comments on the proposed activities.
- 2) Provide adequate notices, specifically to persons of low- and moderate-income as well as the general public, for all public hearings to discuss proposed or approved CDBG applications. Such notices will include the statement of proposed activities or how to obtain such statement. At least ten days prior to any hearing, the notices will be published in a daily newspaper of general circulation in the municipality; AND posted as a printed legal notice in at least three other public places.
- 3) Hold two or more public hearings on the proposed application at times and locations convenient to potential beneficiaries, accessible to persons with physical disabilities, and that meet the needs of non-English speaking residents, if appropriate, to obtain citizens' views before adoption of resolution or similar action by the local governing body authorizing the submission of the application. At least one public hearing will be held prior to submitting any CDBG application and another during the course of all approved projects.

- 4) Provide information at public hearings concerning the amount of funds available for proposed community development activities and the range of activities within the project.
- 5) Provide information at public hearings concerning the amount of funds that will benefit persons of low- and moderate-income.
- 6) Provide information at public hearings about potential program income and the Program Income Reuse plan, if program income is anticipated.
- 7) Furnish citizens with the plans made to minimize the displacement of persons and to assist persons actually displaced as a result of grant activities, if displacement is anticipated.
- 8) Provide technical assistance to groups representing persons of low- and moderate-income requesting such assistance in developing proposals.
- 9) Provide citizens with reasonable notice of substantial changes proposed in the use of grant funds and providing opportunity for public comment;
- 10) Any modifications or amendments to the project will be made in accordance with the same procedures required in points (1) through (3) above for the preparation and submission of a statement of proposed activities.

Any complaints or grievances received by Town will be addressed within 15 working days of its receipt.

NAME: Paul Micali

TITLE: Town Manager

SIGNATURE: X

DATE: January 25, 2024

MUNICIPAL CERTIFICATION
Jewel Estates Cooperative Infrastructure Improvements CDBG Project

To the best of my knowledge, the data in this application is true and correct, and this application submittal has been authorized by the Town of Merrimack, New Hampshire. The Town of Merrimack will comply with all federal and state laws, rules, regulations and requirements, including those in the CDBG Application and Program Guide and the Implementation Guide. Furthermore, I certify that:

- The municipality affirmatively furthers fair and affordable housing;
- Where applicable, the proposed project is consistent with the municipal master plan, the Housing and Community Development Plan (HCDP), the Residential Antidisplacement & Relocation Assistance (RARA) Plan and that all planning and zoning requirements have been (will be) met;
- Where applicable, the municipality shall provide adequate funds to operate and maintain the public facility or improvement after the completion of the project;
- This application is being submitted with the full knowledge and approval of the Organization's Town Council and that the Organization will comply with New Hampshire conflict of interest laws as defined by RSA 7:19-a and RSA 292:6-a;
- This application is being submitted with the full knowledge and approval of CDFA's Privacy Policy, by which I acknowledge all information and documents created, accepted or obtained by, or on behalf of, CDFA are potentially subject to disclosure in compliance with RSA 91-A, New Hampshire's Right-to-Know law. (party authorized in public hearing)

I hereunto set my hand and official seal. Notary Public/Justice of the Peace (Seal) My Commission expires

Paul Micali
Name of Designated CEO:

Town Manager
Title:

X
Signature

January 25, 2024
Date

NOTARY SECTION

State of New Hampshire
County of Hillsborough

On this 25th day of January, 2024 before me _____, the undersigned officer, personally appeared Paul Micali who acknowledged him/herself to be the Town Manager and that he/she, as such, being authorized so to do, executed the foregoing certification for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Seal My Commission expires: _____
Notary Public/Justice of the Peace

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing and Urban Development

OMB Approval No. 2510-0011

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information Indicate whether this is an Initial Report or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code): Town of Merrimack 6 Baboosic Lake Road Merrimack, NH 03054 Phone (603) 424-3531	2. Social Security Number or Employer ID Number:
3. HUD Program Name Community Development Block Grant	4. Amount of HUD Assistance Requested/Received Up to \$500,000
5. State the name and location (street address, City and State) of the project or activity: Jewel Estates Cooperative Infrastructure Improvements, 74 Daniel Webster Highway in Merrimack, NH	

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms **do not include formula grants, such as public housing operating subsidy or CDBG block grants**. (For further information see 24 CFR Sec. 4.3).
 Yes No
2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9
 Yes No.

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds. Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

Part III Interested Parties.

- You must disclose:
- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
 - any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature: X Paul Micali, Town Manager	Date: (mm/dd/yyyy) January 25, 2024
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**Environmental Review for Activity/Project that is Exempt
Pursuant to 24 CFR Part 58.34(a)
FORM 3-A**

Project Name: Proposed Jewel Estates Cooperative Infrastructure Improvements
 Responsible Entity (Municipality): Town of Merrimack, NH
 Sub-Recipient (if different than Responsible Entity): Jewel Estates Cooperative
 Preparer: Donna Lane
 Certifying Officer Name and Title: Finlay Rothhaus, Chairman Town Council
 Project Address: 74 Daniel Webster Highway in Merrimack, NH
 Total CDBG Grant Amount: up to \$500,000
 Exempt CDBG Activity Estimated Amount: Up to \$30,000
 Description of the Proposed Project: \$500,000 in CDBG Public Facility Grant Funds. Of the funds, up to \$30,000 will be retained by the Town for administrative and compliance costs associated with the project, and \$470,000 of the funds will be subgranted to Jewel Estates Cooperative, a 44 unit manufactured housing park located at 74 Daniel Webster Highway in Merrimack, NH for infrastructure improvements.

Level of Environmental Review Determination

Activity/Project is Exempt per 24 CFR 58.34(a)

As Chief Certifying Official of the Applicant, I hereby certify that the activities from the above mentioned project have been reviewed and determined to be Exempt activity(ies) per 24 CFR 58.34 as follows (check those that apply):

<input checked="" type="checkbox"/>	58.34(a) (1) Environmental & other studies, resource identification & the development of plans & strategies;
<input type="checkbox"/>	58.34(a) (2) Information and financial services;
<input checked="" type="checkbox"/>	58.34(a) (3) Administrative and management activities;
<input type="checkbox"/>	58.34(a) (4) Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
<input type="checkbox"/>	58.34(a) (5) Inspections and testing of properties for hazards or defects;
<input type="checkbox"/>	58.34(a) (6) Purchase of insurance;
<input type="checkbox"/>	58.34(a) (7) Purchase of tools;
<input type="checkbox"/>	58.34(a) (8) Engineering or design costs;
<input type="checkbox"/>	58.34(a) (9) Technical assistance and training;
<input type="checkbox"/>	58.34(a) (10) Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
<input type="checkbox"/>	58.34(a) (11) Payment of principal and interest on loans made or obligations guaranteed by HUD;
<input type="checkbox"/>	Other:

CDBG Environmental Review Compliance Checklist for 24 CFR §58.6

1. §58.6(a) and (b) Flood Disaster Protection Act of 1973, as amended; National Flood Insurance Reform Act of 1994

HUD State-administered assistance through the Community Development Block Grant (CDBG) Program is considered a "formula grant made to States." By law, the restriction on financial assistance for acquisition and construction purposes in special flood hazard areas is not applicable to "formula grants made to States." 24 CFR 58.6(a)(3). Compliance with this section is not applicable for CDBG-financed projects.

2. §58.6(c) Coastal Barrier Improvement Act, as amended by the Coastal Barriers Improvement Act of 1990 (16 U.S.C. 3501) Not Applicable Please Move on to the next section CDFA 11/13/14.

Per FEMA's and the US Fish & Wildlife Service's web sites; New Hampshire does not have designated Coastal Barrier Resource System areas/communities. (Per Federal Consistency Coordinator, New Hampshire Coastal Program DES 11/13/2014).

3. §58.6(d) Runway Clear Zones and Clear Zones [24 CFR §51.303(a) (3)]

- a. Is your project located near Concord, Manchester or Portsmouth Airports?
Yes No
If No, compliance with this section is complete.
If Yes, continue below.
- b. Does the project involve the sale or purchase of existing property?
Yes No
If No, compliance with this section is complete.
If Yes, continue below.
- c. Is the project located within 2,500 feet of the end of a civil airport runway (Civil Airport's Runway Clear Zone) or within 15,000 feet of the end of a military runway (Military Airfield's Clear Zone)?
Yes No
If No, compliance with this section is complete.
If Yes, Notice must be provided to buyer. The notice must advise the buyer that the property is in a Runway Clear Zone or Clear Zone, what the implications of such a location are, and that there is a possibility that the property may, at a later date, be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information, and a copy of the signed notice must be maintained in this ERR.

To determine if your project falls in the Clear zone please use the following link. Radius Tool: <http://www.freemaptools.com/radius-around-point.htm> input your address on top, go below the map and fill in the feet space, click on map and the radius will be shown. If you have questions please call CDFA.

Cite and attach source document (Map indicating project site in proximity to end of runway):

For more information see:

Airport Information: <https://www.hudexchange.info/environmental-review/airport-hazards/>
<http://www.airnav.com/airports/>

HUD Airport Hazards Guidance: <https://www.onecpd.info/environmental-review/airport-hazards/>
Notice to Prospective Buyers: <https://www.onecpd.info/resource/2758/notice-prospective-buyers-properties-in-runway-clear-zones/>

With reference to the above Program activity(ies)/Project, I, the undersigned officer of the grantee, accept responsibility under the National Environmental Policy Act for environmental reviews, decisions and actions. By my signature below, I certify that I am authorized to, and do personally accept the jurisdiction of the Federal Court for enforcement of the aforesaid responsibilities. In addition, we request that the environmental conditions attendant to the above referenced grant activities be released so that, upon Governor and Selectmen approval (where applicable), funds may be drawn down for Exempt (\$58.34). I understand that any activities not listed above are subject to all rules applicable to 24CFR58 and that funds may be not be obligated without a notice of removal of environmental conditions from CDFA

Responsible Entity Agency Official Signature:

Name/Title/Organization: Town of Merrimack

Authorized Certifying Officer Signature X

Date: 1-25-2024

Name/Title: Finlay Rothhaus, Chairman Town Council

Preparer Name: Donna Lane

Date: 1-10-24

Preparer Signature:  _____

Any costs incurred prior to contract approval by the Governor and Executive Selectmen (if applicable) of the State of New Hampshire will be at the risk of the applicant. You may not incur any cost except for those authorized by CDFA prior to release of funds notification. All applicable State and Federal regulations including but not limited to procurement and debarment apply to the activities stated above.

