



## TOWN OF LYNDEBOROUGH

Office of Selectmen

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October 10, 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 (OEP06-1)  
Boston, Massachusetts 02109-3912

Subject: Request for Waiver for Town of Lyndeborough 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 Lyndeborough 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 Lyndeborough is a small community of 1,689 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 zero population.
- The UA is only 0.02 square miles or only 0.07 percent of the town's total area (30.5 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 an unnamed tributary to Purgatory Brook.
- The unnamed tributary to Purgatory Brook is not on the State's 303(d) list of impaired waters. We believe that the listed impairments for Purgatory Brook itself (pH and bacteria) are due to acid rain and wildlife.

- We communicated with Jeff Andrews of the NH Department of Environmental Services on October 9, 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 our Town Administrator, Kate Thorndike at (603) 654-5955, #223.

Sincerely,



Arnold A. Byam, III, Chairman  
Board of Selectmen

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