

## Town of Brookfield Conservation Commission

### Meeting Agenda – July 3, 2019

Commission Members: Bob Nielsen, Frank Frazier, Peter Baker, Rich Zacher (Selectman's Representative)

1. Meeting called to order
2. Public Comments
3. Review of June 5, 2019 minutes
4. Mail:

a) Meredith Savings Bank Statement:

June 10, 2019      Interest: \$0.56 (0.13%)      Balance: \$5,428.44

5. Old Business

- a) Update of Town Preserve: When will Kiosk be available to move from Town Offices to the Town Preserve? I met with Alan Fredrickson on the morning of June 25 near the old foundation on the Town Preserve. On my way up, I noticed the unusually deep wheel ruts on the access through the Royal property. It was nice of the Royal family to give the Conservation Commission permission to use that access. Thank you, Frank, for your correspondence with them. Alan is certainly willing, free of charge, to keep the brush down near the foundation/well and around the nearby clump of trees across the way. He hopes to accomplish that in July, and I asked him to please let me know when that is accomplished. He says he has to be careful of rocks and may not go as far in as we would ideally like. He cuts the perimeter of the field each time after he bales hay. I located the old foundation and marked it with orange tape. I could not locate the well in the waist-high brush.



I also called (June 25) NH Fish and Game regarding their gates. I spoke with engineer Jim Oehler. They do not sell gates, but Jim said he would be happy to send me the design which maybe a local welder could make. I received the design June 26. I had driven up to the Ellis Hatch gate on June 6 to give us an idea of their design for that location. The engineer reminded me that gates can be circumvented by vehicles and four-wheelers finding another access through the woods. Should Old Governor's Road have a "Dead End" sign? What should the wording be on the Royal property sign regarding the gate? See last pages of this agenda for the design he sent.



- b) Update, Frank, from your work as CC liaison with the Planning Board?
- c) From the January 2 agenda: Now that the Forest Management Plan is completed, it is time to set up a public town meeting with Wendy Scribner, possibly also with NH Fish & Game and MMRG. Thank you, Frank, for your good June 25 letter to Wendy suggesting dates in August and September.
- d) On June 25, I found one of the three bird houses on the Town Preserve in use this year by a nest of baby Tree Swallows! I put a photo and comment on the *Brookfield's Bounty* Facebook page.



e) Pat Girard: Still interested in joining CC, may attend our meeting.

6) New Business

a) Update of combining in some fashion the Town Clean-up, the Town Preserve maintenance, and the Selectman's Breakfast?

b) Some interesting news.

NHACC.org: New Hampshire Association of Conservation Commissions. I have forwarded to you the June e-News. Some of the topics:

- i. Reduce, Reuse, and Recycle (an increasing emphasis on reducing the use of plastics and single-use items)
  - ii. Grant Opportunities (Moose Plate Grant Applications due in September, Land and Water conservation grants available, NH DES Watershed Assistance grants)
  - iii. Outdoor Forestry Workshop & Walk: Saturday, June 29 (East Andover) Free
  - iv. NHACC Annual Meeting and Conference (Saturday, Nov 2). Focus will be on "Nature and the Economy". I always enjoy this meeting, and Peter and I attended last year.
- c) Diana and Dick Peckham have graciously offered, again, their place on Lovell Lake for our annual social get together for all current and past CC members and families. This has often taken place in August. An initial suggestion is the first Wednesday in August, the 7<sup>th</sup>, but I see that conflicts possibly with Wendy Scribner's presentation.
- d) In the April 3 Minutes, I had suggested to Frank that I would be interested in helping him research the water rights issue which in turn would help the Planning Board. I have spent a number of hours poking around the internet using searches which included "aquifer protection ordinance", "can I sell water from my well", "aquifer protection district", "nh des aquifer protection map", and so on. Some were not particularly successful. If you want to be questionably entertained, I suggest the video, "Selling Water from your home .. Million Dollar Ideas" (YouTube by Aurora Engineering Innovations). One website that interested me was [www.epa.gov/sites/production/files/2015-12/documents/modelord.pdf](http://www.epa.gov/sites/production/files/2015-12/documents/modelord.pdf)

Here they give you a model of a document (this one from Florida) for an ordinance on Aquifer/Wellhead Protection Ordinances. Another website that interested me was

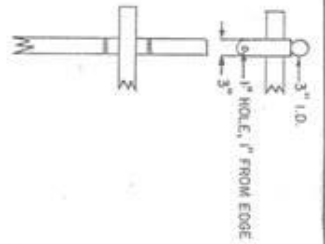
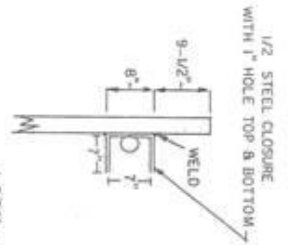
[www.belmontnh.org/docs/Planning/Aquifer/DWFAQ09-09.pdf](http://www.belmontnh.org/docs/Planning/Aquifer/DWFAQ09-09.pdf). They offer some interesting Questions & Answers plus a few DES websites to explore. The town of Winchester NH has in their zoning an Aquifer Protection District where they use the wording, “preserve and maintain existing and potential groundwater supply and groundwater recharge areas within the known aquifer from adverse development, land use practices, or depletion.” In Texas, there is the Edwards Aquifer, and it even has its own website, “The Edwards Aquifer Website”. The website is a lengthy account of the controversy surrounding the importance of water. Perhaps the best place to begin though is the NHDES website. Under Zoning Laws and Land Use Controls, they talk about a groundwater/aquifer protection zoning ordinance.

So, regarding the Brookfield aquifer, one might suggest that any kind of zoning would (1) define the location of the aquifer and any appropriate buffer, (2) address safe practices (sewage, fertilizer, disposal of oil/gasoline, etc.) so as to not contaminate the water, and (3) establish restrictions as to what a property owner can do with groundwater/wells/aquifers on their property (selling, overuse, permits required in certain situations, etc.). At the end of this agenda, I have included a few screenshots of some websites I explored.

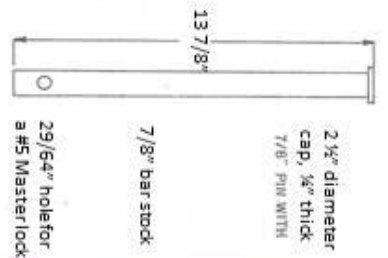
e) Selectman’s Report:

- 7) Next Meeting: Wednesday 6PM September 4, 2019 (no meeting in August)
- 8) Close meeting



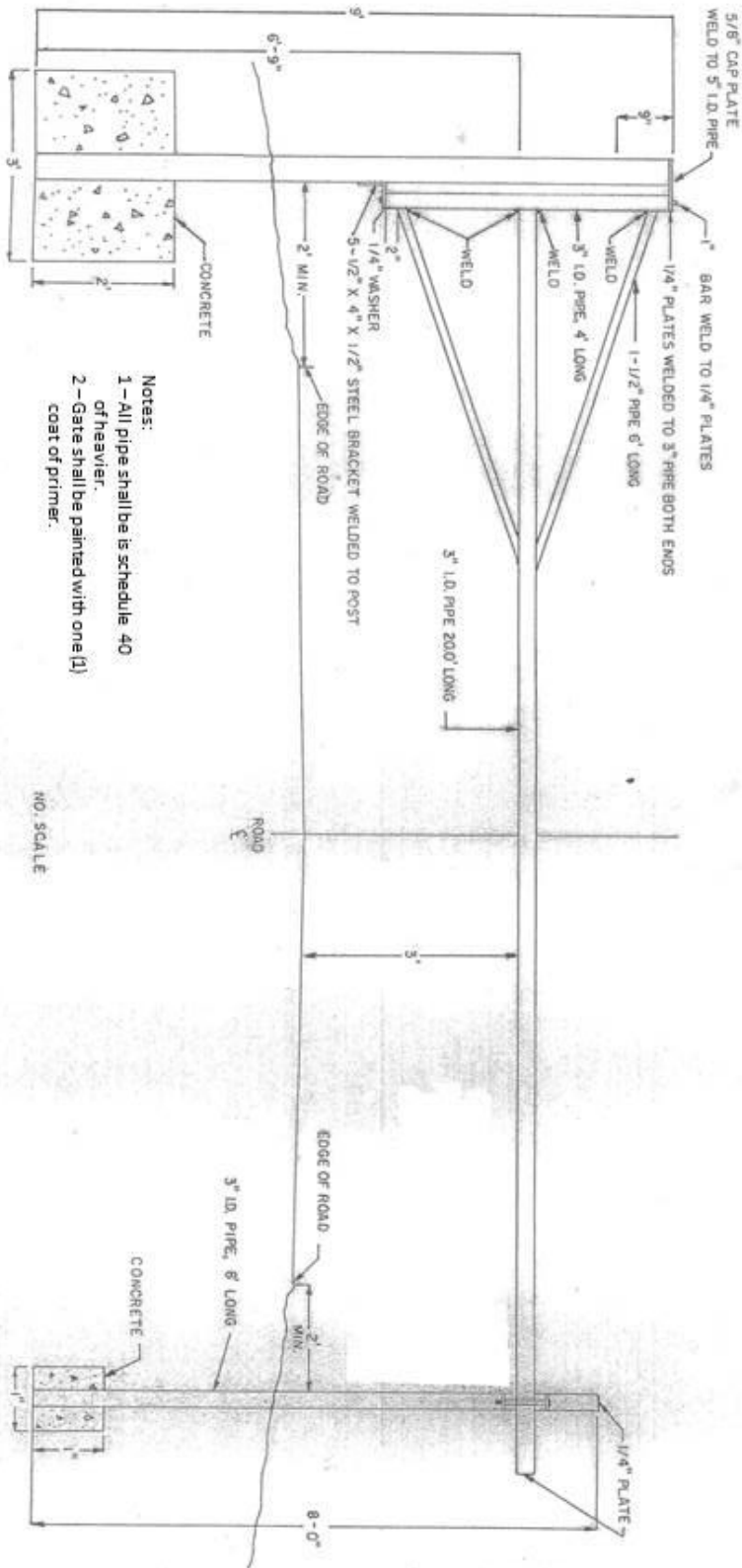


### LOCK BRACKET



### STANDARD LOCKING DETAILS

### LOCK PIN



- Notes:  
1 - All pipe shall be schedule 40 of heavier.  
2 - Gate shall be painted with one (1) coat of primer.

NO. SCALE





✓

an official **NEW HAMPSHIRE** government website



A to Z LIST

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### Drinking Water



## Zoning Laws and Land Use Controls

All documents have been saved in Adobe Acrobat Reader  format.

Cities and towns can pass zoning laws to protect groundwater and public water supply wells by restricting certain districts (residential, retail/commercial, or industrial) from areas near water supply wells. Over 75 New Hampshire communities have chosen to create such zoning districts that prevent or restrict industrial and businesses in important aquifer areas.

Some have argued that by limiting what people can do with their land, the government is "taking" the land. Court rulings have consistently shown that while there are limits to how far zoning can go, it is still a good way to protect the public from the wrong land use in the wrong place.

While zoning is a good tool to use in protecting groundwater, it doesn't take care of every situation. First, while zoning can prevent new threats, it can not eliminate existing threats, because existing uses are "grandfathered" when zoning laws take effect. Second, some communities may want to allow development to take place in aquifer areas, but to review development on a site-specific basis.

Below are several good examples of local groundwater/aquifer protection zoning ordinance. They include a number of the provisions suggested within the NHDES Model Groundwater Protection Ordinance (2006). However, they also include other provisions developed by local planners based upon local development conditions and trends.

- Exeter Aquifer Protection District Ordinance
- Newmarket Aquifer Protection Ordinance

Go!

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