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 7th, 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
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. 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
Length of gate pin is 13.875” or 13 7/8”
Bar stock is 1” or nominal 7/8”

Cap end is 2.3/4” diameter and .25 or 1/4” thick.

Drill hole is 29/64” diameter to accept a #5 Master Lock
Instructions for Using the Model Ordinance

This Model Ordinance is intended to be a tool to assist you in getting your own ordinance-writing process started, to provide some standard language, and to suggest some of the possible options. There is a great variety of language used in existing Aquifer Wellhead Protection Ordinances in place throughout Florida. This Model Ordinance is by no means an exhaustive listing of the possibilities. You should use this document in conjunction with other sources, such as the existing ordinances used by Aquifer Wellhead Protection Programs that have objectives similar to your program’s.

In any ordinance creation process it is important to involve local legal staff, such as your City or County lawyers. Their expertise can aid you in creating an ordinance which is both legal and defensible within the legal context of your community.

You should of course feel free to alter any and all portions of this document to meet your needs. Throughout the Model Ordinance, there are sections in which you must insert text in order to customize it. These sections are denoted by text placed in bold type within curved brackets—{ }. By using this Model Ordinance and customizing these sections, you can create a viable local ordinance with minimal editing.

{Curved brackets surrounding bold text} indicate a section of text which must be

AQUIFER PROTECTION DISTRICT

(ADOPTED MARCH 9, 2004)

SECTION 1. PURPOSE AND AUTHORITY

Pursuant to the authority granted under RSA 674:21, the Town of Winchester hereby adopts the following regulation. The purpose of this ordinance is in the interest of public health, safety and general welfare, to protect, preserve and maintain existing and potential groundwater supply and groundwater recharge areas within the known aquifers from adverse development, land use practices or depletion. This is to be accomplished by regulating the uses of land over certain known aquifers and their recharge areas so as to protect them from contamination caused by adverse or incompatible land use practices or development. The Aquifer Protection District Ordinance is intended to limit the uses of land so designated to those which will not adversely affect water quality by contamination or water quantity by preventing recharge of the aquifer.

SECTION 2. DISTRICT BOUNDARIES

The boundaries of the Aquifer Protection District shall be the outermost edge of the surficial extent of all aquifer deposits presently designated as stratified drift as supported by information included in the United States Geological survey and shown on the Winchester Aquifer Map titled "Saturated thickness and transmissivity of stratified drift aquifers in the lower Connecticut River Basin, Southwestern New Hampshire". The Aquifer Protection District is a zoning overlay district, which imposes additional requirements and restrictions to those of the underlying base district zoning. In all cases, the more restrictive requirement(s) and permitted uses shall apply.