

BOARD OF SELECTMEN WORKSHOP
Minutes of 12-19-11
4:15 p.m.

Selectmen:

Colette Worsman, Chairman
Peter F. Brothers, Vice Chairman
Miller C. Lovett
Nathan J. Torr
Herbert R. Vadney

Town Manager:

Phillip L. Warren

Recording Clerk:

Karin Landry

Call to Order: Chair Worsman called the meeting to order 4:15 p.m. She introduced the Board, Town Manager, and the Recording Clerk, and made announcements pertaining to emergency exits and the use of cell phones.

W 11-35 Waukewan Watershed Advisory Committee Update

Randy Eifert of the Waukewan Watershed Advisory Committee updated the Board on the committee's progress during 2011 and plans for the upcoming year, which focus on the number one priority of building a septic system regulation. He highlighted the key information in materials provided to the Board:

- The four focus areas of the committee have been education, conservation, research, and monitoring and regulation. The Don't "P" in the Lake campaign is the key educational component of the plan and is now being spread in other areas. To date, the least amount of effort has been dedicated to regulation. A balanced approach to recreation, quality of life, and environmental protection has been pursued by the committee since its formation in 2004.
- There have been three toxic algae blooms in the last five years, with a notable increase over the last few months. There are no locally enforceable actions currently being taken to protect the town drinking supply from septic systems that might currently be in failure.
- In 2006, it was established that septic systems would be the number one focus of the committee, and that education would be addressed first. In August of 2008, a guide to maintaining septic systems was mailed to shorefront owners in Meredith, Center Harbor, and New Hampton with a return postcard to provide feedback. A number of those individuals have pursued additional information. In November of 2008, the committee agreed to make a septic system inspection requirement for the approval of a building permit. At this time, the state requires that an upgraded septic system plan be on file if additional bedroom(s) are constructed. The plan is utilized only in the event of septic system failure. A risk analysis performed in 2009 identified 31 very high risk properties in Meredith, and more in surrounding towns. The state has a rule in place for the protection of the purity of the Lake which gives the health officer of Meredith, and the Board of Selectmen through the health officer, the right to oversee activities that affect the Lake. One of the rules states that properly functioning systems within 125' of the shoreline may remain in place, or conversely, systems that are not properly functioning must be removed. In June of 2009, there was a discussion of the asset management concept the town is undergoing, including the drinking supply for the town.

- DES letters of support for programs including septic systems dated August 2010.
- Draft septic system regulation.
- Recommendations from 23 outside sources for the adoption and implementation of ordinances to ensure maintenance of septic systems, including a model health ordinance from the New Hampshire Office of State Planning that was released in 1992.
- Staff report of October 2011 from Community Development Director John Edgar indicating that the PH level in Lake Waukewan was rising. In his cover letter, Mr. Edgar states that the proposed regulation seeks to supplement the DES regulation with locally enforceable regulations. In addition, he states that the proposed regulation is conservative in approach and can be administered with existing staff.
- A map that depicts the location of the 31 very high risk properties.
- Information from the cyanobacteria workshop hosted by the town earlier this year.
- A graph depicting the relationship between cyanobacteria blooms and toxins in the drinking supply.

The committee believes the proposed regulation is reasonable, and compliments the state regulation. It protects the town's water supply and is in the best interest of the larger Meredith community. The replacement of septic systems by a few should be weighed against the benefits of all those that drink water from the lake, or take advantage of recreation, natural beauty, tourism, and property values. There are no plans for an extension of sewer to the site. The proposed regulation is supported by the septic system committee, community development director, town planner, code enforcement and local health officers, Waukewan Shoreowners Association, and many shorefront property owners. In not acting, there is an increased cost for water treatment, increased toxic algae blooms, degradation of water quality affecting quality of life, and a possible loss of the water supply. The Waukewan Watershed Advisory Committee believes it is time to take some action on this very important town issue and respectfully requests that the Board take the lead on action on this issue in the coming year.

Water and Sewer Superintendent Dan Leonard told the Board that as part of an increase in the monitoring of Lake Waukewan, the shoreline of the watershed is walked daily. This year, seven blooms were blown into the boat ramp, one during the summer, and six this fall. The scale of the blooms were relatively small, condensing to a foot long from 80-250' along the shoreline. When a bloom is identified, a raw water sample and a finished water sample are sent to DES for testing, and a raw sample is sent to UNH for testing. In 2012, the department will use boats to attempt to identify where the blooms originate. There is no record of the frequency of blooms in previous years. In addition, in 2012 Mr. Leonard will explore testing the water coming into Lake Waukewan.

Chair Worsman has no appetite for increased regulation. She would like to see education efforts continue, and the water coming into the lake monitored. She cannot support passing on an unfunded mandate to the citizens of Meredith. Mr. Eifert shared a suggestion that was made that the town fund inspections of the 250-300 septic systems on the shoreline, at an approximate total cost of \$9,000. If the owner does not wish to participate in the free service, they would have to complete the inspection at their own cost. In addition, the Town could explore ways to assist

those with systems that are in failure. If a system is deemed in failure, the regulation allows for a year to act.

Selectman Torr inquired about details regarding the pocket plans on file with DES. There are 85 on file at this time. The proposed regulation does not affect those plans because they are grandfathered. The designs remain on file with the state for four years, but do not have to be installed unless the system is in failure.

Selectman Lovett respects the Chair's position, but would like to see conversation continue. He does not believe it is an undue restriction on anybody for the town to have firm knowledge of the septic failures that exist. He has no objection to tweaking the fine points of the regulation, but thinks it is time for the Board to act.

Selectman Vadney understands that septic systems putting raw sewage into the lake is an immediate health hazard, but believes the real issue is the effect of increased PH levels on cyanobacteria. Although he does not recommend doing so, he wonders how much phosphorous makes it into the lake with a good septic system vs. dumping raw sewage into the lake. Algae blooms are wind driven and sediment being stirred up from the bottom of the lake might be a factor in increased algae blooms. He is concerned that over time the higher PH levels will migrate towards the big lake.

Selectman Brothers supports the concept of overall water quality and protecting our environment in any way possible, but is sympathetic to the financial complications of another ordinance. He believes that continued education is every bit as effective as ordinances. He is concerned that the ordinance is focused on one body of water, but understands the justification of starting with the municipal water supply. He agrees that there needs to be more public input regarding a combination of steps including education, and perhaps rewards or incentives to comply. He acknowledged that the matter needs to be dealt with and supports moving forward with informational hearings, open discussions, and charettes. In addition, there should be continued pressure on the state in terms of legislation that will support its ordinances.

Selectman Torr is in support of moving forward with small steps, and would like a requirement that when an addition is added to a home, it must comply with the septic system code.

Selectman Vadney is concerned with how water coming from other parts of the watershed is impacting the water quality of Lake Waukegan. Mr. Eifert suggested the towns of Ashland, Center Harbor, Holderness, and New Hampton should be invited to participate in the discussion. The committee's goal is to eventually spread regulations to other towns as well.

Dialogue ensued regarding efforts in surrounding communities at this time. The committee is composed of eight persons, with representatives from the New Hampton side of the lake and Center Harbor. There is no representation from Lake Winona. Lake owners associations or their membership have not taken the lead in other communities, and there have been no efforts at the town level.

Chair Worsman pointed out some of the accomplishments of the town during the years she has served on the Board, including designating Waukegan Street no or low salt. She credits the advisory committee for bringing to the attention of everyone that their actions affect the lake. She encourages the recording of blooms so the data can continue to be analyzed, and pointed out the town is working proactively on redundancy. In addition, she appreciates that Superintendent Leonard is exploring the testing of water coming into Lake Waukegan. She would like to engage

the 31 very high risk property owners in conversation, as opposed to the community requiring action. The goal is to bring the community on board, and she congratulated the Advisory Committee for a remarkable job in beginning that process. She pointed out that there are many more people using the water from Lake Waukewan than there are shorefront property owners who will have to fund septic system improvements. Mr. Eifert will follow through on the matter with Mr. Edgar and Code Enforcement Officer Bill Edney to determine if getting shorefront owners involved is an option.

Mr. Eifert supports a public hearing as a way to encourage discussion. The Town Manager made a strong recommendation not to do so before Memorial Day, so that property owners from out of town are available to attend. There was an agreement among the Board that a public hearing would be beneficial, and a suggestion made to notify the owners of the 31 high risk properties by certified mail that a hearing will be held in July. The meeting will be open to the public at large, and the Board will be looking for input on how to make the situation work in a more positive way. The Town Manager will publicize the hearing in much the same manner as the cyanobacteria workshop.

Selectman Lovett pointed out that the bigger problem is the life of the lake, and suggested a waterfront shoreowners association becoming active in putting together a comprehensive plan. Chair Worsman clarified that the hearing will be contingent on the outcome of the testing of the water coming into Lake Waukewan. The Committee will take the steps as discussed by the Board, while management moves towards a public hearing solely for Meredith issues.

Selectman Torr motioned to adjourn the Workshop at 5:25 p.m. Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.

Respectfully submitted,

Phillip L. Warren, Town Manager

Colette Worsman, Chairman

Peter F. Brothers, Vice Chairman

Miller C. Lovett

Nathan J. Torr

Herbert R. Vadney