

PEMBROKE CONSERVATION COMMISSION
MEETING MINUTES
NOVEMBER 14, 2022

In attendance: Ammy Heiser (Chair), Carol Bertsimas (Vice), Brian Mrazik (Secretary), Ayn Whytemare, Tom Gallo, Wendy Weisiger, Karen Yeaton (BOS Rep) Kevin Foss (PB Rep)

Guest: Matthew Gagne, Superintendent, Pembroke Water Works (PWW)

Call to Order: Meeting called to order at 7:03pm

Pembroke Water Works: The CC thanks Matt Gagne for his gracious and timely response to our request for a briefing on the activities and responsibilities of the PWW regarding protection of the stratified-drift aquifers that supply the Town's wells along the Soucook and Suncook Rivers. Matt stated that the jurisdiction of the PWW was confined primarily to the designated wellhead protection areas around the three well sites operated by PWW. The first site is a gravel-packed well near the Soucook River at the Rt. 106 pump station. This site has a cone-shaped well-head protection area that extends into areas upstream of the well. The second site consists of two gravel-packed wells near the Soucook River at the Route 3 pump station. The third site is located near the Suncook River in Bear Brook State Park. Both the second and third sites have circular wellhead protection areas covering a 5000-foot radius around the wells.

Matt stated that the most common concerns for contamination involve the storage of salt and the storage, leaks, and spills of volatile organic compounds (VOCs) from businesses that use, transport, or transfer petroleum products. More recently, contamination from polyfluoroalkyl substances (PFAS) in products that are used in commercial, industrial, and fire-fighting settings, are a growing concern. Matt agreed to provide the CC with a list of the most common contamination issues in wellhead protection areas.

The PWW reviews Planning Board applications primarily in their wellhead protection areas, but not in other areas of the aquifer that are not likely to contribute water to the existing wells. With regard to petroleum products, the PWW looks at facilities that store quantities in excess of 5 gallons and recommends secondary containment for storage of more than 55 gallons. Sites with storage greater than 550 gallons are the responsibility of NHDES. PWW also recommends installation of monitoring wells around facilities that will store quantities in excess of 55 gallons. PWW tracks water quality reports from test wells installed by facility owners and operates pumping stations to avoid the intake of contamination from spills or leaks. Response to major spills is primarily the responsibility of NHDES. Other mitigation measures recommended by PCC for new installations include the use of only above ground storage tanks and use of oil/water separators in areas where small spills are likely. For salt storage areas, PWW recommends covered enclosures to avoid salt leaching into the aquifer.

The CC again discussed the use of more restrictive zoning ordinances in the aquifer overlay district in order to control the placement of new facilities that will utilize significant quantities of hazardous materials. This would apply in areas potentially contributing to the Town's existing wells and other aquifer sites suitable for future wells. Brian agreed to investigate the existence of model aquifer zoning ordinances which may have been developed by NHDES or regional planning commissions. Ammy will contact Carolyn Cronin to see if the Planning Department can assist in this effort.

Planning Board Applications: Kevin reported that no action was taken by the PB regarding the application for 52 Sheep Davis Rd at their second October meeting. The issues regarding a proposed detention pond in the setback area and the discharge of stormwater into a water body will be discussed at the next meeting. An appeal of the PB's decision to deny the driveway placement through wetlands at 245 Pembroke Hill Rd was also denied.

NHDES Letters and Applications: The CC received a copy of a NHDES letter regarding proposed timber harvesting at 457 Forth Range Rd.

Review and Approve Minutes October 17, 2022 Meeting: Carol motioned to accept the draft minutes as submitted. Wendy seconded. All voted in favor.

Conservation Lands:

1. Deed Reviews: Ammy and Wendy reviewed the available PB minutes in the 1980-82 era to try to identify the PB's intentions regarding acquisition of the Beck Conservation Area. Very little detail was found relative to the Beck development and a gap of several months was noted in the available minutes. No record relative to the PB approval of the conservation area was found. Ammy will inform Steve Whitley of these findings and determine the next course of action. Ayn moved that the CC encumber the remaining portion of its 2022 budget (\$2405.21 or the amount left on December 31, 2022, whichever is less) for continuing legal work on deeds for the conservation properties. Carol seconded. All voted in favor.

2. Monitoring Update: Ayn requested that CC members conduct visits to clean up the list of unmonitored parcels for 2022. In response the following plan was agreed upon: Butterfield – Brian and Tom; Doherty – Ammy and Carol; Brittany and Gamlin – Kevin; Ayn and Carol – Bragfield.

3. Robert Frost Park: Ammy stated that a volunteer with knowledge of the responsibilities for disposal of invasive species cuttings has been identified. A meeting with the Meet Me In Suncook committee is planned to discuss the removal process. Ammy will attend.

Potential Acquisitions: Ammy was contacted by David Jodoin regarding a landowner who would like to see a 14-acre land-locked parcel, owned by the Town, (Lot 262-27; 543 Cross Country Rd.) protected as a conservation area. The CC noted that the parcel contained part of a large wetland area at the headwaters of the Pettingill Brook watershed. It was agreed that the CC should conduct a site visit and complete a criteria rating sheet to assess its value as a conservation area, then examine the acquisition cost and process, if appropriate.

Other Business: Ammy reported on the meeting held with the Town Attorney and Town Officials regarding development on Class VI roads which was prohibited by ordinance in 2006 because of the Town's inability to provide fire, police and other Town services on these unimproved roads. Legal actions have challenged whether this ordinance can be applied to "lots-of-record" existing prior to 2006. One option would be to allow approval of developments on such lots if the owner's agreed to waive any rights to safety services and release the Town from any liability for failure to provide such services. Karen stated that this is an issue which should be addressed by the State Legislature.

Mail and Correspondence: None of significance.

Adjournment: By consensus, the meeting was adjourned at 9:15PM

NEXT MEETING: December 12