

Minutes of the Westmoreland Selectmen's Meeting

Thursday, April 6, 2023

BOARD MEMBERS PRESENT: Frank Reeder, John Snowdon, and Bill McGahie.

1. The meeting was called to order at 12:59 pm by Frank Reeder
2. Motion was made by John Snowdon, second by Bill McGahie to nominate Frank Reeder as the Chairman of the Board of Selectmen. Motion passed 3-0.
John Snowdon will be the selectmen's representative on the Planning Board.
Frank Reeder will serve as the selectmen's representative on the Budget Committee.
3. Approval of Minutes: March 16, 2023. Motion was made by John Snowdon, seconded by Frank Reeder to accept the minutes as printed. Bill McGahie abstained. Motion passed 2-0
4. Accounts Payable: Motion was made by John Snowdon, seconded by Bill MacGahie to Approve Manifests for: General Fund \$231,600.15 and Fire Station Fund \$11,922.50 Motion passed 3-0.
5. Guest: Steve Horton, Construction Consultant; Michael Petrovick, Michael Petrovick Architects, Liza Sargent, SVE Engineer; Mike Farhm, D.E.W Construction

Reeder - Not a public hearing. Purpose of meeting to get answers to questions addressed to the Selectboard by Jason and John Bafundi.

- Discharge of Water from open-ended box culvert - Sargent - Design intent is to maintain same discharge point with existing draining including 96 acre parcel across the road. Only existing no additional drainage goes through the culvert. Should be no noticeable change. Culvert design as directed by NHDES when permit issued.
- Rooftop drainage design & capture of water - Petrovick - Water sheds into yard then to intermittent stream
- Foundation perimeter drainage & discharge - Sargent - Will drain upland not connected to drains and culvert
- Impervious Surface Design and Drainage - Sargent - showed on plan how water will flow across the parking lot to the west onto property. Driveway will flow to intermittent stream
- Perimeter swale, design, capture & discharge - Sargent - Site plan maintains existing drainage patterns.
- Construction dewatering - Horton - Will be done in accordance with NHDES. If water is pumped it will be pumped out on site.
- Decommissioning of existing dug well - Horton - Town will decommission. Reeder - researching deeds. If no one has deeded access to the well, it will be decommissioned. Horton - Out building removed and well plugged and capped with concrete.
- Westmoreland Site Plan Regulations - Reeder - Municipal projects exempt by State from formal site plan process. Have to comply with laws and permits, but no site plan review required.
- Alteration of Terrain permit not required since less than 100,000 sf
- Plans, Permits and schedule available at Town Hall. Bafundi - requested pdf of plans.
- Lauren Bressett - Building 6500 sq. What is the total with parking? Sargent - Not sqft but total redeveloped site including building is .4 acres.

- April Ferguson - Has excavation contract been awarded? Farhm - awarded to lowest bidder, Lawrence Excavation of Winchester. Horton - D.E.W. does thorough analysis of bids and makes recommendations.
- Construction is set to begin June 1st if weather permits. Have to be past the wet part of spring per DES requirements. Goal is to have trucks and apparatus in the new fire station by mid-December.

6. Old Business

There is now an ambulance with both an EMT and an advanced EMT is now stationed at Maplewood on a 24-hour 7 day a week basis. Paramedics will be dispatched for medical emergencies requiring their assistance.

- Harry Nelson - Cheshire EMS may get to calls before Westmoreland volunteers.
- Bob Bartlett - "I was the first town resident to use Cheshire EMS, and they did a superb job"
- John Snowdon - Harry and Graham have an excellent relationship with Cheshire EMS and have made a lot of effort to get to know the EMTs on call and help show them around.

7. New Business

Signature Approval was given for the following:

Payroll 3/21/23, 4/4/23	Delegation of Deposit Authority	Amazon \$60.01
Payroll Taxes 3/23/23, 4/6/23	Board/Committee Appointments	USPS \$219.51
Veteran Exemption	Town Official Appointment	General Journal
Intent to Cut Timber	NH Retirement \$3012.01	830-Timber Tax
Intent to Excavate (4)	Healthtrust \$6455.38	

A. Harvey Pond - Snowdon - Storm March 14th trees fell down on the dam. Emergency Management Director, Tom Finnegan met with Road Agent, Dave Poklemba and it appears the dam is compromised. Town cannot do anything unless the dam affects the roadway. Finnegan reported damage assessment. Reeder - Have to get a permit from DES and direction from DES before Town can do anything. A grant is available for projects already planned and if timing works with DES we could apply. River Road bridge may be a better option for grant money since it is already a project. Need engineers to finish the bridge study. Finnegan -Just received a letter from DES about Mill Pond Road dam in Chesterfield that may have some useful information. (attached)

B. Motion made by Frank Reeder and seconded by Bill McGahie to accept donation per RSA 31:19 for the Town Common Gazebo Fund in the amount of \$3500. Motion passed 3-0

8. Correspondence

- Bafundi letter - Concerns with new fire station drainage. Discussed above (see attached)
- Sally Chickeing - Wants to propose a moratorium on biosolids being used on river farm land. Reeder - DES told her there is no NH law against use of biosolids. Town cannot create ordinance outside the Town meeting and would not go against state law. Marshall Patmos - some PFAs in biosolids are long lasting. Other states have banned using. Conservation could look into what category is being used. Reeder - Could work with other Conservation Commissions in the state to write a letter to Concord.
- Juliana Dobson - Route 63 resident trying to find solutions to speeding issues in the village. Route 63 is a state road and the Town cannot place speed bumps, reduce speed limits, or put in crosswalks. The state has to be contacted for any changes involving Route 63.

- Triple T Trucking - Letter received saying they are selling to Casella who will resume trucking

9. Other Business - Marshall Patmos - Could Town contract tree trimming company? Reeder would have to be in budget and would have to see if we have legal authority to do so.

10. April 20th meeting is Land-use Boards meeting at 6pm

11. The meeting was adjourned at 1:59 pm.

Respectfully submitted,

Jodi Scanlan

Town Administrator

NEXT MEETING THURSDAY APRIL 20, 2023 2:00PM

MINUTES ARE INITIALLY POSTED AS UNAPPROVED

SELECTMEN SIGNATURES DENOTE APPROVAL

BOARD OF SELECTMEN

Frank Reeder, Chairman

John Snowdon

William McGahie

Westmoreland Fire Station
Site Plan Regulations
“Water Run-Off” Review
& Adjacent Properties

Attention: Westmoreland Planning Board / Building Department / Selectmen of Westmoreland

Owner: Town of Westmoreland

Site Plan Regulations: Town of Westmoreland “Amended September 2011, December 2021

Contacts: admin@westmorelandnh.com, westmorelandpb@gmail.com,
jo.muchmore@gmail.com, mpatmos1@gmail.com, Robert.scott@des.nh.gov,
Kristin.duclos@des.nh.gov

Project Name & Site: Westmoreland Fire Station Tax Map # U7, Lot #16

DES Wetlands & Non-Site-Specific Permit – Permit No. 2020-03040

Drawing Reference: SVE Project No. K2646A Index of Plans, N-1, C-1, C-2 & Topographic Plan by Huntley Survey & Design PLLC

Associated Abutting Land: Lots U5-1 / U5-1B

Date of Revision: March 15, 2023

Agenda: Request resolution of previously presented concerns regarding the Designed Discharge of Water to the adjacent properties, Storm Water Prevention during & after construction, review of approved Civil Engineering Design for shedding of water to adjacent properties, review the Potential Adverse impacts of increased water flow downstream of the construction site to Partridge Brook & the Connecticut River, review Potential impacts to NH DES Wetlands crossings downstream & the Potential Liability impacts due to damage from increased discharge of water upstream.

Intent of Review Request: Provide formal resolution request to outline continued concerns noting potential environmental and land-use impacts for the abutting and neighboring properties which are down-stream of the approved construction site that are within the Town of Westmoreland. The attached provides a limited list of previously outlined concerns which have been formally discussed on the approved construction site and on the abutting properties. The associated concerns have been previously distributed to associated committees and design members without formal resolve.

Review of Water Run-Off Concerns
& Potential Adverse Impacts Down-Stream

- 1.01 **Discharge of Water from Open-Ended Box Culvert** – Provide resolution and review of the continued concerns regarding the design of the “Open Discharge” of water from the “Open-Ended Box Culvert” design proposed by the Civil Engineer of Record. The approved Town of Westmoreland design presently discharges water from the “Open Ended

Culvert” approximately 40 LF from the adjacent property line to maintain a “Continuous Discharge” of water toward the neighboring property line. The Planning Board to discuss this design intent and the potential impact of “Continuous Water Discharge” to the adjacent properties & Wetlands crossings downstream and the potential remediation responsibility.

- 1.02 **NH DES Streambed Wetlands Crossings Downstream of Westmoreland Fire Station Project Site** - The adjacent properties continue to operate under NH DES Permit approval for “Streambed Wetlands Crossings” at two (2) separate locations which continue to deposit into the “Partridge Brook” water supply and feeds into the Connecticut River. The approved & engineered NH DES streambed crossings allow for single point access to adjacent lands and dwellings. Concern has been presented and noted for the potential damage to these crossings due to water intrusion and increased water flow from the new construction project site as approved by the Town of Westmoreland. Life Safety concerns, due to bridge failure or road damage may prevent access to dwellings by home owners or emergency personnel. The existing NH DES Wetlands Crossings, approved 4/23/2010, does not calculate for the increased run-off design for Commercial Municipality Development, Commercial Landscape modifications, the manipulation of existing Wetlands or the “Engineered Redirection” of forced water within culverts, catch basins and Run-Off. Has the Planning Board Calculated the increased flow “To Neighboring Properties” downstream and the potential negative adverse effect of the additional water flow with various levels of storm activities? Planning Board to review these concerns and plans of action for the potential liability for future damage claims to land and dwelling crossings down-stream. Have alternate design options been presented by the Engineers of Records to eliminate concerns and the potential increase of water discharge?
- 1.03 **Construction Dewatering** - Dewatering Notes have been clarified by the Engineer of Record per C-1. Due to the excessive amount of existing surface water on the proposed site, the present extent of subsurface water on site, the present and continuous flow of turbid water through the existing stream bed on-site, the continuous flow of turbid water downstream to adjacent properties and the large amount of flagged wetlands marked by Huntley Survey & Design PLLC, concern has been noted for the continuous “Dewater Monitoring” required for a successful project without failures. The extent of Dewatering required to maintain a clean stream-flow void of sediment, silt deposits and contaminants down-stream is of utmost importance to all landowners, trades and municipalities. This emphasis has been presented to the Planning Board to review these potential liabilities. These concerns have been noted for potential impacts to adjacent properties and the downstream impact of existing brooks within the Town of Westmoreland.
- 1.04 **Rooftop Drainage Design & Capture of Water** – Request has been presented to provide clarification to Engineering and Design intentions for capturing and controlling the rooftop water and the drainage of water captured. Request has been made to the Planning Board to clarify where the rooftop water will be dispersed to downstream of the new Fire Station to the adjacent properties.
- 1.05 **Foundation Perimeter Drainage Design & Discharge** – Request has been presented to provide clarification to Engineering and Design intentions for the foundation drainage system and where the water will be dispersed to after it leaves the foundation drainage system. Request has been made to the Planning Board to clarify where the Foundation

Drainage will be dispersed to downstream of the new Fire Station to the adjacent properties and to adjacent wetlands.

- 1.06 **Impervious Surface Design and Drainage** – Request has been presented to provide clarification to the Engineering and the Design intentions for how the Impervious Surfaces will shed water to adjacent properties & wetlands. Request has been made to Planning Board to clarify the “Wetlands Impact” for Permanent Wetlands flagging if all water is shed to Wetlands and to adjacent properties down-stream of the approved construction site.
- 1.07 **Perimeter Swale Design, Capture & Discharge** – Request has been presented to provide further design detail clarification and intentions for where the perimeter swales will be captured and be discharged to. It appears that the Wetlands will be capturing run-off water. Water run-off to Wetlands & adjacent properties has been noted as a long-term concern. Request has been made to the Planning Board to discuss plans of action to control water run-off to adjacent properties, future liability concern and the potential adverse impact to existing wetlands and adjacent properties down-stream.
- 1.08 **Decommissioning of The Existing Dug Well** – Schematic design Concern has been discussed and presented regarding the Decommissioning of the existing “Spring-Fed Well” presently on the new construction site. Will decommissioning of this existing Spring-Fed Well still take place as previously presented by the design team? Will this affect any other abutters within proximity to the site if decommissioned? Request has been presented to the Planning Board to discuss how this decommissioning may impact the existing Wetlands on site and the potential impact down-stream to adjacent properties if decommissioning is to take place.
- 1.09 **Westmoreland Site Plan Regulations Section “X” General Standards “Design of Development” Item A. Part 3 (Grading & Filling) “Filing of Owner Consent”**– Per Item A. Part 3. Section “X” General Standards. Grading and filling must be conducted to minimize the “Alteration of Surface and Subsurface Drainage to, Toward or Across Abutting Properties, Unless the Written Consent of the Abutting Landowner is Obtained”. Does the Westmoreland Planning Board have documented clarification, approved, filed and written, for consent of the abutting landowners to alter “Subsurface Drainage” (To, Toward or Across the Abutting Properties Downstream) of the approved construction site? If so filed and documented, please present all approvals as required for review.
- 1.10 **Westmoreland Site Plan Regulations Site Plan Regulations Section “X” General Standards “Peak Flow of Surface Run-Off” Item I.** – Per Item I., Section “X”, General Standards. There shall be “No” increase in the Peak Flow of “Surface Run-Off” permitted to pass “Beyond the Property Lines of the Parcel Upon Which The Development Occurs”. Request has been presented to confirm that the Town of Westmoreland Planning Board and Selectmen are “Confirming and Declaring” that there will be “No Increase in Run-Off” to adjacent properties nor down-stream?
- 1.11 **Westmoreland Site Plan Regulations “Regional Impact Criteria” Section 4. Item C.** – As stated per Item 4. , C., “Criteria for Determining Regional Impact”, Site Regulations shall review “Other Factors to be Considered”. Request has been presented to the Planning Board to confirm that a detailed analysis has been completed for the required “Other Factors to be Considered”. As stated per Item C., the Town of Westmoreland shall provide a detailed clarification as to the “Potential Effect on Groundwater, Surface Water and

Wetlands that Transcend Municipal Boundaries”, as required per the State of NH Revised Statutes for development and regional impact. Has this been completed for distribution?

- 1.12 **Westmoreland Site Plan Regulations Section “D” Physical / Natural Features Item 1.** – As stated per Section “D” Physical / Natural Features, Item 1. Within the Site Plan Review Checklist. Request has been presented to the Town of Westmoreland Planning Board provided detailed, written clarification that the physical features, such as “Surface Water, stone walls, existing foliage, proposed foliage lines and open space” “Will Be Preserved on the New Construction Site” ~~****(And on abutting land within 200 feet of the town site shown)****~~.? Request has been presented to confirm and clarify that each and all requirements stated the Amended Site Plan Regulations, as Amended on September 2011, December 2021 will be met in full and are detailed within the approved Civil Engineering Design as presented For Construction? If so, please present the most recent, and approved design for review.
- 1.13 **Westmoreland Site Plan Regulations Section “K” Other, Item 2.** – As stated per Section “K” Other, Item 2. “Is an Alteration of Terrain Permit Required”? Request has been presented to the Westmoreland Planning Board to confirm if an Alteration of Terrain Permit is required for the approved project site? If so, please clarify how Alteration of Terrain may potentially affect abutting properties and Wetlands down-stream?

Thank you for your consideration and review of the associated concerns which have been presented and outlined within. Your attention and resolution to each of these noted concerns is greatly appreciated. We continue to support and look forward to the future development of a new station which is vital to the community of Westmoreland and surrounding areas.

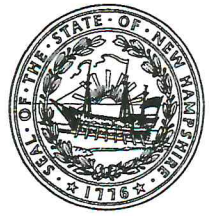
Respectfully,

Jason Bafundi

Jonathan Bafundi



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Robert R. Scott, Commissioner

John Howard, Jr.
P.O. Box 113
Chesterfield, NH 03443

March 27, 2023

RE: **Request for Action:** D045028 Mill Pond Road Dam, Chesterfield
Significant Hazard Classification, CAR: Satisfactory

Dear Mr. Howard:

The New Hampshire Department of Environmental Services, Dam Bureau (NHDES) is responsible for ensuring the safety of dams in New Hampshire through its dam safety program. In accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on April 22, 2022.

Resultant of the 2022 field visit and inspection, NHDES has determined that the Mill Pond Road Dam meets the definition of an active jurisdictional dam per RSA 482:2II. As a result, you will be required to apply for a permit to register the existing structure as required by RSA 482:5. Both statutes are reproduced below. **Within 30-days of receiving this letter, please submit to NHDES a completed application to register an existing dam (enclosed).** We have partially completed the application for you with pertinent information identified during our review of the dam and hazard classification determination.

482:2II

(a) "Dam" means any artificial barrier, including appurtenant works, which impounds or diverts water and which has a height of 6 feet or more, or is located at the outlet of a great pond. A roadway culvert shall not be considered a dam if its invert is at the natural bed of the water course, it has adequate discharge capacity, and it does not impound water under normal circumstances. Artificial barriers which create surface impoundments for liquid industrial or liquid commercial wastes, septage, or sewage, regardless of height or storage capacity, shall be considered dams. (b) An artificial barrier at a storm water detention basin, which impounds 0.5 acre-foot or less of water during normal conditions, shall not be considered a dam unless its height is 10 feet or greater or its maximum storage is 6 acre-feet or greater.

482:5 Non-permitted Existing Dams.

Upon written notice from the department, the owner of a non-permitted existing dam shall submit an application for a permit for said dam to the department along with a fee based on the classification of the dam under RSA 482:9. The application shall provide such information as the department may require to determine whether or not the dam is a menace to the public safety. Following a review of the permit application, the department may issue a permit to the owner with necessary conditions for the repair or reconstruction of the dam which the department deems necessary for the public safety. Such repair work shall be undertaken within a time period fixed by the department.

Env-Wr 101.39 "Significant hazard structure" means a dam that has a significant hazard potential because it is in a location and of a size that failure or misoperation of the dam would result in any of the following:

- (a) No probable loss of life;*
- (b) Major economic loss to structures or property;*
- (c) Structural damage to a Class I or II road which could render the road impassable or otherwise interrupt public safety services;*
- (d) Major environmental or public health losses, including:*

www.des.nh.gov

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(603) 271-3503 • Fax: (603) 271-6120 • TDD Access: Relay NH 1-800-735-2964

- (1) *Damage to a public water system, as defined by RSA 485:1-a, XV, which will take longer than 48 hours to repair; or*
- (2) *The release of liquid industrial, agricultural, or commercial wastes, septage, sewage, or contaminated sediments if the storage capacity is 2 acre-feet or more; r*
- (3) *Damage to an environmentally-sensitive site that does not meet the definition of reversible environmental losses.*

Recommendations:

You should implement the following recommendations at the earliest practical date as they are aimed at improving the condition and longevity of the dam and ensuring that it meets New Hampshire's current dam safety standards.

1. Per RSA 4821:5 of the New Hampshire Statutes, complete and submit to the NHDES an **"Application for Permit of an Existing Dam"** along with applicable attachments, supporting documentation, and the required registration fee in accordance with RSA 482:9.II. NHDES has started an application form for your convenience, or a blank application form can be found at: <https://www.des.nh.gov/water/dam-maintenance-and-management>. Scroll down and select the *Dam Permitting and Forms* tab and then the *Find Permit Applications* box.
2. Prepare and submit an Operation, Maintenance and Response form (OMR) for the dam. The form should include all pertinent dam and contact information, as well as describe the type and frequency of the maintenance and monitoring items that routinely occur at the dam. Please be sure to note weekly (at a minimum) inspection and clearing of the outlet structure in the required maintenance section. NHDES has started an application form for your convenience, or a blank form may be found at: <https://www.des.nh.gov/water/dam-maintenance-and-management>. Scroll down and select the *Dam Permitting and Forms* tab and then the *Find Permit Applications* box.
3. The Mill Pond Road Dam has been classified as a Significant hazard. Per NHDES rules, Env-Wr 501.01(b)(2), owners of Significant hazard dams are required to **submit an Emergency Action Plan (EAP) to NHDES for review and approval** in accordance with Env-Wr 500. Following approval of the EAP, the dam owner must distribute the plan to the persons and agencies as identified in the EAP and complete a test of the Notification Flowchart (NFC). Current regulations require that dam owners review their plans and NFC **annually** for accuracy, and that a **test of the NFC be conducted every 4 years** for Significant hazard dams.

Because NHDES has completed a breach analysis for your dam for classification purposes and finds that the impact areas are isolated and easily identifiable, we have determined that Env-Wr 502.02 *Exemption from Breach Analysis* applies to your dam at this time. This rule releases you from the requirement for detailed breach modeling and allows your EAP to use simplified mapping (Env-Wr 503.02). NHDES has completed the attached inundation mapping based upon our breach analysis. You may elect to use the NHDES maps in your EAP, or you may provide your own independent analysis and mapping for NHDES review and approval.

Please visit NHDES's Dam Safety, Maintenance and Management webpage and click the *Emergency Action Plans* tab to access the complete set of administrative rules related to EAPs, as well as to view the current template and other EAP guidance.

4. Debris (sticks, wood, leaves, pine needles, etc.) was noted in front and surrounding the upstream trash grate at the CMP inlet (photo 2) and should be monitored and removed regularly. Such material will obstruct flow, lessen the dam's ability to function efficiently, and increase the risk that the dam may be overtopped and could lead to dam failure. Weekly monitoring may be necessary until an appropriate maintenance frequency can be established that maintains the outlet to be freely flowing.

Additionally, previous piles of removed debris were observed on the adjacent upstream and downstream slopes to an extent that access to the outlet of the pond (the trash grate and CMP inlet) may be limited (photo 3). The area that accesses the trash grate and CMP inlet should be cleared of debris piles to facilitate maintenance and inspection access. Future removed debris should not be placed on the banks of the pond or on any part of the dam embankment.

5. Many trees were observed on the dam embankment; the upstream and downstream slopes and crest edges (photos 1 and 4). Trees, brush, or other unwanted vegetation should be removed and kept at least 15 feet from the entire footprint of the dam and all components of the dam to preserve a buffer for inspection, access, and maintenance/repair. Based on the number, size, and location of these trees we recommend that they be cut flush with the existing grade leaving roots in place. If roots are to be removed, contact the Dam Bureau to discuss if proper regrading of the dam embankment will require a reconstruction permit. After clearing occurs, any disturbed areas should be properly regraded and protected with an appropriate ground cover (grass, riprap stone or other treatments) to prevent erosion of or damage to the dam and its components.
6. Settlement, dips, or low/undulating areas were noted along the crest due to vehicle traffic (photo 4). Monitor the crest for rutting and/or low spots and regrade as needed to maintain a level dam crest. At no time should any area of the dam crest become lower than currently lowest elevation along the drive. Further, any repairs or maintenance to the crest should not result in increasing its elevation.
7. Monitor corrosion of the CMP outlet pipe and the upstream trash grate (photos 2 and 5). Repair as needed. Contact NHDES if replacement of the outlet pipe is considered, as replacement may require a dam reconstruction permit.
8. The following areas of the dam were not viewable at the time of this inspection due to flows in the CMP outlet. Consider completing a camera survey of the CMP outlet pipe. Complete inspections of the following areas during the next low flow condition:
 - a. upstream inlet of CMP. Inspect for corrosion of pipe and depth of upstream sedimentation that may be restricting the pipe for full flow. Remove any sediment above the inlet elevation of the CMP.
 - b. downstream outlet of CMP. Inspect for corrosion of the pipe and potential seepage occurring below or beside pipe when the pipe is not flowing.
 - c. determine the purpose and inlet location of the approximate 4-inch metal pipe that was observed with an outlet on the downstream slope approximately 4-feet above the primary outlet CMP. If this pipe is unneeded, consider having the entirety of the pipe filled with cementitious grout to permanently seal it.

Hazard Classification:

As a result of a breach of the dam, Route 63 is estimated to be overtopped in two separate locations and at Hunt Road with overtopping depths of up to 1.9-feet that would likely cause structural damage to the local road. Based upon overtopping of Route 63 in two impact areas, it is recommended that the Mill Pond Road Dam be classified as a **Significant hazard** per NHDES Env-Wr 101.39.

Condition Assessment Rating: Satisfactory

The dam is able to pass its design storm event with at least one (1) foot of remaining freeboard and has no deficiencies beyond the maintenance items identified above. For these reasons, NHDES has given the dam a Condition Assessment Rating of Satisfactory. Under the criteria that NHDES uses to rate the condition of a dam, a dam with a condition assessment rating of Satisfactory is one with issues that are limited to such things as minor tree or brush growth, minor surface erosion of earthen sections,

previously evaluated normal/historical leakage or seepage, marginal vegetative cover quality, small areas of non-structural deterioration to concrete, metal or timber components, small amounts of debris in the outlets or other issues that are presently not deemed to affect the continued safe operation of the dam.

Should you consider performing modifications to spillways or other outlet works, regardless if such recommendations are included above, then a more in-depth analysis of the dam related to its contributing watershed, structural characteristics and hazard classification should be completed to ensure that any modifications proposed meet the design requirements consistent with current dam safety regulations. In addition, should you consider performing work that otherwise meets the definition of "reconstruction" (see below), please contact the Dam Bureau for guidance.

RSA 482:2X. "Reconstruction" means:

- (a) A change in the height, length, or discharge capacity of the structure;
- (b) Restoring a breached dam or one in ruins;
- (c) Modification of flashboards which either increases their height or increases the headwater elevation at which the flashboards will fail; or
- (d) A change in the structural configuration of a dam

You are urged to implement the recommendations listed above at the earliest practical date and commit to regular maintenance and monitoring of your dam. Additional information specific to dams and dam-related topics may be viewed at the NHDES website (des.nh.gov) by selecting the *Water* then *Dams* links.

If you have any questions or comments, please contact Lorilee Mather, P.E. at 271-4130 or me at 271-3406 or via email at lorilee.mather@des.nh.gov or steve.n.doyon@des.nh.gov. You may also write to the Water Division at the address listed on the bottom of the cover page.

Sincerely,



Steve N. Doyon, PE
Chief Dam Safety Engineer
Dam Safety & Inspection Section

enclosures: 2022 Inspection photos
Application to Register an Existing Dam (with pertinent information provided)
Application to Register an Existing Dam (blank)
Application instructions with NHDES notes
Locus Plan by NHDES
Operations and Maintenance form (with pertinent information provided)
Operations and Maintenance form (blank)
NHDES Administrative rules related to EAPs
EAP maps by NHDES (3)
Original Concept Plan from NHDES file

cc: Ralph Petti, Town of Chesterfield, Emergency Management Director
Tom Finnegan, Town of Westmoreland, Emergency Management Director ✓

**NHDES Dam Bureau
D045028 Mill Pond Road Dam, Chesterfield NH
Inspection Photos 04/22/2022**



Photo 1. Embankment downstream slope.



Photo 2. Primary spillway culvert inlet and grate.



Photo 3. Debris on embankment upstream slope.



Photo 4. Embankment crest looking south.

NHDES Dam Bureau
D045028 Mill Pond Road Dam, Chesterfield NH
Inspection Photos 04/22/2022



Photo 5. Downstream spillway outlet and discharge area.



Photo 6. Downstream Route 63 culvert crossing upstream inlet.
