

Mill Road Dam in Brentwood



aka Exeter River Dam (#D029001)

**Community Information Meeting
Brentwood Recreation Center
190 New Hampshire Route 125**

Wednesday, September 27, 2017

**Sponsored by the Exeter Squamscott River
Education Partnership (ESREP)**

What organizations make-up the Exeter Squamscott River Educational Partnership (ESREP)?

ESREP is comprised of the Exeter Squamscott River Local Advisory Committee (ESRLAC), the Towns of Brentwood and Fremont, and the UMass Boston School for the Environment.

What is ESREP's mission?

To provide local stakeholders with the best available (non-partisan) information regarding the current state and possible future of the Mill Road Dam as well as the pros and cons of dam preservation and dam removal.

Does ESREP have a public position on the future of the Mill Road Dam?

We do not have a public position on (for or against) the future of the dam.

What is FERDA?

The Friends of the Exeter River Dam Association is a group of local residents committed to preserving the dam.

Tonight's Program

- 5:30 pm Sign-in, pizza, and meet the experts, review questions, write-in additional dam questions.
- 6:15 pm Welcome to the Mill Road Dam Community Information Meeting– Bill Meserve, Exeter Squamscott River Local Advisory Committee (ESRLAC) Chairman.
- 6:25 pm A Short History of the Mill Road Dam –Ellen Douglas, Fremont resident, Hydrologist, and UMass Boston Professor.
- 6:35 pm Meeting rules and instructions – Ken Reardon, UMass Boston Professor and meeting facilitator.
- 6:45 pm Small Working Groups to prioritize “burning questions” facilitated by UMass Boston planning students.
- 7:15 pm Panel of Public and Private Sector Experts to answer local stakeholders priority questions.
- 8:45 pm Wrap-up – Bill Meserve will encourage people to visit the: illbedammedornot.com website to review the minutes of tonight's meeting and other information as it becomes available.
- 9:00 pm Adjourn.

Experts in alphabetical order, enlisted by Rob Wofchuck (former Brentwood Conservation Commission and ESRLAC member):

- **Heidi Carlson**, Fremont Town Administrator (Fremont official's perspective, property tax implications)
FremontTA@comcast.net
- **Karen Clement**, Brentwood Town Administrator (Brentwood official's perspective, property tax implications)
KClement@brentwoodnh.gov
- **Don Clement**, Exeter Conservation Commission, (representative of dam ownership and removal process)
dclement43@comcast.net
- **Ellen Douglas**, ESRLAC Member, Associate Professor of Hydrology, UMass Boston, School for the Environment,
ellen.douglas@umb.edu
- **James Gallagher**, NHDES, Chief Engineer, Water Resources Div., James.Gallagher@des.nh.gov
- **Glenn Greenwood** - Rockingham Planning Commission (property/planning issues/community wellness)
ggreenwood@rpc-nh.org
- **Charlie Krautman** - NHDES Dam Bureau (flooding, dam safety and deficiencies, upgrading and repair)
Charles.Krautmann@des.nh.gov
- **Cheri Patterson** - NH Fish and Game (wildlife, fish, aquatic & riparian environments) cheri.patterson@wildlife.nh.gov
- **Ken Reardon**, Professor of City and Regional Planning, School for the Environment, UMass Boston.
kenneth.reardon@umb.edu
- **Steve Smith**, Smith Pump NH (well drilling and water supply well installation) steve@smithpumpnh.com
- **Bill Thomas** - River Restoration Coordinator NHDES (river restoration, overall process), William.Thomas@des.nh.gov
- **Danna Truslow** - Geohydrologist (groundwater, water supply, well questions), danna@truslowrc.com

Exeter Squamscott River Education Partnership Adjacent Neighbors Survey Questions

Current status of the Mill Road Dam:

- Are there any concrete steps being taken to repair the existing dam in order to restore the river to its historic depths? If so, what steps have or are being taken? If not, why not?
- Can we hear from the dam owner regarding what his experiences/challenges have been owning and managing this historic resource? Would also be interested in knowing what his goals were for the dam at the time he acquired it?
- Is there a standard for the “useful life” of a dam of this particular age/vintage? How long is it expected to last?

Legal issues:

- For many abutters, their property line ends 15 to 20 feet from the current river’s edge. Who owns the property beyond our property line to the river?
- If a recreational sportsman injures himself while on the bank and/or the river who is legally responsible for his injuries?
- Who is responsible for maintaining and cleaning up the exposed riverbank areas?

Costs and benefits of dam preservation versus removal:

- Is it possible to get an accurate estimate of the likely costs of bringing this dam into compliance (i.e. address the issues identified in the State issued letter of deficiency)?
- Will there be environmental engineers who can objectively explain the pros and cons of dam preservation versus decommissioning?
- Are there good examples of successful dam preservation from New Hampshire and/or elsewhere?

Process for resolving the Mill Road Dam issue:

- Is there a public (municipal, state, or federal government) process that will determine the dam’s future?
- What obligation does either the owner and/or the Towns have to notify affected property owners of planned actions related to the dam?
- In the past, there was a river association that many local residents belonged to? Does this organization still exist? Could it play a role in restoring and maintaining the dam?

Possible future of the Mill Road Dam?

- Is it feasible to get the dam up and running (i.e. restored it to its historic condition)? What would be the likely costs of restoring the dam to good working order? What would be the ongoing costs for maintaining the dam in good working order (i.e. annual maintenance costs)?
- If the current owner were to sell the dam to the abutters, a local non-profit, a local government, a quasi-public agency or another entity what would the most likely terms be?

- If the dam were to be transferred to new owners, would they be responsible for restoring the structure to “good working order” so that historic river levels and impounding capacities could be re-established?
- If the dam were to be transferred to new owners, what factors/data would be considered in determining the appropriate height and retention capacity of the “improved” structure? Who would determine the standards the new owners would have achieve and maintain?
- If our local governments chose not to buy the dam, who could, what resources might be available to assist in the dam’s upkeep and operation?
- If the dam were taken over by a local organization and/or government, what would its annual operating expenses be? What local, state, and federal sources might be available to cover these expenses?
- Might it be possible to “redevelop” the dam in such a manner that it could produce reasonably priced hydropower?

Flooding history/concerns:

- What have the historic hydrology of the river and the record of flooding and property damage been on this section of the Exeter River?
- Will the level of flooding change if the dam is removed?

Ecological impacts:

- What will happen to the bird and animal life that have made the dammed river their homes (i.e. Herons and Cranes) if the dam is not repaired and maintained?
- What might the effects of the dam’s removal have upon our local ecosystem?
- What steps, if any, is the State taking to monitor and mitigate the ecological problems caused by the recent failure of the existing dam’s “gate”?
- Regardless of the ultimate resolution of this matter, will there be an active program on “monitoring” the quality of the water in the Exeter River?

Local government’s role in resolving the Mill Road Dam issue:

- How have the Towns of Fremont and Brentwood been involved in this issue? Could they become constructively involved in helping the owner and residents resolve this issue?
- I would be interested in hearing the opinions regarding the future of the dam from the selectmen of other nearby towns?
- Historically, the impounded water above the dam played a role in local fire suppression, how do the local fire departments plan to address the lack of a fire pond.

Water supply and water quality

- In the event the dam is not repaired or is removed and the water table remains low, what will be the most likely impact on local septic systems? Is it possible that at a lower level grey water from local septic systems may leach into the Exeter River thereby affecting the quality and safety of drinking water for downstream users?
- In the event, the dam is allowed to remain in its current condition and/or is removed and abutters lose their potable water supply, is there an estimate of the

likely costs for abutters who either individually or collectively has to dig a new and deeper well?

- Given the very small area (size) of many of the abutters lots that may cause local drillers problems in drilling deeper wells, is there anything the Towns can do to facilitate access for these drilling companies? If so, what might the Towns be able to do?

Property values, property taxes and Federal Flood Insurance Impacts of not repairing the dam:

- If the dam is either not repaired and/or removed, what is the likely impact on riverside property values and residential property taxes?
- If the dam were removed when would the affected properties be reassessed? What is the process by which property owners could appeal reassessments that they might disagree with?
- What impact, if any, would the removal of the dam have upon my flood insurance premiums?

The Mill Road Dam Owner's legal responsibilities for maintaining the dam:

- What does it mean to be a private owner of a dam? What are the legal responsibilities of a dam owner? (Whether it is the current owner or another entity?)
- What options does the current owner have regarding the dam and its future?
- What factors have led the current dam owner to explore giving up his ownership of the dam? What would be the initial costs of addressing these issues? What would be the owner's annual costs of maintaining the dam?
- Does the current owner have any legal responsibility for the loss of water abutters and nearby property owners have experienced following the failure of the dam's gate? Does he have any legal obligation to maintain the impoundment at a particular level? If so, who determines this level/volume?
- If the owner fails to meet his legal responsibility for maintaining the dam in good condition, negatively affecting nearby properties, what enforcement tools do affected property owners have at their disposal?

Opposition to repairing and preserving the Mill Road Dam issue:

- Is there any agency or organization that is opposed to repairing and preserving the dam? If so, which agency/organization and why?

The State of New Hampshire's role in the Mill Road Dam Issue:

- What role, if any, does the State of New Hampshire play in the case of a "transfer of ownership" of a dam on the Exeter River?
- Has the State ever purchased, improved, and maintained a historic dam such as ours? Under what conditions, if any, might the State acquire a dam such as ours?
- Why isn't the future of the dam a State issue? Are local towns expected to handle such challenges?