

**APDVD Annual Meeting Minutes**  
**Friday, July 7, 2023**  
**Camp Morgan Lodge**  
**at 7:00 pm**

**Special Guests:** Jim Webber - State, Bob Carter – Owner/Project Engineer, NH Dams LLC

**Meeting called to order:** Adam K. called meeting to order at 7:00 pm

**Opening Statements:** Gary C. made a motion that anyone can speak even if not a Washington voter, Alisa Andrusiak seconded. Motion carries.

Gary Carney made a motion to give Jim Webber from the State and Bob Carter, from NH Dams a chance to speak, Chuck Laroche seconded, all in favor, motion carries.

**Article 1:**

Vote to elect one commissioner for 1 yr. term

Gary Carney nominated Rich Andrusiak for commissioner for a one-year term, Peggy Carney seconded - All in favor

Gary Carney nominated Adam Kineville for moderator, Peggy Carney seconded – All in favor

Gary Carney nominated Alisa Andrusiak for Clerk, Peggy Carney seconded – All in favor

Peggy Carney nominated Shirley Mahaffey for auditor, Gary Mahaffey seconded - All in favor

**Article 2:**

Presentation for article 2 –

Rich A. provided overview/updates in the last year and reiterated everything in the letter that went out to voters.

Highlights of work over the last year - Installation of temporary gate, after meeting we discovered no permits were waiting at the state, they contacted Jim Webber and started working with the state. Old gate in between temp gate, couldn't de-water pit for engineering analysis, just got water out. Aug. 9, 2022 we received a letter of deficiency, completed temp gate, voids in sluiceway, hire engineers, etc.. perm gate replacement plans, maintain spillways. We were classified as a high-risk dam. Substantial work done last year. Contracted NH Dams, obtained official signed access through Ray Britton to access far spillway, updated emergency action plan flow chart, ran successful test, moved chain fall hoist to old gate to temp gate. Temp gate now operational. Future – work towards a permanent gate, engineer analysis to deem it safe, watershed, maintain Spillways, enforce dam, baffle system to monitor drawdowns.

**Petition:** Initiate petition process to go to selectmen, to re-draw district lines and new map ratified by vote. Includes letter of deficiency from 2012, we need funding to complete this work. LAE are the only people paying towards dam. Petition is to include ALL properties around

Ashuelot Pond. An effort was made in 2007 – and was denied for two reasons. 1.) Financial hardship 2.) No evidence that the residents across the lake benefit from the use of the lake.

Bob Carter – High-hazard dam is required to pass inspection with no manual operations. There was no access so they couldn't include the far spillway in the initial model, now that we have access, they can add it to the model. Deals with dam safety using models to determine risk downstream, so given restrictions in property, this dam history of leakage and seepage, sink hole next to gatehouse was a foot in diameter but 6' deep. Tells them there's leakage and erosion, that's why work was done on wall. Need to make sure dam is stable and complies with safety regulations. Water pit in gatehouse was in question, raising and lowering was hazardous to operate. Need to do the evaluation (hopefully this fall) to determine if the structure has shifted and is structurally stable. Once completed they will do design plans to fix water pit, and can move forward with protection and bridge over to spillway. Pedestrian bridge will require concrete work in two sections to modify and fit to span full length of spillway. Needs to be constructed to still get across. Chain-link fence around it catches debris and needs to be removed.

Jim Webber – From the DES Dam Bureau, working on this dam for 10 yrs. Background – most dams fail because they overtop and are eroded away, and eternal erosion seepage. This has been handled with work recently done. Need concrete block to put down, gravel/grass/other ways. 1.) Focus is overtop failure, if dam fails houses downstream will be flooded and will be probable loss of life. 2.) Emergency action plan with flow chart, so they know who to evacuate/rescue. We are eligible for federal funding. High-hazard dam funding usually awarded in spring moved this year to fall. Criteria changes each year, not sure if we will qualify but we are high-hazard and in poor condition. Jim will submit for us and it is matching funding. Not guaranteed will get it and it won't be enough to fund everything we need. Doesn't cover past work. We're doing good, not failing with all the recent rain we had.

Question from audience – What is the difference between the temporary gate and permanent?

Bob Carter – Temporary gate does not require a permit. It needed to be done quickly and without a permit we were able to do it quickly in a month vs. years. With approval it can be retrofitted to become permanent gate

Question from audience – 2 spillways, we don't own land under spillways how are we responsible for maintaining when we don't own? Jim Webber – we own the water because we own the dam. Has not been a historic decision on state/private ownership not defined, state owns pond water 10+ acres. NH deeds going back were not always clear so difficult to answer. If state owns ground, we still own spillway unless clear deed language that says differently. Dam district owns all water rights.

Question from audience – How long do we have to get repairs done? – Jim Webber – State has been issuing letters of deficiency for decades. We have till Aug. 2024 to reconstruct the dam.

We may be able to shift dates if funding is held up by the state but if we don't approve funding they won't shift. Would need to go to court order. Dam has not been maintained since before LAE.

Question from audience – If dam breaches, is there liability to homeowners but is to APDVD but may be protected by the state but we can be sued? \$5 million liability policy

We're a high hazard risk because of the risk of downstream damage if dam fails. We're a poor condition dam. Internal leakage has been corrected, no evidence at the moment. Major area causing major sinkholes has been fixed. Inspection required by state.

Question from audience - Do you consider action so far on-track? YES

Comment from audience – In 2006 we had dam evaluated; do you take into account what happened in 2006? Jim Webber - The 500 year event are not an actual. Based off of what rainfall dictates what was 100% flood in 2005 is not same as what it is now, significantly larger. Not sure if the government did the actual calculations for Ashuelot Pond. Reports are very interesting. Boats putting wake against the wall have broken it down. Water is eroding it over time.

Question from audience – Do we need to put boat restrictions on the lake? Bob Carter - Boat wake is controlled by marine patrol. Freezing also plays into wall destruction.

Question from audience - Now the dam is operational but there are things needed to be done? Jim Webber – Yes, functional with temporary gate but need to do structural evaluation of dam. Have to get pit de-watered and structural engineer out to inspect. Need to get everything done and new maps for emergency action plan. They will look at dam every 4 years and make recommendations for updates etc...

Bob Carter – Doing dam maintenance, cut down wooded debris to see if there are any changes or something to pay attention to. Dam bureau is changing rules governing dams, that may work in our favor.

### **Treasurer Report:**

Checking account balance a little over 15k, after we pay the gate bill, Bill was 17, 500, after pay from reserve and donations we will have 19k left in 2 accounts but still have bills to pay, ins and dam reg. fee, last year ins was \$1600. Also have mandatory membership in NH municipal association, that went up to \$603. Gate completed yesterday was 81k, altogether we spent over 100k on this dam. Taking all funds, we have 24k to spend from now and Dec. Will receive check from taxes.

### **Article 3:**

Need to raise 32k for admin, 7k legal, 3k operations maintenance, rep 15k, insurance 4k, dam registration 2k, reg association fees 1k, commission recommends this appropriation (same

amount as last year).

Motion made by Peggy Carney to vote to raise 32k for operational expenses. Gary Carney seconded - All in favor, motion carries.

#### **Article 4:**

See if village will vote to raise \$100k commission recommends.

The estimate to complete the work is \$200-250k. We're asking for half to try and get other owners in the district and go after other funding and expand work over next year and continue to come into compliance and meet the Aug. 2024 deadline.

Gary Carney made motion to vote, Chuck Laroche seconded it. All in favor, motion carries.

Adam Kinneville made a motion that 2024 annual meeting be July 5 at 7pm. Seconded by Gary Carney – All in favor.

#### **Other Business:**

##### **Member comments/questions –**

Expanding district – if you expand the district other people will bring different opinions on how we should be operating and can run for office. Rich Andrusiak answer - you should be part of the district and can have different opinions, that's why we vote. You must be an APDVD voter to run for APDVD office.

A Washington Town Selectman was present at the meeting and held brief discussion.

Question from audience - Do the re-drawn maps include all property in Washington? Is it all property on river and lake, at what point do you start adding to the district? Yes, all property surrounding the lake in Washington, NH.

Audience comments – The “other side” of the lake didn't know anything about the redistricting petition. They want to understand, what is the liability involved with redistricting? What would they be responsible for? In 2007 was about ownership and state was involved. Concerned that being in APDVD they will be responsible if dam breach. People feel that everyone who benefits from the lake should be included and every little bit of money helps. Others are opposed. The bottom line is that the state can decide to remove the dam if the deadlines are not met, no one wants a river.

#### **Adjournment:**

Motion made by Adam Kineville to adjourn the meeting, Gary Carney seconded. Meeting adjourned at 8:30pm