

Ashuelot Pond Dam Village District Boundary Expansion Notification Formal Submission to the NH Secretary of State

Ashuelot Pond Dam # D245005

June 26, 2025

Dear NH Secretary of State,

In accordance with RSA 52:5, following the submission of a petition by ten or more legal voters requesting the expansion of the Ashuelot Pond Dam Village District (APDVD) boundaries, the Washington, NH Selectboard conducted a public hearing on December 9, 2023, to review the proposed changes.

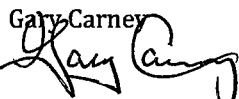

On February 29, 2024, the Selectboard unanimously approved expanding the APDVD's boundaries to include an additional 115 properties. This decision has been documented in the Selectboard's meeting minutes, and the relevant Washington, NH tax map and lot numbers for the additional properties added are listed in Appendix A of the decision letter. Please note that all properties previously within the APDVD remain included; no property was removed. Subsequently, on March 6, 2025, the Selectboard authorized APDVD to proceed with the ratification process required under RSA 52:5; the decision was contingent upon APDVD achieving compliance with a NH Department of Environmental Services (NHDES) Letter of Deficiency (LoD), which was satisfied on March 3, 2025. On June 14, 2025, voters ratified the Selectboard's decision by a vote of 78-0.

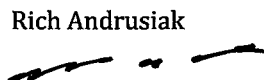
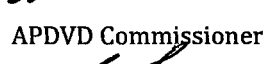
Pursuant to RSA 52:24 regarding filing with the Secretary of State, we hereby submit certified copies of the documents supporting the adjustment of the district's territorial limits. Please note that there is no change to the name or powers of the district. The enclosed materials include:

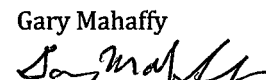

- The original petition to redistrict and the Selectboard meeting minutes from the date of submission
- Minutes from the public hearing
- The Selectboard's redistricting decision and relevant meeting minutes, including Appendix A listing the tax map and lot numbers of all the additional properties added (note: property 18-15 no longer exists due to a merger with another property; all previous properties remain included)
- Documentation of the Selectboard's acceptance of LoD closure, the decision to proceed with ratification, and the NHDES closure letter
- Minutes from the June 14, 2025, ratification vote

Please add the properties in Appendix A to the previously documented Ashuelot Pond Dam Village District. Should you require any further information or additional documentation, please do not hesitate to contact us.

Best regards,

Gary Carney

APDVD Commissioner

Gary Kendah

Rich Andrusiak

APDVD Commissioner

Samuel White

Gary Mahaffy

APDVD Commissioner

Evan Caffrey

Washington Selectboard, Chair

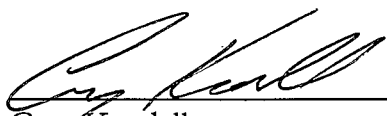
Washington Selectboard, Member

Washington Selectboard, Member

Cc: NH Department of Revenue Administration
NH Department of Environmental Services, Dam Bureau
Supervisors of the Checklist

CERTIFICATION

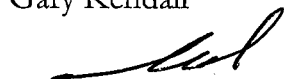
We, the members of the Washington New Hampshire Select Board, hereby certify that the enclosed documents, consisting of the Original Petition (22 pages), Select Board meeting minutes of July 13, 2023 (4 pages), Select Board Public Hearing Meeting Minutes of December 9, 2023 (13 pages), Select Board redistricting decision letter (1 page) with two appendices A and B (7~~6~~ pages), Select Board redistricting meeting minutes of February 29, 2024 (3 pages), Select Board acceptance of dam letter of deficiency closure and decision of May 15, 2025 (1 page), NHDS Closure letter (1 page) of March 3, 2025, and the APDVD ratification vote meeting minutes of June 14, 2025 (1 page).



Gary Kendall

6/26/25

Date



Samuel White

6-26-25

Date



Evan T. Caffrey

6/26/25

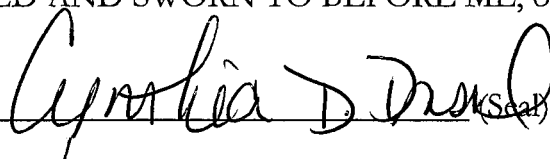
Date

STATE OF NEW HAMPSHIRE

COUNTY OF SULLIVAN

SUBSCRIBED AND SWORN TO BEFORE ME, on the 26TH day of June, 2025

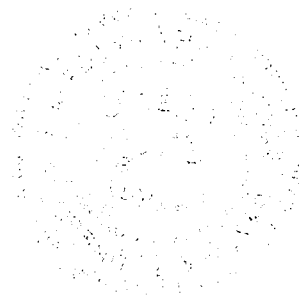
Signature

 (Seal)

NOTARY PUBLIC

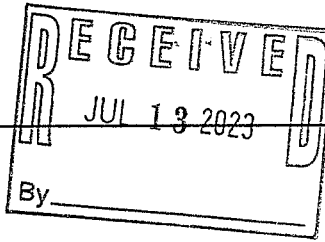
My Commission expires:

10/25/28



APDVD

Ashuelot Pond Dam
Village District



Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

Town of Washington, NH
Board of Selectman
7 Halfmoon Pond Road
Washington, NH 03280

5 July 2023

RE: APDVD Redistricting Petition

Dear Selectman:

Enclosed, please find a petition (see Appendix A), requesting that the village district boundaries of Ashuelot Pond Dam Village District (APDVD) be changed and redrawn to include, at a minimum, all of Lake Ashuelot Estates, all of the Ashuelot Pond Association properties, and all other properties on Ashuelot Pond. Further consideration should be given to including properties on the Ashuelot River and downstream watershed.

New Hampshire Revised Statutes Annotated (RSA) 52:5 (see Appendix B), outlines the process for changing boundaries. RSA 52:1 (see Appendix C) outlines the process for the initial establishment of the boundaries and is included as RSA 52:5 II specifies that changes in boundaries shall be ratified before taking effect by the voters currently within the district and those being proposed to be added to the district in the same manner as the initial establishment of the district. For additional reference, we have included an Environmental Fact Sheet outlining the formation of a village district for the purpose of impounding water (see Appendix D) and a Village Districts Frequently Asked Questions (FAQ) document produced by the NH Department of Revenue Administration (see Appendix E). The last question on page 3 of the FAQ document pertains to the process of changing the district boundaries. While RSA 52:5 does not specify the number of petitioners nor whether the petitioners are district residents, as RSA 52:1 specifies the number and residency of petitioners for establishing a village district, we have included at least 10 voters domiciled in APDVD, as indicated on the petition.

In 2007, the Board of Selectman voted to deny a similar petition citing two major findings: (a) lack of evidence of financial hardship to the APDVD residents in costs of dam upkeep or insurance that would warrant an expansion of the district, and (b) no evidence that the residents to be included within the APDVD receive some benefit from the APDVD that they should otherwise not be entitled to receive.

Property owners on Ashuelot Pond and Ashuelot River who do not reside within the APDVD enjoy both financial (e.g., property values, rental values) and recreational values (e.g., boating, swimming, snowmobiling, fishing, access to properties) that would not otherwise exist if the dam were removed. Moreover, the APDVD has struggled to keep up with the increasing financial responsibility of maintaining the dam and meeting conditions outlined in a 2012 Letter of Deficiency (see Appendix F) and 2022 Letter of Deficiency (see Appendix G) issued by the New Hampshire Department of Environmental Services, Dam Bureau (NHDES). It is extremely important to remedy the deficiencies to ensure the safety of the dam, which was recently reclassified as a high hazard dam. Please note item #11 in the 2022 Letter of Deficiency (see Appendix G) which requires by August 1, 2024 the submission of an application for the reconstruction or removal of the dam consistent with the findings and recommendations from the engineering analysis and approvals from NHDES. Consideration should be given to the impact of property values should the dam be removed and the extent to which these properties contribute to the tax base.

Expanding the boundary of the APDVD would help mitigate costs per APDVD taxpayer. The 2023 APDVD Updates and Dam Repairs letter (see Appendix H) issued to APDVD voters along with the 2023 warrant (see Appendix I) outlines the extent of completed work over the past year and upcoming costs. Expected costs to complete dam repairs and come into compliance with the 2022 Letter of Deficiency are estimated, by NH DAMS LLC, to be between \$200,000 and \$250,000. Updates and repairs dating back to July 2021 can be found on the APDVD website, <https://www.laeinc.org/copy-of-dam-district>. Moreover, upon request, we can supply additional financial evidence of the increasing costs from 2007 to maintain the dam.

The APDVD commissioners and the undersigned respectively request that you grant this petition, notice current and prospective village district residents of a public hearing to discuss the changes in the APDVD boundaries as determined by the Board of Selectman and through the discussions at the hearing, and allow the voters an opportunity to ratify new boundaries.

Sincerely,

Rich Andrusiak
Gary Carney
Gary Mahaffy
APDVD Commissioners

APDVD

Ashuelot Pond Dam
Village District

Petition 3 of 22
Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

Appendix A—Petition to Establish New Boundaries for the APDVD

Name	Address	Signature	APDVD Voter	
			Yes	No
Rich Andrusiak	29 Van Buren Circle; Washington, NH	<i>[Signature]</i>	X	
Alisa Andrusiak	29 Van Buren Circle; Washington, NH	<i>[Signature]</i>	X	
ELAINE KAY	26 VAN BUREN Circle; WASHINGTON NH	<i>[Signature]</i>	X	
GORDON KAY	26 VAN BUREN Circle; WASHINGTON NH	<i>[Signature]</i>	X	
DANIEL NEATON	30 VAN BUREN Circle, WASHINGTON NH	<i>[Signature]</i>		X
Kerry Neaton	30 Van Buren Circle, Wash., NH	<i>[Signature]</i>		X
GARY CARNEY	663 Ashuelot Dr. Washing. NH	<i>[Signature]</i>	X	
Shirley Mahaffy	53 Madison Dr. Washington, NH	<i>[Signature]</i>	X	
Gary Mahaffy	53 Madison Drive Washington, NH	<i>[Signature]</i>	X	
ROBERT STEWART	53 ASHUELOT DR. WASHINGTON	<i>[Signature]</i>	X	
Adam Kunitz	224 Ashuelot Dr. Wash. NH	<i>[Signature]</i>	X	
DAVID PARK	111 LINCOLN DRIVE	<i>[Signature]</i>		X
John Balliro	223 Presidential Dr	<i>[Signature]</i>		X
Joan Balliro	223 Presidential Dr.	<i>[Signature]</i>		X
Matt Joslin	278 Ashuelot Dr	<i>[Signature]</i>		X
Chuck Laroche	28 HAYES	<i>[Signature]</i>	X	
Gunhild Cla	525 Ashuelot Drive	<i>[Signature]</i>	X	
Ray Martin	177 Ashuelot Dr	<i>[Signature]</i>		X
ERIC STENZEL	53 Ashuelot Dr.	<i>[Signature]</i>	X	
Alison Britton	Tax Map 14-441	<i>[Signature]</i>		X
Hayden Britton	Tax Map 14-441	<i>[Signature]</i>		X
Jim Cassin	84 Jackson Drive Washing. NH	<i>[Signature]</i>	X	
Byron Ford	357 Ashuelot Dr	<i>[Signature]</i>		X
Veter. Green	43 Monroe Cir	<i>[Signature]</i>		X
LUCY GREEN	43 Monroe Circle	<i>[Signature]</i>		X
CHARLYN Russell	707 ASHUELOT DR	<i>[Signature]</i>		X
Thomas Bert	116 McKinley Dr.	<i>[Signature]</i>		X
Andrew White	59 Buchanan Circle	<i>[Signature]</i>		X
Robyn Dunphy	110 Coolidge	<i>[Signature]</i>		X
Don R Wong	412 Presidential Dr.	<i>[Signature]</i>		X
Deborah Rivoza	959 Ashuelot	<i>[Signature]</i>		X
Roger Lajoie	959 Ashuelot	<i>[Signature]</i>		X
Linda Kerrigan	139 Jackson Dr.	<i>[Signature]</i>		X
Charline Kellenman	1037 Ashuelot Dr.	<i>[Signature]</i>		X
WILLIAM TAYLOR	165 ASHUELOT DR.	<i>[Signature]</i>		X
ARLON RIVARD	225 Ashuelot Dr.	<i>[Signature]</i>		X
Marika Tatsutani	65 Ashuelot Dr	<i>[Signature]</i>		X
RICHARD SHEPPARD	219 LINCOLN DR	<i>[Signature]</i>		X
MICHAEL COLLINS	87 Ashuelot Dr	<i>[Signature]</i>		X
Heidi Joslyn	278 Ashuelot Dr.	<i>[Signature]</i>		X

APDVD

Ashuelot Pond Dam
Village District

Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

Petition 4 of 22

Appendix A—Petition to Establish New Boundaries for the APDVD

Name	Address	Signature	APDVD Voter	
			Yes	No
Robert Nims	2040 Buchanan Ave, Washington NH	[Signature]	X	
Robert Nims	2040 Buchanan Ave, Washington NH	[Signature]	X	
Robert Nims	52 Madison Dr. Washington NH	[Signature]	X	
Mark Indelle	290 Coolidge Dr. Washington NH	[Signature]		X
Robert Hayes	157 Ashuelot Drive	[Signature]		X
Nina Ford	397 Ashuelot Dr.	[Signature]		X
Patricia Stepanek	54 Hayes Rd - Washington	[Signature]		X
James J. Pomeroy	207 Ashuelot Washington	[Signature]	X	
Peggy Carney	663 Ashuelot Dr	[Signature]	X	
Matthew Heron	237 Ashuelot Dr.	[Signature]		X
Ingeborg Haug	76 Garfield Rd	[Signature]		X
Shawn Murphy	110 Coolidge Rd.	[Signature]		X
William Vorse	139 Jackson Drive	[Signature]		X
Katherine Foster-Washington	462 Presidential Drive Washington	[Signature]	X	
Estelle Vorse	150 Harrison Rd.	[Signature]		X
Jon Vorse	150 Harrison Rd.	[Signature]		X
Dana Matte	14 Taft Rd	[Signature]		X
David Furr	65 Ashuelot Drive	[Signature]		X
Melissa Morin	11 Coolidge Dr.	[Signature]	X	
Karen Drew	973 Ashuelot Drive	[Signature]	X	
Robert Wright	67 HAYES RD	[Signature]	X	
Stephen Worsley	104 Garfield	[Signature]		X
Kelley Marko	23 Harrison Rd	[Signature]		X
Donald Payne	50 HARDING RD	[Signature]		X
Lori Payne	50 Harding Rd	[Signature]		X
Marie Macropoulos	41 Buchanan Ave	[Signature]	X	
Ann Marie Damerchont	40 Taylor Circle	[Signature]		X
John Calabro	1 Ashuelot Dr	[Signature]	X	
Robert Oakes	81 Coolidge Dr	[Signature]	X	
Arlin Mills	59 Jackson Dr	[Signature]	X	
Darwin Moore	135 HARRISON	[Signature]		X
Caroline Moore	122 Madison	[Signature]		X
Nancy Vaccaro	25 Jackson Drive	[Signature]		X
John Pomeroy	52 Lincoln Drive	[Signature]	X	
Paula Rizzo	215 Ashuelot Dr	[Signature]		X
Heath Grayson	35 Ashuelot Drive	[Signature]	X	
Telma Grayson	35 Ashuelot Dr	[Signature]	X	
Lauren Coyne	10 Ashuelot Drive	[Signature]		X
Stephen Shaw	107 Stowell Rd	[Signature]	X	
Kathleen Connors	499 Ashuelot Dr.	[Signature]		X

APDVD

**Ashuelot Pond Dam
Village District**

Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

		APDVD Voter	
Name	Address	Signature	Yes No
Christine Brown	173 Jefferson Dr.	[Signature]	✓
Sarah Lewis	707 Ashcroft Dr	[Signature]	✓
Van Buren	38 Garfield Dr	[Signature]	✓
Pamela Delaney	38 Garfield Dr	[Signature]	✓
Arda Bancher	193 Ashcroft Dr.	[Signature]	✓
Laure Rankin	52 Ashcroft Dr	[Signature]	✓
Joe Shea	20 Harrison Rd.	[Signature]	✓
Elizabeth Dwyer	126 Adams Dr.	[Signature]	✓
Lori Dickman	392 Ashcroft Dr	[Signature]	✓
Danielle Smith	27 Coolidge Drive	[Signature]	✓
Mr. Murphy	110 Coolidge Rd	[Signature]	✓
WORMAN	111 Coolidge, 01	[Signature]	✓
D. Dwyer	291 Ashcroft Dr.	[Signature]	✓

**Ashuelot Pond Dam
Village District**

Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

Ashuelot Pond Dam Village District
PO Box 105
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5 | Page

Appendix B—RSA 52:5 Changing Boundaries

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 52 VILLAGE DISTRICTS

Section 52:5

52:5 Changing Boundaries. –

- I. The selectmen of towns in which any such district has been established upon petition, after notice to parties interested and a hearing, may change the boundaries thereof; and the district shall cause the petition and the return of the selectmen's proceedings and decision thereon to be recorded in the records of the district, and of the towns in which it is situated, within 60 days after the decision.
- II. In the case of any district formed for the purpose of impoundment of water, any such change of boundaries shall be ratified before taking effect by the voters domiciled in the district and in any area proposed to be added to the district in the same manner as is required for the initial establishment of the district.
- III. In the case of any district formed for the purpose of the supply of water for domestic and fire purposes, which may include the protection of sources of supply, any such change of boundaries shall be ratified before taking effect by the voters domiciled in the district and in any area proposed to be added to the district in the same manner as is required for the initial establishment of the district.

Source. 1853, 1421. GS 97:6. GL 107:6. 1887, 28:1. PS 53:4. PL 57:5. RL 70:5. RSA 52:5. 1975, 13:2. 2002, 174:2. 2003, 289:17, eff. Sept. 1, 2003.

<https://www.gencourt.state.nh.us/rsa/html/iii/52/52-mrg.htm>

Appendix C—RSA 52:1 Establishment of District Boundaries

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

Chapter 52 VILLAGE DISTRICTS

Section 52:1

52:1 Establishment. —

I. Upon the petition of 10 or more voters, persons domiciled in any village situated in one or more towns, the selectmen of the town or towns shall fix, by suitable boundaries, a district including such parts of the town or towns as may seem convenient, for any of the following purposes:

- (a) The extinguishment of fires;
- (b) The lighting or sprinkling of streets;
- (c) The planting and care for shade and ornamental trees;
- (d) The supply of water for domestic and fire purposes, which may include the protection of sources of supply;
- (e) The construction and maintenance of sidewalks and main drains or common sewers;
- (f) The construction, operation, and maintenance of sewage and waste treatment plants;
- (g) The construction, maintenance, and care of parks or commons;
- (h) The maintenance of activities for recreational promotion;
- (i) The construction or purchase and maintenance of a municipal lighting plant;
- (j) The control of pollen, insects, and pests;
- (k) The impoundment of water;
- (l) The appointing and employment of watchmen and police officers;
- (m) The layout, acceptance, construction, and maintenance of roads; and
- (n) The maintenance of ambulance services.

II. The voters who are domiciled in any village shall cause a record of the petition, pursuant to paragraph I, and their proceedings thereon to be recorded in the records of the towns in which the district is situate.

Source. 1849, 852:1. CS 116:1. GS 97:1. GL 107:1. 1889, 82:1. PS 53:1. 1909, 27:1. 1911, 5:1. PL 57:1. 1939, 108:1. RL 70:1. RSA 52:1. 1957, 179:1. 1961, 120:3. 1975, 13:1; 455:1. 1977, 154:1. 1981, 375:1. 2003, 289:14, eff. Sept. 1, 2003.

<https://www.gencourt.state.nh.us/rsa/html/iii/52/52-mrg.htm>

Appendix D—Environmental Fact Sheet (NHDES): Forming a Village District for the Purpose of Impounding Water

ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • www.des.nh.gov

DB-12

2020

Forming a Village District for the Purpose of Impounding Water

A village district may be formed for many reasons. This fact sheet is limited to the formation for the intent of impounding water.

Petition and Town Meeting

A Village District is formed upon petition of 10 or more legal voters of a town. The petition is then brought to the town, at which time the selectmen of the town call a meeting of the legal voters to establish the district. At the meeting the voters may establish the district boundaries, name the district and name the officers. After this, the district becomes a corporate and political body. The newly formed Village District has the powers of the town. Upon Formation of a village district the following information should be filed with the New Hampshire Secretary of State: the name of the district, the powers granted and the territorial boundaries.

Officers and Annual Meetings

The officers required for the formation of a Village District are moderator, clerk, three commissioners, treasurer, and others that may be required to assure proper management of the district. If the Village District is in more than one town, a joint board is formed. The duties of the officers are similar to those of the town. The annual meetings of Village Districts are held on the second Tuesday in March, unless a vote is held to change this date. The notification of upcoming meetings of a Village District is performed in the same manner as town meetings.

Tax Reports

If the Village District is completely within one town, the commissioner shall annually, within 10 days after the annual meeting, certify to the tax commissioner a certificate of the several appropriations and estimated revenues and other information that the tax commission may require. The district treasurer shall report to the state tax commission on the district officers. Selectmen assess the properties of the Village District and submit evaluation with tax assessment to the town clerk. The selectmen then collect district taxes from the properties and pay the treasurer of the district. The Village District has the authority to acquire property by eminent domain.

For more information relative to the design, construction, maintenance and operation of dams, please contact the NHDES Dam Bureau at (603) 271-3406 or email damsafety@des.nh.gov.

This fact sheet is accurate as of December 2019. Statutory or regulatory changes or the availability of additional information after this date may render this information inaccurate or incomplete.

Appendix E—NH Department of Revenue Administration: Village Districts Frequently Asked Questions

Please see <https://www.revenue.nh.gov/mun-prop/municipal/technical-assistance.htm> for the full document, *Village Districts: Frequently Asked Questions*.

Can a village district's boundaries be changed? By whom?

Yes, boundaries may be changed. Per RSA 52:5, in general, upon the receipt of a petition, the selectmen shall notice a hearing to change the boundaries, after which they may change the boundaries. Village districts for impoundment or distribution of water must have the boundary change ratified by vote at the annual meeting.

What happens if the district is in more than one town?

Appendix F—2012 NHDES Letter of Deficiency Dam #D245005

Mr. Robert Adamek
Commission Chairman
Ashuelot Pond Village District
306 Coolidge Drive
Washington, NH 03280

July 10, 2012
Letter of Deficiency
DSP #12-056

RE: Ashuelot Pond Dam #245.05, Washington

NEW STATUTORY PENALTY PROVISIONS PLEASE READ CAREFULLY

Dear Chairman Adamek:

The Department of Environmental Services, Dam Bureau (DES) is responsible for ensuring the safety of dams in New Hampshire through its dam safety program. One of the many tools that help us to reach this goal is our dam inspection program.

In accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on September 13, 2011. Based upon the results of that inspection, as well as upon additional investigation or analysis that may have been conducted, DES is issuing this Letter of Deficiency (LOD) to advise you that it believes the following deficiencies can be remedied in accordance with the deadlines indicated:

On a Continuing Basis:

1. Monitor the leak near the right side of the gate section of the dam (See photos H-J);
2. Monitor the condition of the secondary spillway to assure it is free-flowing and not blocked by debris;

By October 31, 2012:

3. Prepare the enclosed Operations, Maintenance, and Response form (OMR) and return it to the Dam Bureau;
4. Engage the services of a consultant qualified*** in dam-related work to complete an engineering evaluation or analysis of, at a minimum, the items noted below and submit a report to DES. The report should include all investigation findings and include recommendations and a schedule for repair, as warranted, to make the dam compliant with the current standards for Significant Hazard dams:
 - A. Assess the hydrology of the watershed to determine if the dam is capable of safely passing the runoff from the 100-year storm event or the inflow design flood with a minimum of one foot of remaining freeboard and without manual operations. The inflow design flood is the flood flow above which a failure of the dam causes no incremental damages consistent with the dam's current hazard classification;
 - B. Prepare a revised breach analysis using the data gathered in item (a), above in the event that the 100-year storm is different than that used for the breach analysis in 1997. The breach analysis used a number of 2525 cfs for the base flow of a 100-year storm, which is from the old Kinnison-Colby inflow hydrograph;

Letter of Deficiency
Dam #245.05/DSP #12-056
July 10, 2012
pg. 2

- *** Env-Wr 403.03 of DES's dam safety regulations requires consultants to have a minimum of 5 years of engineering experience related to the design and construction of similar dam projects, as determined by the department after a review of the engineer's resume.
5. Level and re-seed the crest of the dam so that it is consistent in elevation in all areas and well-vegetated (See photos B-G);
 6. Remove the brush and trees from the upstream and downstream faces of the dam (See photo A, H, K, L, M, N, O, and P);
 7. Remove the brush and trees from the left spillway abutment of the primary spillway and left end of the dam to a distance of 15 feet surrounding the left spillway abutment (See photos Q-S);
 8. Since actual events have shown that an overtopping failure of the Village Pond Dam can be reasonably expected to occur during a failure of the Ashuelot Pond Dam under certain conditions, this should be added to the EAP for this dam. The EAP revision submitted April 18, 2012 should be updated to reflect this information, and should then be distributed and the notification flowchart tested in accordance with Env-Wr 507.01. The EAP should be tested every 4 years thereafter for a "Significant hazard" dam;

By May 31, 2013:

9. Submit to the Dam Bureau the results of the investigation/analyses requested in item #4, above, as well as any permit applications required. Any Inflow Design Flood (IDF) analysis can be included if utilized. The activity of modifying the outlet will likely require a formal permit from both the Dam Bureau and the Wetlands Program;

By December 31, 2014:

10. Reconstruct the dam, as necessary, in accordance with the permit issued as part of item #9, above, such that it meets the current requirements for Significant hazard dams; and
11. Submit deeds and/or property agreements to allow the APDVD to flow water through the primary and secondary spillways and to access and maintain all components of each, as appropriate.

Our intent in issuing this LOD is to make you aware of items that require your attention to ensure the continued safe operation of your dam. It is our hope that, through the return of the attached form and correction of the identified deficiencies, you will develop and maintain a commitment to keeping a safe and well-maintained dam.

Please note that effective January 1, 2009, significant changes to the penalty provisions of New Hampshire's dam safety statute (RSA 482) became effective. These changes require DES to commence proceedings to levy fines of up to \$2,000 per violation per day against a dam owner who does not respond within 45 days of receipt of a written order, directive, or any notice of needed maintenance, repair, or reconstruction issued by DES. To avoid proceedings under this provision, you **must respond** to this LOD. We believe the easiest way to respond is to sign and return the attached "Intent to Complete Repairs" form, either agreeing to correct the identified deficiencies by the dates indicated OR by proposing amendments to the listed work items or dates, which you may do by writing directly on the form. DES will evaluate and respond to any reasonable requests for proposed amendments in a timely

APDVD

Ashuelot Pond Dam
Village District

Petition 13 of 22
Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

Letter of Deficiency
Dam #245.05/DSP #12-056
July 10, 2012
pg. 3

manner. We have enclosed a self addressed stamped envelope for you to return this form. You may also scan and e-mail the completed form to damsafety@des.nh.gov or fax it to (603) 271-6120. If you fail to return this form within 45 days or fail to otherwise respond in writing within 45 days indicating your intent to remedy the identified deficiencies, you will not have the benefit of the compliance deadlines indicated on the form and DES will commence a proceeding under RSA 482:89 to seek administrative fines for the identified deficiencies. Please note that responding as required does not preclude DES from pursuing other appropriate action for the identified deficiencies, in accordance with the DES Compliance Assurance Response Policy, available on-line at <http://des.nh.gov/organization/commissioner/legal/carp/index.htm>.

If you have any questions or comments regarding this LOD or would like to be present at future inspections, please contact Brian Desfosses, P.E. at 271-3406 or write to the address for the Water Division listed on the bottom of the cover page.

Sincerely,

Steve N. Doyon, P.E., Administrator
Dam Safety and Inspection

Attachments: Dam Report, Photos, Drawing, Copy of 2008 OMR form and blank form for update, DB8, DB13
cc: DES Legal Unit
Town of Washington

Certified # _____

SND/BAD/was/h:/damfiles/24505/LOD/20120710 24505 LOD.doc

Appendix G—2022 NHDES Letter of Deficiency Dam #D245005

Please contact the APDVD Commissioners if you require the entire letter detailing the Dam Inspection Form, supporting photographs, and additional referenced materials. The main contents of the letter begin on the next page.



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Robert R. Scott, Commissioner



Mr. Gary Carney, Chairman
Ashuelot pond Dam Village District
P.O. Box 105
Washington, NH 03280

August 9, 2022
Letter of Deficiency
DSP #22-003

RE: Ashuelot Pond Dam #D245005, Significant to High, Washington

Dear Chairman Carney:

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 July 12, 2022. Based upon the results of that inspection, NHDES is issuing this Letter of Deficiency (LOD) to advise you that it believes the following deficiencies can be remedied in accordance with the deadlines indicated:

By October 1, 2022:

1. Provide plans for the replacement of the gate and repair of the voids in the gate sluiceway for review. We understand that the owner is working with NH Dams, LLC and M&K Commercial Diving. Once the exact scope of work has been established a determination will be made on the need for a dam safety program permitting. The work will also require a permit from the NHDES Wetlands program.
2. Provide documentation (deed, easement, agreement etc.) indicating that the APVD has an access and maintenance rights to access the far (east) spillway for routine maintenance, repairs and reconstruction.
3. Debris or other material was noted in the following outlet structures and should be removed as soon as possible. Such material will obstruct flow, lessen the dam's ability to function efficiently and increase the risk that the dam may be overtopped - which could lead to failure.
 - a. Debris including a large tree stump were observed on the spillway crest (Photos: 9 - 10).
4. Provide copies of the seepage monitoring logs for review.
5. Provide a written plan for implementation of the items in this LOD to NHDES for review and approval.

By November 15, 2022:

6. Review and update the existing Operation, Maintenance and Response (OMR) form for the dam. Please submit the revised form to NHDES. 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. 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.

www.des.nh.gov
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: (603) 271-6120 • TDD Access: Relay NH 1-800-735-2964

Letter of Deficiency
Dam #D245005/DSP #22-003
August 9, 2022
pg. 2

7. Complete the installation of a new gate and repair of the voids in the gate sluiceway per the plans approved by NHDES.
8. The current Emergency Action Plan (EAP) was last updated and last tested in 2016. Please update, at a minimum, the Notification Flow Chart and distribute the updates. Once the updates have been distributed, the EAP should be tested.
9. Trees, brush or other unwanted vegetation was noted in the following locations. Such 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. 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.
 - a. Minor brush on the crest (Photos: 1, 8, 11 & 12);
 - b. Minor brush observed on the upstream stone face/slope (Photos: 1 & 8);
 - c. Brush and trees were observed on the downstream stone face and within 15-ft of the downstream face (Photos: 2 - 5);
 - d. Minor brush within 15-feet of the left and right spillway abutments for the near (West) (Photos: 6 - 8); and
 - e. Brush and trees within 15-feet of the left and right spillway abutments for the far (East) (Photos: 9 - 10)

By January 1, 2023:

10. Engage the services of a consultant qualified in dam-related work to complete an engineering evaluation or analysis of, at a minimum, the items noted below and submit a report to NHDES. The report should include all investigation findings and include recommendations and a schedule for reconstruction, as warranted, to make the dam compliant with the current standards for High hazard dams. In order to ensure that the selected consultant meets the requirements of Env-Wr 403.03(a)(1), NHDES recommends that you submit the resume of your proposed engineering consultant for review in accordance with Env-Wr 403.03 (a)(1) prior to contracting services.
 - a. Assess the hydrology of the watershed to determine if the dam is capable of safely passing the runoff from the 2.5 x 100-year storm event with a minimum of one foot of remaining freeboard and without manual operations or otherwise comply with Env-Wr 303.12;
 - i. NHDES approved a model in March 2021 for use in evaluating the dam. This model can be used at the discretion of the approved engineering consultant.
 - ii. Discharge capacity of the far (east) spillway can only be included if the APVD has an access and maintenance easement or similar legal document allowing them access to this spillway.
 - b. Perform a breach analysis to evaluate impacts to downstream infrastructure and development. Breach modeling should consider base flows from sunny day to 100-year conditions. This analysis should be used to provide an inundation map for the Emergency Action Plan (EAP).
 - c. Provide plans for a permanent gate replacement if the 2022 gate work was intended to be temporary.

Letter of Deficiency
Dam #D245005/DSP #22-003
August 9, 2022
pg. 3

Note: As part of the most recent inspection, NHDES performed a breach analysis to evaluate the impacts associated with potential dam failure. The results indicate that the dam is more appropriately classified as a High hazard structure and that it has insufficient discharge capacity to pass the required design event for such dams. NHDES will provide related information to you or your engineering consultant upon request.

By August 1, 2024:

11. Submit an application for reconstruction or removal of the dam consistent with the findings and recommendations of your engineering consultant and related approvals by NHDES. Permits from the NHDES Dam Safety and/or Wetlands programs will likely be required depending on the proposed scope of work.
12. Submit a fully updated Emergency Action Plan (EAP). 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.

On a continuing basis:

13. Leakage, seepage, wet areas or standing water was noted in the following areas. All such areas should be monitored periodically with a log of specific observations and a notation of the water level of the lake/pond. It is recommended that you include attention to these areas in your written OMR form so that individual observations may be compared over time to note changes or trigger the need to take remedial action. Should existing conditions worsen notably or new areas develop, or if discharge becomes cloudy/muddy (an indication that soil material may be moving within the dam or its foundation), please contact NHDES immediately.
 - a. Historic leakage/seepage from the gate outlet and right of the gate outlet.
14. Monitor the condition of the concrete in the near (west) spillway, repairing deterioration as needed.
15. Routinely clear debris from the spillways to allow for unrestricted flow.
16. Routine brush and tree removal from the dam, abutments and within 15-ft of the dam and spillways.

Please note that under New Hampshire's state statute RSA 482:89, NHDES may commence proceedings to levy fines of up to \$2,000 per violation per day against a dam owner who does not respond within 45 days of receipt of a written order, directive, or any notice of needed maintenance, repair, or reconstruction issued by NHDES. To avoid proceedings under this provision, you **must respond** to this LOD. If you fail to return this form within 45 days or fail to otherwise respond in writing within 45 days indicating your intent to remedy the identified deficiencies, you will not have the benefit of the compliance deadlines indicated on the form and NHDES will commence a proceeding under RSA 482:89 to seek administrative fines for the identified deficiencies. Please note that responding as required does not preclude NHDES from pursuing other appropriate action for the identified deficiencies, in accordance with NHDES Compliance Assurance Response Policy, available on-line at <https://www.des.nh.gov/rules-and-regulatory/rulemaking-and-enforcement>.

APDVD

Ashuelot Pond Dam
Village District

Petition 18 of 22

Ashuelot Pond Dam Village District
PO Box 105
Washington, NH 03280-0105

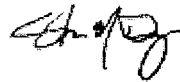
Letter of Deficiency
Dam #D245005/DSP #22-003
August 9, 2022
pg. 4

We believe the easiest way to respond is to sign and return the attached "Intent to Complete Repairs" form, either agreeing to correct the identified deficiencies by the dates indicated OR by proposing amendments to the listed work items or dates, which you may do by writing directly on the form. NHDES will evaluate and respond to any reasonable requests for proposed amendments in a timely manner. We have enclosed a self-addressed stamped envelope for you to return this form. You may also scan and e-mail the completed form to damsafety@des.nh.gov or fax it to (603) 271-6120.

Our intent in issuing this LOD is to make you aware of items that require your attention to ensure the continued safe operation of your dam. It is our hope that, through the return of the attached form and correction of the identified deficiencies, you will develop and maintain a commitment to keeping a safe and well-maintained dam. If the condition of the dam or the status of any of the noted deficiencies has changed since the inspection, please note this information on the attached intent form.

If you have any questions or comments regarding this LOD or would like to be present at future inspections, please contact Jim Weber, P.E. at 271-8699 or me at 271-3406 or write to the address for the Water Division listed on the bottom of the cover page.

Sincerely,



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

Attachments: Inspection Report, Inspection Photos, Failure Impact Table, Drawing, Copy of 2012 OMR,
Blank OMR form, DB13
cc: NHDES Legal Unit
cc: Town of Washington
Town of Marlow

Certified # 2017 3040 0000 7493 4513
SND\JRW\was\ss\WD-Dam\damfiles\D245005\LOD\20220722 D245005 LOD.docx

Appendix H—2023 Letter to APDVD Voters

Ashuelot Pond Dam Village District Inhabitants
Washington, NH 03280

16 June 2023

RE: APDVD Updates and Dam Repairs

Dear APDVD Member:

The purpose of this letter is to provide updates relative to the work completed on Ashuelot Pond Dam, Dam #D245005, since the 2022 Annual Meeting, outline the agenda for future work, and justify the funding requested in Warrant Articles 3 and 4.

Temporary Gate Work

At the July 2022 APDVD Annual Meeting, the discussion focused on the installation of a new temporary gate, as the existing gate, at the time, was deteriorating resulting in substantial leakage impacting the water level of the pond and the safety of the downstream watershed. Moreover, a discussion ensued as to whether we were waiting on the NH Department of Environmental Services (NHDES) approval of dam reconstruction permits. After the 2022 Annual Meeting, it was determined that we were not waiting for the approval of permits for the temporary gate work.

As such, the APDVD Commissioners contracted NH DAMS, LLC, and M&K Commercial Diving to begin the work on the temporary gate replacement in preparation for a permanent gate. Substantial repairs and concrete work needed to be done to the gatehouse (the concrete structure, in the water, that contains the gate) prior to the installation of the temporary gate. The concrete work and temporary gate replacement were completed in December 2022 and a traditional three-foot drawdown was initiated.

When the temporary gate was lowered to dewater the gatehouse water pit (area between the temporary gate and existing gate), substantial leakage was observed through the existing gatehouse inlet lintel. The leakage prevented the dewatering of the water pit, a necessary step for qualified engineers to evaluate the water pit. Additional details can be located on the Lake Ashuelot Estates (LAE) website, <https://www.laeinc.org/copy-of-dam-district>, by viewing the Preliminary Temporary Gate Plans and Observation Report from February 2023.

NHDES Issues Letter of Deficiency

On August 9, 2022, the APDVD Commissioners received a Letter of Deficiency (LoD) from NHDES outlining numerous action steps to ensure the safety of the dam, based upon an inspection conducted in July 2022. The full LoD can be viewed on the LAE website. Highlights include:

- Completion of the temporary gate work and repair of voids in the gate sluiceway;
- Required updates to several forms;
- Hiring qualified engineers to evaluate the water pit and assess the hydrology of the watershed to determine if the dam can pass runoff from a 100-year storm event;
- Providing plans for a permanent gate replacement; and

- Maintaining the spillways.

After receiving the LoD, the dam was reclassified as a High Hazard dam. This classification allows APDVD to pursue grants for dam repairs. Unfortunately, to date, we have been unable to identify any relevant grants. We continue to monitor the opportunities with NHDES. Failure to respond to the LoD, per RSA 482:89, can result in the NHDES fining the dam owner up to \$2000/day.

Work Completed in the Past 12 Months & Ongoing Repairs

To ensure compliance with the LoD, the APDVD Commissioners have completed the items outlined below since the 2022 Annual Meeting.

- Contracted NH DAMS, LLC, and M&K Commercial Diving to work on the items in the LoD.
- Completed the temporary gate work as described above.
- Updated and submitted the Operations, Management, and Response (OMR) form to NHDES.
- Posted safety signs at the dam.
- Issued a letter to Lucky 7 Farm informing them that their wilderness retreat and educational center campers are not to swim in front of the dam due to safety concerns.
- Monitored the dam for leakage/seepage.
- Drafted and secured a real-estate agreement with Ray Britton to obtain an easement to access the far (east) spillway for routine maintenance, repairs, and reconstruction.
- Updated the Emergency Action Plan (EAP) Notification Flowchart.
- We will run a test of the EAP Notification Flowchart soon.
- The leakage over the existing gatehouse inlet lintel is currently being remedied.

Future Work

To continue compliance with the LoD, among other items, APDVD needs to continue to work toward a permanent gate, update the entire EAP, conduct an engineering analysis to evaluate the water pit and deem the structure stable and able to withstand the full pond hydrostatic pressures, assess the hydrology of the watershed to determine the capability of safely passing the runoff from the 100-year storm event, perform continued maintenance on the spillways, reinforce the dam and level the dam crest, install a baffle system to allow maintaining consistent water levels during drawdowns, and install an actuator for the operation of the gate. Moreover, NHDES expects us to be able to safely access the far (east) spillway in a high-water event. That access requires the installation of a bridge over the spillway closest to the dam. Ray Britton purchased the bridge. The installation of posts and piers is contingent upon many factors including a structural design and wetland permit application.

Redistricting

The APDVD Commissioners have also researched redrawing district lines to include the non-LAE side of Ashuelot Pond and the downstream watershed in Washington. We have been in contact with attorneys from the NH Municipal Association (NHMA) related to RSA 52:5 which outlines the steps in drawing new boundaries.

In short, a petition needs to be sent to the Washington selectmen requesting that the boundaries change. It is their discretion to grant the petition. If so, a notice of a public hearing will be issued to all current and prospective village district residents. The boundary change requires ratification by a vote of current and prospective district residents, who are eligible to vote, at a district election held for that purpose. A previous attempt was rejected by the Washington selectmen in 2007 citing a lack of evidence of financial hardship in costs of dam upkeep to the residents of APDVD that would require an expansion. The APDVD Commissioners will work to put such evidence together to submit with a petition for expansion.

Budget

As outlined in this letter, there is extensive work that still needs to be completed to bring the dam into compliance with the LoD. Please review the additional details in the documents referenced herein that are posted on the LAE website. Presently we have approximately \$36,0000 in our Capital Reserve and Donation Accounts (\$30,000 in Capital Reserves; \$6000 in donations). We owe approximately \$24,500 upon the completion of the gate work. See Warrant Article 3 for additional details on registration fees, insurance, and other expenses. NH DAMS, LLC estimates about \$200,000 to \$250,000 to complete the additional work as outlined in the LoD and described within this letter. We are seeking \$100,000 for the Capital Reserve Fund so we can continue to comply with the LoD for the safe operation of our dam.

2023 Annual APDVD Meeting

Please see the enclosed Warrant outlining the Articles to be acted upon on July 7, 2023, at 7 P.M. at Camp Morgan Lodge in Washington, NH. We encourage you to view the dam updates and additional details on the LAE website at <https://www.laeinc.org/copy-of-dam-district>. We have invited Bob Carter, owner of NH DAMS, LLC, and James Weber, NHDES Dam Safety Engineer, to our meeting to answer technical questions and provide additional details.

Sincerely,

Rich Andrusiak
Gary Carney
Gary Mahaffy
APDVD Commissioners

Appendix I—2023 APDVD Annual Meeting Warrant

THE STATE OF NEW HAMPSHIRE ASHUELOT POND DAM VILLAGE DISTRICT VILLAGE DISTRICT ANNUAL MEETING WARRANT

To the inhabitants of the Ashuelot Pond Dam Village District in the Town of Washington and the County of Sullivan, qualified to vote in the Village District Affairs:

You are hereby notified to meet at Camp Morgan Lodge, Washington, NH, on Friday, July 7, 2023, at 7 p.m. to act on Articles 1-6.

Article 1. To vote to elect, by official ballot, one commissioner for 1 year; a moderator, a clerk, and an auditor, each, for a one-year term.

Article 2. To hear reports of all officers, committees, and agents of the Village District and take any action in relation thereto.

Article 3. To raise and appropriate the sum of thirty-two thousand dollars (\$32,000) for the purpose of:

Administration Expenses	\$7000
Legal Expenses	\$3000
Operation, maintenance, and repair expenses of the dam	\$15,000
Insurance	\$4000
Dam Registration Fees	\$2000
Regional Association Fees	\$1000

The Commissioners recommend this appropriation.

Article 4. To see if the Village will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Ashuelet Pond Capital Reserve Fund, previously established.

The Commissioners are agents to expend.

The Commissioners recommend this appropriation.

Article 5. To see when the District will schedule its 2024 Annual Meeting, or to take any action thereto.

Article 6. To transact any other business that may legally come before this meeting.

Town of Washington
Board of Selectmen

Meeting Minutes

July 13, 2023, Selectmen Meeting 7:00 pm at the Town Hall.

ASSEMBLY

MEMBERS: Don Revane, Chair, Allan Dube, Gary Kendall

1.0 Visitors: Korey Egan, Nick Cashorali

2.0 Minutes: Dube moved to approve July 6, 2023 minutes, Revane second; all voted in favor.

IMPORTANT DATES:

July 13, 2023, Selectmen meeting 9:00 am – 4:00 pm, Town Hall; 7:00 pm evening meeting, Town Hall.

July 18, 2023, Planning Board meeting 10:00 am Town Hall, Re: Town Vision Committee

July 25, 2023, Cemetery Trustee meeting, 7:00 pm Town Hall

July 28, 2023, Planning Board holding a working meeting, 10:00 am Town Hall Re: Driveway issues.

August 3, 2023, Public Hearing 6:45. Town Hall, RSA 32:11 Emergency Expenditures, vote to approve using the unassigned fund balance due to road repairs.

DID YOU KNOW!

REMINDER: Per the Binding Decision from previous Town Meeting 85-25
"Prohibits Parking in front of Town Buildings on the Common."

Please take notice of this Town Voted binding decision and refrain from parking in front of the Town Buildings. Thank you for your cooperation.

Hazardous Waste Collection Day for Washington and Stoddard ONLY.
Saturday, August 5, 2023, 9:00 am-Noon
Washington Highway Garage

3.0 BUILDING PERMITS:

- 3.1 Nick Cashorali, Tm. # 23-43 requesting a building permit to construct a 10 X 12' greenhouse, 8 X 17' chicken coop, and 15 X 17 duck coop. Revane moved to approve the building permit, and Dube second all voted in favor. Permit # 23-35
- 3.2 David Barkie, Tm. # 27-3 requesting to construct a new 3,236 sq. ft. house with a 1040 sq. ft. garage and a 300 sq. ft. deck. Revane moved to approve the building permit, and Kendall second all voted in favor of Permit # 23-34.
- 3.3 Daniel Lavoie Tm. # 25-19 requesting a building permit to add a 6 X 8 second story deck and access door. Tabled for payment.
- 3.4 Paul Leischner Tm. # 9-40 requesting a building permit to replace existing porch steps with a 10 x 6 portico. Tabled for inspection.
- 3.5 Timothy Crouss Tm. # 25-77 requesting a building permit to place a prebuilt 12 X 24' shed to replace existing shed and carport. Kendall moved to deny the building permit due to setbacks, over on structure and impervious, forward to the Zoning Board for consideration. Dube second all voted in favor.

4.0 APPOINTMENTS DURING THE DAY AND PREVIOUSLY.

- 4.1 Gary Carney, Peggy Carney, Gary Mahaffy, and Gary Richandrusiak (APDVD) discussed the redistricting of (APDVD) expanding to the Marlow side of Lake Ashuelot.
- 4.2 Maryann Turner spoke with the select board regarding the (APDVD) redistricting. Maryann expressed she does not support the redistricting.
- 4.3 Phoned the Department of Revenue regarding emergency funding procedures.

5.0 DEPARTMENT HEADS AND EMPLOYEE APPOINTMENTS:

- 5.1 Ed Thayer (DPW)
 - 5.1.1 Updated the board with the financial burden of the Town, Re: road repairs.

5.1.2 The new trailer was picked up and rewired and added new hitch to work with the highway equipment.

5.2 Shawn Atkins (fire chief)

5.2.1 Discussed the department's activity during the flood and issues they came across. (Communication).

6.0 PUBLIC

7.0 COMMUNICATIONS RECEIVED:

7.1 Approval for Construction of Individual Sewage Disposal System for TM 22-032 from NH Department of Environmental Services (NHDES).

7.2 Quotes from Veteran Technology Services, Inc.

7.3 NH Department of Revenue Administration, Re: Inventory of Property Transfer (PA-34 form)
Tm. # 16-17-2.

7.4 Aaron Zipper emailed the selectmen and several other agencies regarding a hearsay statement. Asking for clarification.

7.5 Donation to the Food Pantry in Honor of Jeanette Shearin's 89th Birthday (\$100.00)

8.0 OLD BUSINESS:

8.1 Revane and Kendall re-inspected Harlan Bean Tm. # 25-72 confirming shed was removed. The select board confirmed Mr. Bean is now in compliance.

9.0 NEW BUSINESS:

9.1 Kendall moved to except the One Hundred Dollar (\$100.00) donation to the food pantry, and Revane second all voted in favor.

9.2 Revane moved to approve the Corrective Quit Claim Deed for Robert and Daphne Fleury. Kendall second all voted in favor.

10.0 EXPENDITURES:

Petition Submission
Minutes 4 of 4

10.1 The Selectmen authorized payroll checks for \$10,736.91 and vendor checks for \$52,063.91 for July 14, 2023.

11.0 ADJOURNMENT:

11.1 Kendall moved to adjourn at 7:41 pm, and Revane second. All voted in favor.

Respectfully Submitted,

Deborah DeFosse

**Town of Washington
Board of Selectmen**

Meeting Minutes

Dec. 9, 2023, Ashuelot Pond Dam Village District (APDVD) Expansion Public Hearing at 1:00 pm at Camp Morgan

Selectmen: Don Revane (Board Chair), Gary Kendall, and Allan Dube

Visitors:

APDVD Commissioners: Gary Carney (Head Commissioner), Gary Mahaffy, Rich Andrusiak

Treasurer: Peggy Carney

Clerk: Alisa Andrusiak

Bob Carter - NH Dams

Jim Weber – NH Dept. of Environmental Services, Dam Bureau

Town Moderator: Guy Eaton

Meeting called to order 1:03 pm

Introduction of the commissioners and selectmen

Overview of meeting agenda

Limit speaking to 3 minutes per person

Q: Question | **A:** Answer | **C:** Comment | **R:** Response

Q: Are we limited to questions we can ask?

A: No, but the Moderator will limit the redundancy.

Chariman Revane – Provided an overview of why the public hearing was called. Ashuelot Pond Dam Village District (APDVD) met criteria for and presented a petition for district expansion. This hearing allows people to ask questions. Explained that a decision will not be made today. The decision is 100% on the board of selectmen, and they are here to listen to all sides. We will not let it go into effect until deficiencies are up to date. Whether you should pay maintenance on a dam that you live on a body of water.

Gary Kendall – Explained the decision will not be based on history and will be based on facts. Stated that any questions going to the state are irrelevant, this is a town issue.

Lucian Bean – 68 Ashuelot Acres Rd. resident of Langdon, NH.

Q: What is the timeline of the redistricting approval?

A: No sooner than 45 days. There may need to be another public hearing.

Gary Carney – Explained that a petition was submitted to expand the boundaries to bring the dam into compliance with state safety standards and conditions outlined in letters of deficiency (LoD) sent by the NH Dept. of Environmental Services in 2012 and 2022. The petition was

based upon: a) financial hardship due to the current and future upkeep of dam maintenance, warranting an expansion of the district to those properties benefiting from the dam, b) non-APDVD members with water rights to Ashuelot Pond enjoy financial benefits that would not otherwise exist if the dam were to be removed, c) non-APDVD members with water access rights to Ashuelot Pond enjoy recreational benefits that would not otherwise exist if the dam were to be removed, and d) this also includes properties, in the floodplain, that are protected by the dam. The LoDs require that by August 1st, 2024, a submission of an application for the reconstruction or removal of the dam consistent with the findings and recommendations from an engineering analysis and approval from NHDES.

Jim Weber – Explained that currently, the APDVD is in compliance with the letter of deficiency. Next steps: Other work (an application for reconstruction or removal of the dam consistent with the findings and recommendations of the APDVDs engineering consultant) needs to be contracted out and completed in a year or more.

Mike Denofrio - 154 Ashuelot Pond

Q: Are you from the state?

A: Dept. of Environmental Services Dam Bureau

Bob C. – Explained the issues with the dam and other issues that were uncovered during inspection. The dam did not pass inspection and was upgraded to high hazard dam. It does not meet capacity for 2 and a half times the 100-year event. Options are to do overtopping protection. Prior to doing that there were issues with sink holes, and they had to confirm the gatehouse was structurally sound. To do that they needed to install a temporary gate. That happened this past fall. They found no issues with the gatehouse. Next, we need to survey dam/spillways and area to right next to boat launch. Additionally, we need to update the emergency action plan to notify downstream folks if there is a problem, it's a local issue. Goal is to put in overtopping protection so there is no damage to the structure of the dam itself so it doesn't erode and things stay in place. Once finished, a pedestrian bridge can be added to the near spillway so people can cross safely.

MaryAnn Turner - 419 Marlow Rd.

Q1: Which address should we use?

A: Your town address.

Q2: What company do you work for?

A (Bob): NH Dams

Q3: You talked about the deterioration of existing boards

A: Yes, the report for the boards.

Peggy Carney – Provided the APDVD with overview of the Treasurer's report. She has been Treasurer since the present dam project began. She referred to the number of owners and properties on the map. She also stated that the map was on the website. Presently APDVD has 530 acres with 356 properties, and 322 owners. Value is \$89,000,000. The proposed addition is 994 acres, consisting of 129 properties, with 72 owners. Value \$16,900,000. Based on new

evaluations from this year. Many of the proposed properties are in current use. Handouts containing the historical record of what we have spent on the dam to date were distributed at sign-in. As of 12/8/23, we have spent \$87,360 for work on gate. An actuator is being built with and estimated additional cost of <\$10,000. The original estimate for the entire project, 5 years ago, was \$92,000. Last year, at this time, a new estimate of \$200,00 to \$250,000 was given to us. To date, \$192,160 has been spent to make repairs. Our capital reserve fund has been slowly depleted to pay for repairs. There is now \$13,914 left in capital reserve, checking has \$10,032, and the donation trust account has \$6,495. Donations have come from present APDVD members, the church camp, and a woman who used to come here as child. Ray Britton purchased and donated the bridge to go over the spillway. Normal expenses are dam registration fee with the state, liability insurance, Post Office Box, printing, postage, etc. We continue to look for grants. FEMA came out the other day. They will give out 1 for the state, but we will apply. I follow the Grant Watch webpage website but don't meet criteria for any to date. Anything will help.

James Mann - 569 Marlow Rd

Q: How much is dam insurance per year?

A: Last year it was just under \$2,000

Tom Cross – 15 Huntley Mountain Rd.

Q: Is the religious group required to go into the district?

A: Yes, they are.

MaryAnn Turner - 419 Marlow Rd.

Q1: What is the amount of the donations? Did the town give funding?

A: Only town funding is from collected taxes from APDVD members. Roughly \$10,000 and a bridge have been donated.

Q2: I'm assuming he donated a ROW of some sort?

A: He said he will donate the bridge; we are waiting for future plans. APDVD has not officially accepted.

Lucian Bean – 68 Ashuelot Acres Rd. resident of Langdon, NH

Q: What was the date you used to come up with the values?

A: The new tax assessments were obtained from the town and used to create the values. Yes, based on current values. Everything is in the letter that was mailed.

Rich Andrusiak

C: Provided an overview of the letter you received. The tax rate per \$1000 of assessed value for a \$140,000 budget, like this previous year, based upon the proposed expansion, would be about \$1.32. Whereas, the rate per \$1000 of assessed value for a potential future budget ask of \$60,000 would be about \$0.57. You can apply these rates to your individual circumstances, but the average property value of the 129 proposed new properties at a total assessment of \$16.9 million amounts to about \$131,000 which equates to an average ask of about \$75 on an annual tax bill for a year with a budget of \$60,000.

Lucian Bean – 68 Ashuelot Acres Rd. resident of Langdon, NH

C: Your basing this off of assessed values. My numbers don't match yours. In APA we created our own list taking the lots that you show in the new proposal, the church, dam, other properties owned by the town etc... There were tax map numbers we couldn't find that were on your list.

A (Rich A.): You would need to specify which numbers. We used the online town municipal tax map which show all the values. Its easy to miss properties if you don't zoom in close enough.

Lucian Bean

C: Sullivan county has a grant writer

Q3: You are required to produce an annual report, was it presented to the selectmen referencing financial hardship?

A (Selectmen): Yes, we received it.

Tom Cross - 15 Huntley Mountain Rd.

Q1: Is the religious group tax exempt?

A: Yes, as of now. They are included with the same criteria. If the property is sold, it could become taxable.

Q2: Is the dam tax exempt?

A: Yes. All information is on the website.

MaryAnn Turner - 419 Marlow Rd.

Q1: Can you elaborate on reserve funds? How much money is planned for maintenance of this dam?

A: Annual maintenance can vary \$3,000-\$5,000. The money comes out of taxes taken each year. Money is placed in the reserve fund annually.

Q2: How much money has APDVD district been collecting? What has this group put aside other than the \$192,000 for repairs that have been spent, leaving \$13,000?

A: Since I have been treasurer, traditionally they have put in \$10,000 per year into the capital reserve account.

Q3: Do you think it started in 2007? Do you have old reports?

A: I can look.

Q4: Can we meet offsite to go through that info?

A: If I can find it.

Lucian Bean – 68 Ashuelot Acres Rd. resident of Langdon, NH.

Q1: Was the capital reserve fund established by the warrant article?

A (Gary C.): I don't know I wasn't here at that time

R (Treasurer): Reserve is created through the trustees of the trust fund. It was voted at meeting that we would do that.

R (Rich Andrusiak): Warrant articles are approved by the NH Dept. of Revenue. You could contact them for historical articles.

Q2: Is the capital reserve account specific to repair and maintenance? Not included in regular budget for maintenance, insurance etc...?

A: The donation account is for the dam, the other account was established before our time.

R (Selectmen): AVDVD does not control the warrant articles

Q3: What is the advice?

A: It is established. It had to be approved by DRA so same standards need to be followed. Selectmen would give same advice.

A: Since I've been treasurer only repairs have been taken from the reserve account.

A (Selectmen): Trustees hold the fund. There is a set of checks and balances to release fund

John Balliro - Presidential Drive

Q: The church is exempt, and they contributed?

A: Yes, and yes, they contributed.

John Rankin - 52 Lincoln

Q: For Jim at DES: There are still deficiencies but we're in compliance, what happens if we're no longer in compliance and we don't have the money for the repairs?

A: If not met, there a process to adjust the timeline if there is a rational reason. Lack of money is not a reason not to comply. We would move to order to force you to comply. We rarely go through placing a fine, we try and work with owners, and avoid fines. We are reasonable and try to be flexible with dates.

C: It feels like the other side is blaming current board and I want to thank them for doing a great job

MaryAnn Turner - 419 Marlow Rd.

Q1: Was your CIP account considered a separate tax? Did you tax members a separate CIP? And did you projects for plan?

A (Treasurer): We work w/dept of revenue, we proposed warrants, then goes to dept of revenue, we work back and forth about plan for maintenance, payroll (none have taken a cent since we took jobs), insurance, NH municipal are different line items, then add, then separate item for cap reserve, this yr. in July we voted to add 100k which increased taxes.

Q2: Are you saying you had to have separate tax to APDVD group?

A: It's not a separate tax, if you combine the total amount, present APDVD people, divided up is \$132,000

Q3: Was this the first year that you put money aside and assessed your people?

A: No

Q4: Why haven't you had CIC money in the past? If so, where is it?

A: We did and it was used over the year, refer to your handout, that money was used to pay for work on the dam which came from capital reserve.

C: I'm surprised that the commission doesn't have access, the fact that you're in a funding problem sounds self-afflicting.

Bob Thompson – Harrison Rd.

C: I was one of the commissioners for the dam. All information is filed with state every year. Warrant is voted on, then goes to state, tax from state, it includes the capital reserve. In 2005, remember the floods? Then, 2007 flood, after that we increased reserve fund, I stopped involvement with the district in 2009, my memory goes back to what was done, I've seen the reserve fund grow... Submit an MS35 which will detail everything.

Deb Ribose – Ashuelot Dr.

C: All we're discussing is what's going on in past.

Elaine Kay – Van Buren Circ.

Q: People attending from other side, why do you feel like you aren't responsible for any of the fees?

Tom Cross - 15 Huntley Mountain Rd.

Q1: Mr. Weber, you're saying APDVD is doing what they can at best at this point and you try to work with people, correct?

A (Jim): Yes, they have met the criteria.

Q2: Will you issue letter of deficiency in Aug. 2024?

A: Not if they meet the criteria.

Deb Ribose – Ashuelot Dr.

Q: How likely is it to have to shut down the dam?

A (Jim): Not sure what's going to happen but no reason to think they can't make the deadline. If they had good reason, we would work with them. Not having enough money is not an excuse. We want public safety to be met.

Chairman Revane

Q: To APDVD, how much per year do you collect now from taxes and how much of that is for yearly maintenance, and how much goes into capital reserve for future? After adding to the district, what will be the new amount? The cost of everything has gone up. How are these additional funds going to be spent? Is there a cost from the contractor on the average cost to maintain the dam? Is it adequate? Please explain.

A: Two years can be pulled. In 2018 prior to improvements other than general maintenance, \$12,000 but dam \$5200. 2021, covid total expenses were \$7,000 and dam was \$3600.

A: Additional information is on our website showing both total expenses and dam expenses and the ratio of these expenses from 2018 until 2022. The average ratio of dam expenses to total expenses over that time period was about 0.61. In 2022 that rose to about 0.94. We can do regression analysis and extrapolate for future projections.

Q3: Average yearly collection?

A: Yes \$32,000 for expenses, and all general dam maintenance.

Q4: Current mil rate taxed is what?

A: Will have to look and get back to you.

Q5/C: If roughly collecting 32,000 at 50 cents per thousand, how much more money based on 16 million?

A: Ask of \$50,000-\$60,000

Q6/C: Making certain you're planning for future, and if we go along with redistricting, is it being distributed properly?

A: Yes, agreed, once the project is done, we need to figure out how much to put into the fund for future planning.

MaryAnn Turner - 419 Marlow Rd.

C: They have enough money to take care of it... there's no long-term plan.

R (Chairman Revane): You're making assumptions.

Deb Ribose - Ashuelot Dr.

C: What make people think they don't have to help with maintaining?

Bret Bouma - Ashuelot Acres

Q: Is the proposal remaining in the town?

A (Selectmen): Yes, can only tax in town

C: We get taxed a huge amount of money. FD comes from Marlow, maybe town should maintain the dam, if valuable make part of the town, don't dig deeper.

Tom Burt - 116 McKinley Dr.

C: Both raise taxes to cover operation and adjust as needed to cover. It comes out as user tax. They are getting use, why aren't they required to pay? They have been asked to join and refused. If you want to stay, then join and you will have a say even though they have same use.

Bob Thompson - Harrison Rd.

C: What do you get out of it? You get the value of your property, you know what it will look like if dam is removed. If it fails, we have no choice, right?

Jim Weber

C: If the dam failed, by law you need to remove or reconstruct. It's illegal to have a dam in disrepair.

John Balliro - Presidential Dr.

C: I'm a taxpayer for 37 years and have no problem paying my fair share.

Mike Donofrio - 148 Ashuelot Pond

Q1: If we are part of this, do we have any say?

A: If you are registered town voter you can run for APDVD positions. It's hard to find volunteers, we would like to have commissioners on other side of lake for safety issues.

Q2: For people not in support, do you want the removal of dam? I would like to hear how you don't benefit recreationally or from property values. Why don't you assume responsibility? We're invested in safety downstream.

Donna Kask - Ashuelot Acres Rd.

C: Donna expressed she is not in favor of the expansion and her comments are enclosed with these minutes.

Bob Thompson – Harrison Rd.

Q: Do you have to be a resident to be elected?

A: You have to be a registered voter in the town.

Tom Burt - 116 McKinley Dr.

C: It is public water but they're using for a short time, gaining value of property are people who own property vs. people coming for a day.

Laure Rankin - 52 Lincoln

C: If the lake is public and LAE residents all pay for the dam the access is on the other side then why does LAE have to pay?

Donna Kask - Ashuelot Acres Rd.

C: Public record says its owned by APDVD and I think the property owner is responsible for maintenance.

Laure Rankin - 52 Lincoln

C: What about all you that have property, but you don't pay for the dam?

Dan Neaton - 30 Van Buren Circ.

C: I'm in the real estate business – 1. Thank you to APDVD commissioners for volunteering without pay to maintain this asset. I looked at assessed property values and just within LAE lake front properties tend to be two to three times the value of non-lake front properties. Evidence is clear that property values are increased by the lake. No one on the south side of the lake has said they do not benefit from the lake. I hope we can get the vote passed and enjoy a constructive partnership.

Tom Cross - 15 Huntley Mountain Rd.

C: 1962 state expanded landing to 3 times the size. Road to public water doesn't say road to APDVD waters or LAE waters.

Jenny Gilligan – 67 Lang Rd.

Q: I own 7 parcels on the south side and 3 have no water parcels. What's the reason to include?

A: If you believe you don't qualify, you can bring that forward.

Jenny comment: Lake isn't important, I live on hill on farm.

Chris Keith - Russell Mill Pond Rd.

Q: I'm in the same position, who can I talk to on that?

A: Fill out the form on website for appeal. You will need to include a copy of your deed. First, determine if you have deeded access rights to lake.

Andy White - 59 Buchannen Circ.

Q: For DES, have inspection requirements increased over the past 40 years?

A: Yes, regulations have changed at least twice to increase requirements on dam owners for public safety. There would be additional costs.

Q2: Must the design be sealed by an engineer?

A: Yes.

Q3: Then permitted?

A: Yes, correct.

Q4: And a cost associated?

A: Yes.

John Rankin - 52 Lincoln

C: On my tax bill its separate. I have tax then additional line for the dam.

Emily Mann - 170 Ashuelot Pond

Q: I will be the APA president in 2025 – one point to make is all are homeowners, if something goes wrong it's our burden to fix it, if APDVD owns it then they fix it.

Jim Mann – 170 Ashuelot Pond

Q1: Who made the list of properties and map?

A: The APDVD commissioners.

Q2: What made you decide who is eligible?

A: Pointing to the map, explained that any property that has lake access, a ROW or in flood plain was included. Each deed was reviewed and if met the criteria, the property was included. APDVD was established as a municipality in 2002 for insurance purposes. All properties identified on the proposed map meet the same inclusion criteria.

Q2: How many people in LAE belong to APDVD?

A: None

Q3: APDVD is LAE?

A: No, APDVD and LAE are not the same thing. APDVD is a municipality.

Rich Andrusiak

C: It's simple. Your property value is higher with the lake. If the lake didn't exist, your property value would be lower. What is the argument? I'm hearing that you want nobody to own the dam and for it to dry up. We're only talking about a \$75.00 ask on average.

Q4: How many people in new proposed district do not have deeded rights to the lake?

A: All included either have deeded access to lake, or ROW, or are in the flood plain.

Q5: Who decided that flood plain people should be included?

A: The commissioners because people benefit from protection of dam.

Q6: So people in flood plain, are included and this is in writing somewhere?

A: Look at the flood plain map. Its in the letter you received.

Mann expressed he is opposed to including the people in flood plain

C (Bob C): Clarified that the FEMA floodplain is not the same as the inundation map; we are talking about the inundation map here

Jim Weber

C: Clarifications – Jim expressed that he is not aware of any districts on other bodies of water that not everyone is included. There are 8 different RSAs that define waters in NH. The state of NH owns any natural water body greater than 10 acres. DOT road to public water. DOT built sections of roads to access public water. If there is 10+ acres there is a requirement for public access. There are bodies that don't have access because there's no funding for roads. That public water, the definitions are different. Only ownership is the natural water body land underneath it greater than 10 acres. District owns the rest of the water.

Ed Turner - 419 Marlow Rd.

Q1: You stated you researched looked at deed etc., correct?

A: Yes. Not all properties on the map that are shaded in purple are in the flood zone. They either have deeded rights, are on the water, OR in the flood zone.

C: Opposed to his property being included. Hazard is to people below in Marlow when the dam fails.

A: Humans make mistakes. If you believe you don't meet 1 of the 3 criteria submit the appeal form on website and we'll take a look. We don't determine the flood plain, that is done through a computer model.

Bob Carter

C: The flood plan was by FEME on public site granitview no "e" current delineation is on your lake.

Ed Turner - 419 Marlow Rd.

Q: How many gallons of water is estimated? How high would the water go up if there was a dam breach?

A (Bob C.): 2.5-3 feet

Josh Kneif - 578 Marlow Rd.

Q: I don't understand why municipality runs the dam, I know its insurance but in emergency, why are we all arguing when this is a town issue? The town should take care of dam. Why is the safety of the people not a town issue?

A (Selectman Dube): There are two RSAs that you're talking about. Municipalities take over, the town is not responsible which can make the municipalities eligible to get the money. If municipalities don't want it then the dam goes away, the town doesn't want it. There are 2 state owned dams in town of Washington and the town doesn't want either of them.

Jim Weber

C: It takes a law passed to have the state take over a dam. Doesn't happen often. RSA (Revised

Statute Annotated) is a law. In terms of ownership, it is owned by APDVD not by the town. They are different entities.

David Autor - 65 Ashuelot Dr.

C: In favor of the expansion

Lucian Bean – 68 Ashuelot Acres Rd.

C: Some people believe there are some properties that don't have anything to gain from participating. A proposal to the selectboard, a petition to reconsider to take those properties to take them out of redistricting.

Q: Within RSA 52 says you can go back to town and ask for help in paying for maintenance of the dam. Has it been asked?

A: We don't have the town records.

C: Who contributes to the deterioration of the dam? Proceeds to point to the map and ask for reconsideration to include other surrounding ponds dumping into Ashuelot pond.

MaryAnn Turner - 419 Marlow Rd.

C: Expressed opposition to the expansion.

Chairman Revane

C: Expressed that ample discussion was heard and the selectmen do not to hear anything further.

Tom Cross

C: Expressed that his constitutional rights to be heard have been violated.

Meeting adjourned at 3:05 pm.

Respectfully,

Alisa Andrusiak

For the record, my name is Donna Kask, representing property owners for lot 14-422 owned by the Dlugosz Children Trust. We are NOT IN FAVOR OF THE PROPOSED TAX DISTRICT

I have brief responses to the 3 reasons the APDVD listed as the basis of the petition dated October 22, 2023 that the Board of Selectmen need to take into consideration.

Item A in the petition states: Financial hardship due to the current and future upkeep of the dam maintenance warranting an expansion of the district to those properties benefiting from the dam.

As available on the LAE website a September 9, 2002, letter from the APDVD to Dept of Revenue Administration in Concord NH indicated that the "Village District was formed for and proposes to accept ownership, operation, maintenance and repair of the Ashuelot Pond dam from LAE Association." Town of Washington assessor records indicate property ID 14-506 that includes the Ashuelot Pond dam, is owned by Ashuelot Pond Dam, Village District.

At the time the APDVD acquired and took ownership of the property that includes the dam, due diligence should have included a Property Condition Assessment that identified the current condition of the dam. The assessment should have included an evaluation of the short and long term capital expenses required to maintain and repair such a critical structure such that appropriate budgeting and funding would be secured by the property owner, APDVD. The construction date of the dam is listed as 1872 and 1925 as reported in a Dam Inspection Report, Dated July 15, 2022 (as available on the LAE website), making the age of the dam structures ranging between 151 and 98 years old. The cost for maintaining and repairing the dam are the responsibility of the property owner, APDVD.

Ashuelot Pond is a public pond, not a private water body. All residence of the Town of Washington, State of NH, or anyone out of state have rights to use and access the public pond. Public access to Ashuelot Pond is documented on the Town of Washington website and NH – Fish & Game Department website that lists Ashuelot Pond as a public access waterbody and boat ramp.

Item B in the Petition states: Non-APDVD members with water access rights to Ashuelot Pond enjoy financial benefits that would not otherwise exist if the dam were to be removed.

As property owners for 36 years, my parents have been paying property tax to the Town of Washington and contribute to the local economy.

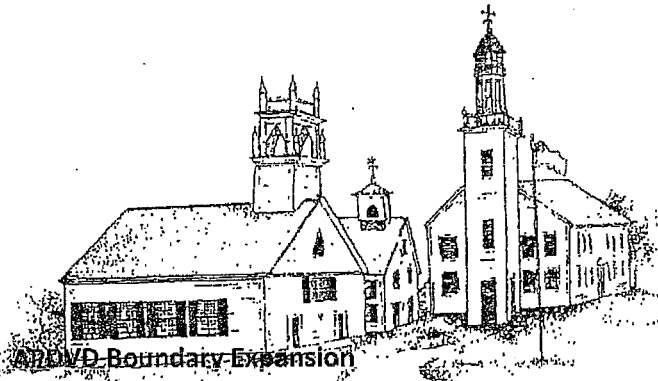
Donna Kask
12/9/2023

Item C in the petition states: Non-APDVD members with water access rights to Ashuelot Pond enjoy recreational benefits that would not otherwise exist if the dam were to be removed.

As already discussed, Ashuelot Pond is not a private waterbody, it is a public waterbody that anyone can access and enjoy.

Given that the APDVD has taken full ownership of the dam, and that the Pond is a publicly accessible waterbody, we are not in favor of the expanded tax district. I'm requesting the Board of Board of Selectmen take these facts under consideration and vote NO on the expansion.

Dan G. Hall
12/9/2023



Redistricting Decision 1 of 1
TOWN OF WASHINGTON +
NEW HAMPSHIRE 03280 2 Appendices
County of Sullivan
Incorporated Dec. 13, 1776

Town of Washington BOS approves to move forward with the APDVD boundary expansion as stated below.

The expansion shall include one hundred seventeen (115) properties with the designations:

F = Lake front	71 properties
A = Lake Access	32 properties
RN = River North	6 properties
RM = River Middle	1 property
TE = Tax Exempt	5 properties

Appendix A contains the list of properties to be included in the new boundary expansion.

The expansion shall not include:

RS = River South	11 properties
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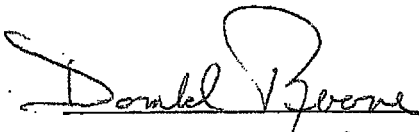
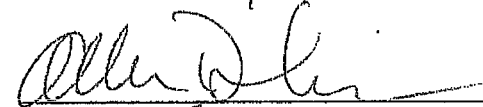
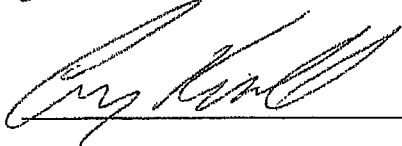
Appendix B contains the list of properties to be excluded from the new boundary expansion.

The properties identified listed above in the boundary expansion will not be included until all work on the dam has been completed and the letter of deficiency by the State of New Hampshire has been removed and presented to the Town of Washington Board of Selectmen.

A detailed budgetary proposal detailing a financial strategy to achieve a roadmap of future repair and maintenance needs must be offered.

Once these items are completed this expansion approval must go to the APDVD body for ratification.

Board of Selectman

Donald Revane (chair)

Alan Dube

Gary Kendall

Redistricting
Meeting Minutes 1 of 3

**Town of Washington
Board of Selectmen**

Meeting Minutes

February 29, 2024, Selectmen Meeting at 7:00 pm at the Town Hall.

ASSEMBLY

MEMBERS: Don Revane, Chair, Gary Kendall, Allan Dube

1.0 Visitors: Mark Florence

2.0 Minutes: Kendall moved to approve February 23, 2024 minutes, Revane second; all voted in favor.

IMPORTANT DATES:

March 5, 2024, Planning Board meeting, 6:30 pm, Town Hall, 2nd floor.

March 07, 2024, Selectmen meeting 9:00 am–4:00 pm, Town Hall; 7:00 pm evening meeting, Town Hall.

March 12, 2024, Town Meeting, 9:00 am Camp Morgan Lodge.

March 13, 2024, Park & Recreation meeting, 5:00 pm Town Hall

March 13, 2024, Conservation Commission meeting 7:00 pm Town Hall

March 26, 2024, Cemetery Trustees meeting, 7:00 pm Town Hall

DID YOU KNOW?

Public Notice
Candidates for Town and School Office 2024

Linda Musmanno - School District Treasurer -1 year
Danielle Moore - School Board – 3 years
Arin Mills - School Board- 3 years
Guy Eaton - School District Moderator-2 years

Fred Douglas - Planning Board-3 years
Kevin Lawrence - Cemetery Trustee – 3 years
Cynthia Dressel – Treasurer – 1 year
Kim Kapteyn - Library Trustee – 3 years

Mark Trudelle - Trustee of the Trust Fund – 3 years
Mark Florence – Selectmen-3 years
Yvonne Bachand - Supervisor of Checklist- 6 years

MUD SEASON

- All streets, highways, and/or bridges in the Town are subject to being designated as limited weight and being posted as such. The Road Agent shall periodically review all street, highways and/or bridges maintained by the Town and propose posting as may be necessary. The Board of Selectmen have final authority over the posting of street, highways and/or bridges. Except as specifically provided in Section V below, it shall be unlawful for any person to operate any motor vehicle weighing more than six (6) tons on any Limited Weight Street, Highway from March 1st to May 31st **or as deemed necessary.**

3.0 BUILDING PERMITS:

3.1 John & Laure Rankin submitted a Land Use Compliance Permit for Construction to construct a 16 X 6' awning over the existing walkway. Zoning Board of Adjustment dismissed case # 14-296. No variance is needed. Dube moved to approve the building permit, Kendall second all voted in favor. Permit # 24-6

4.0 APPOINTMENTS DURING THE DAY AND PREVIOUSLY:

4.1 Gary Carney, Peggy Carney, (APDVD) Lucien Bean, Maryann and Ed Turner, Tom Cross, Gary Mahaffy, Moe Dancause, and (Alicia Andrusiak, conference call) met with the selectmen regarding the selectmen's decision on the APDVD Boundary Expansion. The board unanimously approved the expansion on 117 properties, eliminating the River South (RS), which removes 11 properties. The redistricting will not take effect until the select board receives a letter from the State of New Hampshire stating there are no deficiencies with the dam.

5.0 DEPARTMENT HEADS AND EMPLOYEE APPOINTMENTS:

5.1 Ed Thayer

5.1 Ed reviewed the septic plan on Millen Pond Road and the bonding of the road. Thayer suggests reaching out to the town council for the correct bond.

5.2 Most town roads are in good shape; the Marlow side is being worked on today.

5.3 Reviewed estimates for the sand pit water crossing., estimating \$ 40,000.00. Selectmen agreed to go with the box culvert plan for permitting purposes.

5.2 Shawn Atkins, nothing to report

Redistricting
Meeting Minutes 3 of 3

6.0 PUBLIC:

7.0 COMMUNICATIONS RECEIVED:

7.1 NH Department of Environmental Services, Re: Reported alleged Violation Tm. # 25-91

7.2 Ed Thayer submitted a copy of a septic plan, Re; Millen Pond Road

7.3 D A Dube Enterprise LLC submitted a quote to replace the police department's entry door. (\$1,476.60)

7.4 Request to rent Camp Morgan Lodge on June 29, 2024

7.5 Meridian Land Services submitted a Comprehensive Shoreland Water Quality Protection Act (CSWQPA) notifying the town Arboreal Oasis LLC is applying for a shoreland permit. Re: Tm. # 10-3.

8.0 OLD BUSINESS:

9.0 NEW BUSINESS:

9.1 Kendall moved to approve the rental of Camp Morgan (see 7.4) and for Revane to sign on behalf of the board. Dube second, all voted in favor.

9.2 The board reviewed and approved the Fund Balance Policy and Investment Policy for the Town of Washington.

10.0 EXPENDITURES:

10.1 The Selectmen authorized payroll checks for \$ 9,829.09 and vendor checks for \$ 18,287.59 for February 23, 2024.

11.0 ADJOURNMENT:

11.1 Revane moved to adjourn at 7:37 pm, Kendall second. All voted in favor.

Respectfully Submitted,

Deborah DeFosse

Appendix A
Additional Properties 1 of 5

Appendix A

Lot	Location	Assessment
14-452	F	293900.00
14-480	F	189000.00
14-481	F	181800.00
18-16	F	256700.00
18-19	F	26.00
18-20	F	199500.00
18-22	F	219900.00
18-23	F	239600.00
18-24	F	31.00
18-25	F	184200.00
18-27	F	142800.00
18-29	F	161100.00
14-425	A	249800.00
14-428	A	33100.00
18-14	F	65000.00
18-15	A	61000.00
18-17	F	169000.00
18-18	F	118200.00
18-21	F	165300.00
18-26	F	148300.00
18-28	F	147000.00
18-30	F	162200.00
18-31	A	300.00
18-36	F	136000.00
14-412	F	298500.00
14-413	F	222300.00

Appendix A
Additional
Properties 2 of 5

14-414	F	329200.00
14-417	F	278500.00
14-441	F	147520.00
14-442	F	77047.00
14-443	F	207300.00
14-444	F	88800.00
14-445	F	160600.00
14-500	F	51297.00
18-11-14	A	9.00
18-12	F	9758.00
14-454	F	107.00
14-454-01	F	90000.00
14-446	F	126000.00
14-447	F	79500.00
14-448	F	128100.00
14-449	F	107400.00
14-450	F	74300.00
14-451	F	114100.00
18-29-01	F	18.00
18-29-03	F	324700.00
18-32	F	167600.00
18-35	F	141700.00
14-415	F	115200.00
14-418	F	293600.00
14-453	F	122400.00
14-420	A	48600.00
14-421	A	108400.00
14-422	A	92500.00
14-423	A	132900.00

Appendix A
Additional 3 of 5
Properties

14-424	A	318900.00
14-427	A	29600.00
14-477	F	168700.00
14-478	F	164100.00
14-479	F	128200.00
14-482	F	147700.00
14-483	F	157900.00
14-432	A	114300.00
14-433	A	291600.00
14-434	A	153700.00
14-435	A	160800.00
14-439	A	2543.00
14-454-08	A	57700.00
18-11-02	A	81.00
14-431	A	106200.00
14-436	A	108100.00
14-488	F	2743.00
14-488-01	A	370.00
14-498	A	457762.00
14-499	A	25300.00
14-504	F	134800.00
14-485	F	251900.00
14-487	F	639.00
14-496	F	158900.00
15-55	F	2627.00
10-1	RN	357841.00
10-2	RN	4028.00
10-3	RN	160687.00
10-24	RN	74.00

Appendix A
Additional
Properties 4 of 5

10-25	RN	1610.00
10-27	RN	3852.00
14-187	F	36400.00
14-396	RM	1169.00
14-401	F	438300.00
14-402	F	250700.00
14-403	F	232200.00
14-404	F	330000.00
14-405	F	338700.00
14-406	F	308800.00
14-407	F	213100.00
14-408	F	236600.00
14-409	F	552700.00
14-410	F	612400.00
14-411	F	349200.00
18-11-05	A	58.00
18-11-08	A	70.00
18-11-12	A	24700.00
14-452-01	F	82300.00
15-54	TE	2148846.00
14-398	TE	5475.00
14-510	F	14300.00
14-506	TE	178000.00
14-471	A	80300.00
14-472	A	36600.00
14-473	A	170000.00
14-474	A	24400.00
14-454-04	A	36700.00
18-11	A	26689.00

Appendix A 5 of 5
Additional
Properties

14-508 TE 0

14-503 TE 0

Appendix B (Not Included)

14-466	RS	1580.00
14-467	RS	380556.00
14-468-01	RS	120500.00
14-469	RS	780.00
14-475	RS	30600.00
14-476	RS	4362.00
14-419	RS	383064.00
14-468	RS	372500.00
18-10	RS	78419.00
14-507	RS	5700.00
14-512	RS	113700.00



Acceptance of 1 of 1
LOD Closure & Decision to
TOWN OF WASHINGTON proceed
NEW HAMPSHIRE 03280 with Ratification
County of Sullivan
Incorporated Dec. 13, 1776

May 15, 2025

Gary Carney, Chairman
Ashuelot Pond Dam Village District
P.O. Box 105
Washington, NH 03280

RE: Letter of closure for letter of deficiency DSP #22-003

Dear Mr. Carney

Based on the receipt of the closure of the letter of deficiency dated March 3, 2025, the Select Board has determined that APDVD is authorized to proceed with ratification for the approval of the redistricting, as agreed upon following the December 2023 public hearing.

It is understood that new members will be responsible for maintenance and the costs accrued from the date of ratification of the select board's decision on redistricting, and not the costs accrued prior ratification.

Thank you for your attention to this matter.

Kind Regards,

Select Board Town of Washington

Gary Kendall, chair

Samuel White

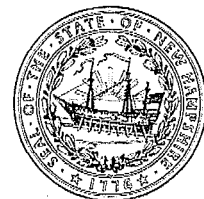
Evan Caffrey



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

NHDES
closure letter

1 of 1



Robert R. Scott, Commissioner

March 3, 2025
Letter of Closure
For
Letter of Deficiency
DSP #22-003

Mr. Gary Carney, Chairman
Ashuelot Pond Dam Village District
P.O. Box 105
Washington, NH 03280

RE: Ashuelot Pond Dam #D245005 in Washington
Letter of Deficiency (LOD) DAM #D245005
Issued on August 9, 2022

Dear Mr. Carney:

Based on a file review and a scheduled inspection conducted on September 9, 2024, of the above referenced dam, as well as the February 28, 2025 receipt of the reconstruction application, the New Hampshire Department of Environmental Services, Dam Bureau (NHDES) has officially closed the August 2022 LOD.

If you have any questions or comments, please contact Jim Weber, P.E. at (603) 271-8699 or me at (603) 271-3406, or write to the Water Division at the address listed below.

Sincerely,

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

Enclosure: Copy of August 9, 2022 LOD
cc: NHDES Legal Unit
cc: Town of Washington
SND\JRW\was\s:\WD-Dam\damfiles\D245005\Insp Docs\20250303 D245005 2022LODCLOSURE.docx

Ratification Vote 1 of 1
Meeting Minutes

APDVD Boundary Expansion Ratification Vote

June 14, 2025

Meeting called to order at 10:01 a.m. by moderator Barbara Gaskel

Pursuant to RSA 52:5, after receiving a petition from 10 or more legal voters requesting the expansion of the Ashuelot Pond Dam Village District (APDVD) boundaries, the town of Washington NH Selectboard held a public hearing on December 9, 2023, to determine if the boundaries of the APDVD should be expanded. On February 29, 2024, the Selectmen unanimously approved the expansion of the district to include an additional 115 properties, as recorded in the Town of Washington Selectboard meeting minutes and documented in Appendix A posted on the APDVD website. On March 6, 2025, the Select Board voted to allow APDVD to move forward with the ratification of their decision as required in RSA 52:5.

We will now call a vote with voting cards to determine if you are in favor of expanding the APDVD boundaries as specified by the Town of Washington Select Board.

All those in favor, please stand and raise your voting cards.

Number in favor: 78

All those against, please stand and raise your voting cards.

Number against: 0

There are 78 votes in favor and 0 votes against.

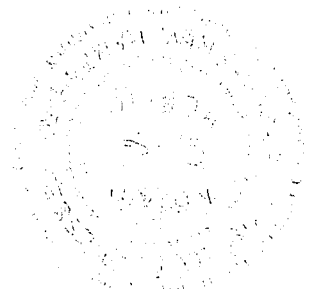
The district expansion passes.

Thank you and the meeting is adjourned at 10:13 a.m..

Alisa Andrusiak

APDVD clerk

Aimee S. Amine



Cynthia D. Dussel