



Emerald Lake Village District

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ELVD Commissioner Meeting - Monday July 25, 2022

Board Attendees

Brett Taber *Commissioner, Chair* Debbie Kardaseski, *Commissioner* Sarah Blackman, *Commissioner*
Rick Rose, *Clerk*, Carolyn Renken, *Treasurer*

Residents

Denise DeForest, Linda Garon, Bill Clemons, Sara Auger, Terry Slaske, Joanne Staples, Matthew C, Jane Kelly, Jim Kelly, Lawrence Jones, Debra Daley Cahalane, Mark Rodier, Joyce Bosse, Leigh Bosse and Melissa Taber

Meeting called to order by Commissioner Taber at 6:30pm

Pledge of Allegiance and Roll Call & Quorum of Commissioners

Public Hearing - Use of fireworks on district property:

Commissioner Taber gave some background as to why this hearing was scheduled. He advised that for the past 2-3 years there have been a variety of issues. The board started looking into this further after last year where Emerald Beach had a near-miss of catching fire overnight when leftover fireworks material caused a tree fire and if not for recent rain the situation could have escalated. The prior year, there was a display that discharged into the crowd and some people got injured. This year, the same thing happened and there was also a large supply of fireworks and debris left behind. District rules basically state carry in/carry out and you must clean up after yourself. It is not the district's responsibility to clean up anyone's mess. He stated that he has not found a single town that permits the use of fireworks on town or municipal owned property and the only time it has happened is when a professional company was hired to do the fireworks. Our insurance company has advised us that if an incident were to occur, we would NOT be covered. Payment on any injury claim would be the responsibility of every resident. This issue was talked about at 2 formal public hearings last year and informally at the last Annual Meeting and with today's hearing in order to make sure the public is aware of the board's concerns.

Comments/questions were then opened up to the residents who were in attendance:

-Is this an attempt to ban or prohibit fireworks? Commissioner Taber advised that the intent is to prohibit the use on district owned property, not on a resident's private property. The beaches (which were granted to the ELVD) are owned and insured by the district. Residents have deeded rights (but not deeded ownership) to use the beaches but the district governs the beaches with Rules and Regulations in place to protect the districts interests, both financially and for safety. Another challenge is the non-residents that visit the beaches that also pose a concern by discharging their fireworks. Unless they are accompanied by a resident as their guest, they are trespassing.

- Several residents complained that the fireworks aren't only "once a year" (happens many days before and after the 4th) and that neighbors that shoot off fireworks, their debris falls in their yard and feel it's unfair that they end up having to clean up the mess. The "big booming" fireworks need to stop and all shooting of fireworks need to abide by the Town noise ordinance, which is 10:00pm and people need to respect their neighbors. Residents are welcome to call the Town with these concerns. Commissioner Taber explained that our charter allows us to govern the roads, beaches and the water system. All else is managed and governed by the Town, like zoning and ordinances.

- A couple of residents suggested that the district require permits to use fireworks on the beaches.

- Another resident suggested a resident can inquire with their own insurance company about covering their fireworks and paying a deposit and if the beach isn't cleaned up the deposit is not returned. Commissioner Taber said this would have to be discussed further (and with further research) as a board as he's not familiar with insurance of this type.

- One resident suggested that the Rules & Regulations shouldn't state whether fireworks are allowed or not, that residents should use them responsibly and also have signs at the beaches that say "discharge fireworks at your own risk".

- One resident asked if the lake water is affected by the fireworks debris? Commissioner Taber was not aware of any chemical reactions.
- One resident suggested that there be a controlled shoot/show on July 4th (planned well in advance) as long as there is enough clearance on the beach and have it directed over the lake. Anyone participating would be held responsible for everything, including cleanup.
- The board will make a decision once all comments/suggestions are weighed. The board may also bring this topic for vote at the next Annual Meeting in April. No timeline for this decision was made tonight.

Board of Commissioner's Business - review of current open projects:

Hiring of office file clerk position:

Commissioners Kardaseski and Blackman conducted the interviews for this position. They chose Sara Auger to fill this position because of her experience with computers and already having the district knowledge being a past commissioner. Her contract was signed tonight and her start date will be August 1st.

Ellen Brook Road:

This is the first of the three roads being worked on this year for water system infrastructure replacement. Today SUR Construction finished the last of the curb stop hookups and all are tied into the new line. The rest of the week final road grading and landscaping will take place and the crew will focus next on **Deerpoint Drive** and on Friday residents were swapped over to temporary service and then the main line will be excavated. Once the main line is installed they will cut in the curb stops. This is scheduled to take about 2-3 weeks.

The new pipes being put in the ground are at least five and a half feet down. Next week they will place temporary lines on Old Lantern and continue into the month of August.

Beach/Shoreland/Sand permit:

Commissioner Blackman has started the process for this for Meetinghouse beach. Commissioner Taber explained that, per NHDES, we're allowed to replenish sand every 6 years per beach. Emerald Beach was done this year. The Conservation Commission has already told us that 10 cubic yards (which is all we're allowed) will not be enough for Meetinghouse and they wouldn't issue a permit based on earlier erosion control concerns dating back to 2000, therefore, the board would like to look into/obtain a Shoreland Impact permit.

Beach water quality - July results:

The samples were taken and forwarded to the lab in the 2nd week of July and results showed all beaches within acceptable levels (less than 10) for E-coli bacteria. August samples will be taken within the first two weeks of August.

2022 filing (for next year) for leak detection grant:

Commissioner Kardaseski advised that this will be completed by the end of the week when it is due. This year's leak detection effort did find a couple of leaks. On the Emerald Drive side, each of the roads had approximately a one and a half to three gallon per minute leak. These could be from a pipe leak and/or toilet flow. If you want to test your toilet, put a few food coloring drops in your tank and if you see it come into your bowl this means your valve isn't sitting properly and should consider having it replaced/repaired.

Discussion on 2021 infrastructure project - next road options:

With some savings (from minimal ledge dug up) from the current project, Wright-Pierce has asked us to decide on a fourth road to be done this year. There are two roads in consideration, Birch Tree and Skyview. The quotes for each were around \$150K to \$170K. Each is on the list of the first 11 to get done. Skyview (with three houses) has a leak rate of one and a half to two gallons per minute. Birch Tree, last Winter had a massive leak, had it not been discovered might've drained the entire water tank. It experienced a full two inch line rupture. Procurement of materials (maybe until January) may hinder the fourth road from being completed this year, unless SUR Construction has enough leftover from the current project. The commissioners have decided to let Wright-Pierce know that Birch Tree is their choice should there be a fourth road to be done this year.

Review of driveway permits:

The commissioners have received three driveway requests. Permits and a site visit are needed if a driveway is being modified to change its current size or location. Any culverts placed under a driveway is the residents responsibility to maintain.

Permits are for: 58 Pine Glen, a recently purchased property and has an existing driveway.

17 Autumn Road, plans to build a home.

5 Winter Road, to re-do the existing driveway.

Decisions on these will be made at a future meeting.

Approval of 7/7/22 meeting minutes:

A correction needed to be made to Mark Widdison's name in the last meeting minutes. it was misspelled as "Wittison". Also, the board wanted to clarify the beginning and ending to Joe DeLorenzo's submission of his comments /suggestions regarding fireworks. The beginning started with "As you know there was a lot of discussion on fireworks

this year and we have seen what a mess was left at beaches that residents had to clean up at their own expense and time, this should not be happening. And the ending sentence of his submission was "The owner should only issue one temp pass per household and be numbered so the district knows which property it is."

Commissioner Taber made the motion to accept these minutes as amended, Commissioner Kardaseski seconded, all approved, motion passed. Commissioner Taber made the motion to accept the 7/7/22 non-public meeting minutes as written. Commissioner Blackman seconded, all approved, motion passed. Minutes were signed tonight.

Approval of Manifests:

The July general manifest totaled \$35,812,71. The water manifest totaled \$43,454.24. Total payment to vendors was \$119,289.45. Commissioner Taber made the motion to accept the manifests, Commissioner Kardaseski seconded, all approved, motion passed.

Other Public comment:

- A resident asked about the status of the well at Eastman Beach: Commissioner Taber advised that the beach is open for use, but no parking (residents at an Annual Meeting voted against a lot development) is allowed there per NHDES. Until the board hears about the final decision on the well's output and its financial costs to treat the water, things will remain as they are today. We are awaiting Governor's Council approval/sign off on the next grant money.

- Mark Widdison (per Melissa Taber) has donated \$500 towards a Recreation Fund for a commercial playset to be potentially put at Meetinghouse Beach. Melissa has raised \$398 on her own. The playset will cost \$2298. Meetinghouse does have a drill bedrock well and a parking lot, but there is a VOC waiver in place. There, however, may be an issue if this beach gets further developed with an increase of traffic when the next Sanitary Survey (sanitary protection zone) is done.

- Residents are reminded to please clean up after your dogs at Meetinghouse Beach.

Late agenda items:

- Pine tree on Ellen Brook: Commissioner Taber contacted 2 vendors for quotes. One chose not to submit a quote at this time. He received a quote from Robblee Tree Services for \$2500. This tree has to be removed due to a very large boulder that had to be removed during the road project making the tree unstable. Payment would come from capital reserves. Commissioner Kardaseski has another vendor she can get a quote from and will let the board know.

- Kings Row: Commissioner Kardaseski has spoken with Mike Borden and found there are no Town regulations regarding tent camping on private property. They have a composting toilet and that waste can be buried and is sanitary. Questions have arisen if they are parking on the road, which has been found that they are not. No surveying of land has been planned, as of yet.

- The enclosure around the Eastman well has been completed.

- The date for the meter pit installation at Hemlock and Hummingbird is tentatively scheduled for this week or next week.

- Commissioner Taber has asked our road agent to inquire with some logging companies for a rate they would charge to clear out more space at Patten Hill.

- Commissioner Taber has asked residents to continue with beach cleanup. All the toys donated for kids to play with have been left and laying around and end up in the lake and some have become "dog" toys and getting chewed up.

Adjournment of Meeting: Commissioner Taber made the motion to adjourn the meeting at 9:19pm. Commissioner Kardaseski seconded, all approved, motion passed

Future board meetings:

August 4th and the 18th, September 8th and the 22nd, October 6th and the 20th, November 3rd and the 17th and December 1st and the 15th. All meetings start at 6:30pm.

Rick Rose, *ELVD Clerk*

Approved by:

Brett Taber, *Commissioner (Chair)*

Debbie Kardaseski, *Commissioner*

Sarah Blackman, *Commissioner*

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