

The Chair, Jenifer Landman, called the scheduled public session to order at 7:05pm. Those present included Lloyd Sullivan, Allen Hines (selectmen) and Russell McAllister, (Town Administrator).

Ms. Landman noted that the evening's meeting was called in response to notification received by the Town from DES concerning a request made by the Town of Seabrook to purchase water from Aquarion to meet an emergency water shortage in Seabrook. Ms. Landman noted that the following people were present:

**DES**                 Brandon Kernen  
                           Robert Mann  
                           Sara Pillsbury

**Aquarion**           Brian Goetz  
                           Frank Giordano

**Seabrook**           E. Russ Bailey

North Hampton

**ZBA**                 Robert Field  
**PB**                   Phil Wilson  
**Con Comm**         Henry Mixter  
**Water Comm**      Tim Harned  
                           Henry Fuller  
**RPC Rep**           Bob Landman

Ms. Landman next asked Mr. Tim Harned (Water Commissioner) to brief those assembled. Mr. Harned noted that the DES had received a emergency permit request from Aquarion to bring another two wells on line to help meet the emergency water shortage in Seabrook. The Town of Seabrook had requested to purchase .5MGD (1/2 million gallons per day) from Aquarion to offset their water shortage. The two new wells were located on Mill Road at the Hampton / North Hampton Town line. The wells would be brought on line on a temporary basis and required emergency approval from the DES prior to pumping. There was a concern that the pumping from the new wells might adversely impact surrounding well owners and that no well owners response policy was in place to protect the individual well owners. A DES representative noted that the Town no longer needed such a policy because protection of individual well owners from the adverse impacts of commercial pumping was now law. It was pointed out that the Town of Seabrook only metered commercial users of water and not residential customers. Mr. Russ Bailey (Seabrook Town Manager) explained that 60% of the water users were residential who paid a flat fee of \$60/year. It was also noted that the Town had implemented an outside ban on watering in February. Mr. Bailey explained that Seabrook citizens voted not to install water meters on residential properties three times. Mr. Field wanted to know what constituted an emergency on the part of Seabrook. A DES representative explained that the DES had made a site visit to observe the water operations. It was noted that the pumps are running pretty much constantly which suggests that very little recharge is occurring. Mr. Wilson noted that without metering it was very difficult to determine the cause of the water shortage, be it loss of water in the system through leakage, or simple over usage by individual users. A DES representative explained that the shortage could be attributed to drought, growth or a combination of both. A moratorium on new hook-ups was suggested. It was explained that a court would not uphold a moratorium on new hook-ups without specific proof of an emergency, in this case a water shortage, without specific data that water meters supply. The DES explained that they had written letters of deficiency to Seabrook about the operation of their water supply, specifically their lack of metering. Mr. Field wanted to know what incentive Seabrook had to follow the DES mandates when no specific pecuniary measure for failure to comply was available to

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the DES. It was noted that no specific legislation existed that mandated a municipality utilize meters in their water operations. Mr. Bailey noted that even if the Town began an implementation program to install water meters in residential properties, it would take months to install 3-4,000 meters. It was suggested that Seabrook hold a special Town Meeting to approve expenditures to install meters. Mr. Bailey explained that the decision to do so rested with the Seabrook Board of Selectmen. Mr. Landman noted that the Seacoast was in need of a new water supply and that the best option rested with desalination. Mr. Bailey noted that Seabrook had approved \$100,000 to conduct a desalination study to gauge the feasibility of the technology. Mr. Bailey noted that there was very limited recharge area within Seabrook and that the combination of drought and growth had produced the water shortage. The DES explained that emergency permit would limit total water sent to Seabrook to .5MGD and that the length of the permit would be 60-90 days. Water going to Seabrook would come from the whole Aquarion system and not just the two newly proposed wells. The two newly proposed wells would still need to go through the permitting process as well. There was much discussion regarding the emergency permitting process and the enforcement capability of the DES in this area. Many in attendance wanted to impose conditions on DES approval such as a cut-off date of the emergency permit on September 15<sup>th</sup> and that Seabrook hold a special Town Meeting to address the water shortage and metering issue. The North Hampton Board of Selectmen expressed disappointment over the lack of voter support in Seabrook to better manage their water supply through the use of meters. The Board also acknowledged their concern regarding the quality of DES and Seabrook stewardship of such a precious and shared resource as water.

Ms. Landman said that the Board would keep the community abreast of new developments regarding the issue. Mr. Sullivan made a motion to adjourn. Mr. Hines seconded the motion. The vote was unanimous and so moved. The meeting adjourned at approximately 9:00pm.

Respectfully,

Russell McAllister  
Town Administrator