

SUNAPEE BOARD OF SELECTMEN
MEETING AGENDA
6:30PM Town Office Meeting Room
Monday, July 29, 2019

1. REVIEW OF ITEMS FOR SIGNATURE:

CZC's:

Parcel ID:0113-0009-0000 138 Brown Hill Road, Jerrienne Seger/William McLaughlin

Parcel ID:0128-0016-0000 25 Garnet Street, Morgan & Loretta Dewey

Parcel ID:0103-0027-0001 101 Oak Ridge Road, Jonathan Barrett

Parcel ID:0113-0019-0000 57 Ridgewood Road, Stuart Caswell

LAND DISTURBANCE BOND:

Parcel ID:0128-0016-0000 25 Garnet Street, Morgan & Loretta Dewey

DENIED SIGN PERMIT:

Parcel ID: 0106-0021-0000 1250 Route 11, HK Sunapee Cove, LLC.

2. APPOINTMENTS

7:00PM-David Bailey, Water & Sewer Department

3. PUBLIC COMMENTS:

4. SELECTMEN ACTION

- Discussion on Boat Launch & Town Dock Ordinance

5. CHAIRMAN'S REPORT

- Status update on past due employee performance reviews
- Discuss when to schedule annual recap meeting with the Capital Improvements Program Committee (CIPC)
- Discuss whether to bring in an independent expert to audit Stagecoach Road project and report the findings to the Board of Selectmen

6. TOWN MANAGER REPORTS

- Coffee & Conversation
- New Energy Committee Volunteer
- May and June End of Month Revenue Report

7. UPCOMING MEETINGS

07/30-7:00AM-Firewards Meeting, Safety Services Building

08/01-7:00PM-Zoning Board, Town Meeting Room

08/06-5:00PM-Energy Committee, Town Meeting Room

08/06-8:30AM-Coffee & Conversation, Abbott Library

08/07-7:00PM-Conservation Commission, Abbott Library

08/08-7:00PM-Planning Board, Town Meeting Room

08/12-6:30PM-Board of Selectmen, Town Meeting Room



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



RECEIVED

JUL 22 2019

TOWN OF
SUNAPEE

July 18, 2019

Donna Nashawaty, Town Manager
Town of Sunapee
23 Edgemont Road
Sunapee, NH 03782

Theodore Gallup, Chair
Sunapee Water & Sewer Commission
P.O. Box 347
Sunapee, NH 03782

Re: Sunapee Water Works – PWS #2271010

Dear Ms. Nashawaty and Mr. Gallup:

It is my understanding that New Hampshire Department of Environmental Services (NHDES) program and technical staff have met with the superintendent and water system operators, members of the board of commissioners, and consultants recently on the issue of disinfectant by-products in the Sunapee public water system, in excess of the maximum contaminant level. I believe Underwood Engineers has made some recommendations to come into compliance, and the possibility of entering into an Administrative Order by Consent with NHDES has been raised.

I am authorized to share the enclosed draft document as a proposed Administrative Order by Consent. The agreement would provide a schedule for coming into compliance. Please review this document with the select board, and town counsel, and let me know if the parties are agreeable to the terms proposed.

If you have any questions, concerns, or proposed changes to the draft document, please contact me by reply mail at: NHDES - Legal Unit, Attn: Kerry Barnsley, P.O. Box 95, Concord, NH 03303-0095; by email at kerry.barnsley@des.nh.gov; or call me at 603-271-7509. I will be on vacation until the end of the month; however, I will be checking my mail, email, and voicemail from time to time during my absence.

Sincerely,

Kerry D. Barnsley
NHDES Compliance Attorney

ec: NHDES Water Division courtesy copy list

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

DRAFT

The Town of Sunapee
23 Edgemont Road
Sunapee, NH 03782

Sunapee Water & Sewer Commission
P.O. Box 347
Sunapee, NH 03782

Re: Sunapee Water Works
ive a#2271010

ADMINISTRATIVE ORDER BY CONSENT

No. 19-### WD

A. INTRODUCTION

This Administrative Order by Consent is issued by the New Hampshire Department of Environmental Services, Water Division to, and with the consent of, the Town of Sunapee, New Hampshire and the Town of Sunapee Water & Sewer Commission under the authority of RSA 485:58. This Administrative Order by Consent is effective upon signature by the parties.

B. PARTIES

1. The Department of Environmental Services, Water Division, is a duly-constituted administrative agency of the State of New Hampshire, having its principal office at 29 Hazen Drive in Concord, New Hampshire.
2. The Town of Sunapee is a duly-constituted municipality of the State of New Hampshire having a mailing address of 23 Edgemont Road, Sunapee, NH 03244.
3. The Town of Sunapee Water & Sewer Commission ("Sunapee Water Commission") is a duly-constituted board of commissioners of the Town of Sunapee having a mailing address of P.O. Box 347, Sunapee, NH 03782.
4. The Town of Sunapee, and its Water & Sewer Commission, may be referred to hereinafter, at times, as the "Responsible Parties."

C. STATEMENTS OF FACTS AND LAW

1. RSA 485 authorizes the Department of Environmental Services ("DES") to regulate public water supplies. The Commissioner of DES has adopted NH CODE ADMIN. RULES Env-Dw 100 *et seq.* (the "Drinking Water Rules") to implement this program per RSA 485:3.
2. RSA 485:1-a, I, defines "community water system" to mean "a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents."

3. The Responsible Parties own and operate a municipal water system that serves approximately 500 service connections with an estimated population of 1,700 residents in the Town of Sunapee, New Hampshire (the "Water System").
4. The Water System is a community water system as defined in RSA 485:1-a, I.
5. David Bailey is the superintendent and certified operator for the Water System. Superintendent Bailey is the primary point of contact for issues concerning the Water System, according to records maintained by DES.
6. The Water System draws 100% of its water from Lake Sunapee.
7. Env-Dw 103.57 defines "surface water" to mean "water that is open to the atmosphere and subject to surface runoff."
8. Lake Sunapee is a surface water as defined in Env-Dw 103.57.
9. Per Env-Dw 716.01, the purpose of Env-Dw 716, in part, is to establish the requirements for disinfection at public water systems ("PWS") supplied by a surface water source consistent with national primary drinking water requirements.
10. Env-Dw 716 applies to each PWS supplied by surface water, per Env-Dw 716.02.
11. Env-Dw 716.04 requires the owner(s) and/or operator(s) ("O/O") of a PWS subject to Env-Dw 716 to comply with the filtration and disinfection requirements of 40 CFR §§ 141.70-73, to ensure that any pathogenic organisms are inactivated.
12. Per Env-Dw 715.01, the purpose of Env-Dw 715 is to establish procedures and standards for the control of disinfectant residuals, disinfection byproducts, and disinfection byproduct precursors by the O/O of a PWS, consistent with national primary drinking water requirements.
13. Env-Dw 715 applies to each community water system at which any chemical disinfectant is added to the water in any part of the treatment process, per Env-Dw 715.02(a).
14. Trihalomethanes are potentially-harmful disinfection byproducts ("DBP") formed when sodium hypochlorite reacts with organic matter in drinking water. Per 40 CFR 141.2, Total Trihalomethanes ("TTHMs") means the sum of the concentration in milligrams per liter of the trihalomethane compounds (trichloromethane [chloroform], dibromochloromethane, bromodichloromethane and tribromomethane [bromoform]), rounded to two significant figures.
15. Env-Dw 705.03(c) sets the maximum contaminant level ("MCL") for TTHMs in drinking water at 0.080 milligram/Liter ("mg/L").
16. The following language is required by 40 CFR 141.205 to be included in notices of exceedances of the TTHMs MCL regarding possible health effects associated with consumption of TTHMs:

"Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer."

17. Env-Dw 715.10(a) requires the O/O of a community water system that uses a primary or residual disinfectant other than ultraviolet light, or delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light, to comply with the requirements of 40 CFR §§ 141.620-629 (Subpart V – Stage 2 DBP requirements).

18. Sunapee uses sodium hypochlorite for treatment of the Water System to chemically disinfect the source water to provide bacteriological protection to consumers.

19. A *compliance date* of October 1, 2013, was set out in 40 CFR 141.620(c)(4) for community water systems serving less than 10,000 persons to comply with *Stage 2 DBP requirements*.

20. The O/O of a community water system, serving a population between 500 and 3,300 and subject to Stage 2 DBP requirements is required by 40 CFR 141.621(a)(2) to monitor for DBPs quarterly. Such water systems are required to take individual TTHM samples at the locations with the highest TTHM concentrations.

21. Per 40 CFR 141.620(d)(1), for systems required to monitor quarterly, compliance with the TTHM MCLs is determined by calculating the *locational running annual average* (“LRAA”) for TTHM using monitoring results collected under Stage 2 DBP requirements and determining that each LRAA does not exceed the MCL.

22. LRAA is defined in 40 CFR 141.2 to mean “the average of sample analytical results for samples taken at a particular monitoring location during the previous four calendar quarters.”

23. Per 40 CFR 141.620(c)(7), if a community water system is required to conduct quarterly monitoring, compliance calculations must be made at the end of the fourth calendar quarter that follows the compliance date and at the end of each subsequent quarter (or earlier if the LRAA calculated based on fewer than four quarters of data would cause the MCL to be exceeded regardless of the monitoring results of subsequent quarters).

24. The O/O of a community water system subject to Stage 2 DBP requirements is required by 40 CFR 141.629(a)(1) to report the following information for each monitoring location to DES within 10 days of the end of any quarter in which monitoring is required:

- i. Number of samples taken during the last quarter;
- ii. Date and results of each sample taken during the last quarter; and
- iii. Arithmetic average of quarterly results for the last four quarters for each monitoring location (LRAA), beginning at the end of the fourth calendar quarter that follows the compliance date and at the end of each subsequent quarter.

25. Env-Dw 801.08 requires the O/O of a community water system that violates a MCL specified in Env-Dw 700 to provide public notice of the violation to persons served by the water system within 30 days of learning of the violation and to submit certification of such public notice to DES within 10 days of providing public notice.

26. The TTHM LRAA for the Water System exceeded the MCL in Q2-2018 and as a result, DES issued an NOV to the Sunapee Water Commission on August 13, 2018. In the NOV, DES listed the TTHM LRAA of 0.086 mg/L at the monitoring location for the Water System and explained the public notice requirement associated with the violation.

27. On August 31, 2018, DES received proof of public notice for the Q2-2018 TTHM MCL violation.

28. The TTHM LRAA for the Water System exceeded the MCL in Q3-2018 and as a result, DES issued an NOV to the Sunapee Water Commission on November 13, 2018. In the NOV, DES listed the TTHM LRAA of 0.089 mg/L at the monitoring location for the Water System and explained the public notice requirement associated with the violation.

29. On November 30, 2018, DES received proof of public notice for the Q3-2018 TTHM MCL violation.

30. On February 21, 2019, DES issued Letter of Deficiency ("LOD") No. DWGB 19-008 via certified mail to the Sunapee Water Commission. In LOD #DWGB 19-008, DES cited the TTHM MCL violations in Q2-2018 and Q3-2018. LOD #DWGB 19-008 also served as the formal notice of violation for exceeding the TTHM MCL for Q4-2018. In LOD #DWGB 19-008, DES listed the Q4-2018 TTHM LRAA of 0.081 mg/L at the monitoring location for the Water System. DES requested that the Sunapee Water Commission provide proof of public notice of the Q4-2018 TTHM MCL violation to DES by April 2, 2019; retain a consultant and submit the consultant's report proposing a solution to the water quality violations in the Water System by April 22, 2019.

31. On February 28, 2019, DES received the United States Postal Service return receipt confirming delivery of LOD #DWGB 19-008 to the Sunapee Water Commission. The receipt was signed by the town clerk.

32. On March 1, 2019, DES received a report from Underwood Engineers, Inc., on behalf of the Sunapee Water Commission. In 2018, the Sunapee Water Commission commissioned Underwood to investigate the increased levels of TTHM in the Water System. In the report, dated November 28, 2018, Underwood theorized that "if TTHMs can be reduced to be well below the MCL before leaving the steel tank, it is likely that they will remain below the MCL in the distribution."

33. In the report, Underwood also provided several recommended options for further evaluation:

- Advance a conceptual design of an Ultra Violet system;
- Evaluate and advance a conceptual design of switching the residual chlorine disinfection step to chloramines; and
- Contact similar water systems that currently use mixers and aerators and determine if they would be a suitable option for the Water System.

34. On March 5, 2019, DES received proof of public notice for the Q4-2018 TTHM MCL violation.

35. On April 26, 2019, DES received a letter from David Bailey. In his letter, Mr. Bailey stated that the Sunapee Water Commission is in the process of choosing one of the options outlined in the Underwood report. At the next meeting of the board of commissioners, scheduled for May 30, 2019, the commissioners would be voting on the options presented with the installation of an Ultra Violet system appearing to be the favored option. Additional funds for any option chosen would be needed, hence the Sunapee Water Commission would then draft a warrant article for town meeting by September 2, 2019. The warrant article would be voted on by the residents of Sunapee

at the March 2020 town meeting. If passed, the Sunapee Water Commission could begin improvements to the Water System in April 2020 with a target operational date of July 2020.

36. On May 2, 2019, DES staff contacted David Bailey to discuss the DBP violations and his letter dated April 26, 2019. DES staff inquired how the Sunapee Water Commission planned to proceed should the residents of Sunapee fail to pass the warrant article. DES staff offered to meet with Mr. Bailey and the commissioners at the Sunapee Water Works to discuss all options.

37. The TTHM LRAA for the Water System exceeded the MCL in Q1-2019 and as a result, DES issued an NOV to the Sunapee Water Commission on May 14, 2019. In the NOV, DES listed the TTHM LRAA of 0.087 mg/L at the monitoring location for the Water System and explained the public notice requirement associated with the violation.

38. On May 21, 2019, DES staff met with Superintendent David Bailey, the other operators of the Water System, and five of the commissioners of the Sunapee Water Commission. During the meeting, DES staff and the Sunapee representatives discussed the DBP violations, the Underwood report, and potential solutions. DES staff also presented a spreadsheet documenting that TTHM results are trending upwards in the Water System.

39. On May 23, 2019, DES received proof of public notice for the Q1-2019 TTHM MCL violation.

40. On June 4, 2019, DES received email correspondence from David Bailey notifying DES staff that Underwood would be presenting a scope of work to the Sunapee Water Commission with the intent to provide further engineering services related to the DBP MCL violations.

41. The TTHM LRAA for the Water System exceeded the MCL in Q2-2019 and as a result, DES issued an NOV to the Sunapee Water Commission on July 12, 2019. In the NOV, DES listed the TTHM LRAA of 0.094 mg/L at the monitoring location for the Water System and explained the public notice requirement associated with the violation.

D. DETERMINATION OF VIOLATIONS

The Responsible Parties violated Env-Dw 705.03(c) by exceeding the TTHM MCL during the calendar quarters of Q2-2018 through Q2-2019, inclusive.

E. ORDER

Based on the above findings, DES hereby orders the Responsible Parties, and Responsible Parties agree, to undertake and complete the following actions in accordance with the time schedules specified:

1. **By December 1, 2019**, the Responsible Parties shall submit to DES, for consideration and approval, a Final Phase 1 design basis memorandum, projections of construction costs, and proposed implementation schedules for a new plan to meet the water quality standards.

2. **By July 31, 2020**, the Responsible Parties shall implement all improved and enhanced treatment and operational improvements to the Water System, approved by DES. The Responsible Parties shall also notify DES of all improved and enhanced treatment and operational improvements to the Water System implemented by the Responsible Parties, by July 31, 2020.

3. **By December 1, 2020**, the Water System shall be in compliance with the Stage 2 DBP requirements.
4. If the Water System is not in compliance with the Stage 2 DBP requirements by December 1, 2020; then **by February 28, 2021**, the Responsible Parties shall submit to DES, for consideration and approval, a Phase 2 design basis memorandum, projections of construction costs, and proposed implementation schedules for a new plan to meet the water quality standards.
5. Sunapee shall implement any Phase 2 measures in strict accordance with the schedule approved by DES.
6. **From the date of this Order** until the Water System is in compliance with the Stage 2 DBP requirements and treatment is operational, the Responsible Parties shall timely comply with Env-Dw 801.08, by notifying persons served by the Water System of any MCL violation within 30 days of learning of the violation; and by submitting to DES proof of public notice within 10 days of performing such public notice.
7. **From the date of this Order** until the Water System is in compliance with the Stage 2 DBP requirements and treatment is operational, the Responsible Parties shall provide to DES a brief progress report on all developments and actions taken towards achieving compliance. These reports shall be submitted to DES within 10 days following the end of each DBP quarterly monitoring period.
8. The Responsible Parties shall send all correspondence, data, reports, and other submissions made in connection with this Administrative Order by Consent, to DES as follows:

Eric Skoglund, Enforcement Specialist
DES Water Division, Drinking Water and Groundwater Bureau
P.O. Box 95
Concord, NH 03302-0095
Fax: (603) 271-3490
Email: Eric.Skoglund@des.nh.gov

F. STIPULATED PENALTIES

The Responsible Parties agree to pay a stipulated penalty of \$2,000 for each and every deadline established in this Administrative Order by Consent that is not timely met. If stipulated penalties become due, payment shall be by certified check made payable to *Treasurer, State of New Hampshire* and mailed to DES Legal Unit, PO Box 95, Concord, NH 03302-0095, Attn: Compliance Attorney, within 15 days of receipt of notice from DES that the deadline(s) has (have) been missed and payment is required.

Failure to secure funding for the required actions, or failure of a consultant to meet deadlines; in and of itself, shall not be construed as beyond the control of the Responsible Parties.

G. CONSENT AND WAIVER OF APPEAL

By execution of this Administrative Order by Consent, the Responsible Parties agree that this Order shall apply to and be binding upon the Responsible Parties, their officers, directors, board members, commissioners, successors, and assigns; and agree that this Order may be entered and enforced by a court of competent jurisdiction.

DRAFT

By execution of this Administrative Order by Consent, the Responsible Parties waive any right to appeal this Administrative Order by Consent provided by statute, rule, or common law, including without limitation the right to appeal to the New Hampshire Water Council, and waive any right to object to the entry and enforcement of this Order by a court of competent jurisdiction.

The Town of Sunapee, New Hampshire

DRAFT

By: Josh Trow, Chair
Sunapee Select Board
Duly Authorized

Date

The Town of Sunapee Water & Sewer Commission

DRAFT

By: Theodore Gallup, Chair
Duly Authorized

Date

NH Department of Environmental Services

DRAFT

Robert R. Scott, Commissioner

Date

cc: DES Legal Unit

ec: Public Information Officer, DES PIP Office
K. Allen Brooks, Chief, AGO-Environmental Protection Bureau
Sunapee Health Officer
David Bailey, Superintendent and Water System Operator, Sunapee Water Works
Eric Skoglund, DES Water Division, Drinking Water and Groundwater Bureau
EPA, Region 1



DRAFT #6 – For Discussion Only

Town of Sunapee

BOAT LAUNCH & TOWN DOCK ORDINANCE

SECTION 1. PURPOSE.

The purpose of this ordinance shall be to promote harmonious use of the Town boat launches and docking facilities by everyone who visits them. This includes Town residents, taxpayers, visitors, commercial users, recreational organizations, and organized tournament users. It is important to the Town of Sunapee that we maintain a positive relationship with everyone that regularly launch from the Town boat launches and/or that utilize the Town docks. It is equally important to create a positive relationship with new users. It is for both purposes that we offer this ordinance.

SECTION 2. DEFINITIONS. In this ordinance:

- A. *Boat Launch* means real property abutting the waters of Lake Sunapee and owned and maintained by the Town of Sunapee for the purpose of launching boats.
- B. *Boat* shall mean any craft or vehicle which is used for travel on water.
- C. *Light Commercial* shall mean any marina conducting business for financial gain or benefit by reason of the sale of goods or services (i.e. loading and unloading boats).
- D. *Heavy Commercial* shall mean any barge company, septic pumping or construction contractor conducting business for financial gain or benefit by reason of the sale of goods or services (i.e. loading and unloading barges).
- E. *Dock* shall mean any Town-owned structure or other facility used in connection with water access including but not limited to all dock structures, the boat launch ramp and the boat launch loading/unloading areas.
- F. *Operator* shall mean any person that shall have physical control of a motorized vehicle, boat, boat trailer or construction equipment.
- G. *Parking Lot* shall mean any facility used for the convenience of motor vehicles (including boats and boat trailers) to provide for non-permanent storage, temporary abandonment, stationary visitation or operator access to nearby boat launches and docks.
- H. *Power Loading* is a term used to describe using the motor to load and unload a boat or vessel onto and off a boat trailer at a boat launch.

SECTION 3. HOURS OF CLOSING.

The three boat launches and Town docks shall be open between the hours of a half hour before sunrise and one-half hour after sunset, except as provided below:

- A. Heavy commercial businesses may request the use of the boat launches, Town docks and adjacent parking areas during closed times from the Board of Selectmen or their designee.
- B. The Harbor Boat Launch shall be open to heavy commercial use between the hours of 6:30AM and 8:00AM. between Memorial Day and Columbus Day.
- C. Residents, taxpayers or visitors may use the boat launches and/or Town docks at any time of the day or night for pleasure boating purposes only provided that said activities are not in conflict with other Town ordinances.

SECTION 4. ACTS REQUIRING A BOAT LAUNCH & DOCK USE AUTHORIZATION FORM.

No permit is required for residents, taxpayers, or visitors to launch or haul out pleasure boats at the Town's boat launches.

- A. Heavy commercial operators seeking to use the boat launches, Town docks, or adjacent parking areas shall submit annually a Boat Launch & Dock Use Authorization Form to the Board of Selectmen or its' designee, and shall submit a Certificate of Insurance with the Town named as additionally insured prior to use of the facilities.
 - Each use requires 24-hours advance written (e-mail preferred) notification to the Town (see section 5).
- B. Light commercial operators seeking to use the boat launches, Town docks, or adjacent parking areas, for the purposes of launching and/or hauling out pleasure boats, shall not be required to submit a Boat Launch & Dock Use Authorization Form. However, light commercial companies shall submit a copy of their insurance certificate with the Town named as additionally insured to the Town of Sunapee annually and prior to the use of the facilities, and

shall submit their companies contact information including but not limited to company name, contact person, telephone, cell phone, physical address and e-mail address.

SECTION 5. BOAT LAUNCH & DOCK USE AUTHORIZATION FORM INSTRUCTIONS.

- A. Boat Launch & Dock Use Authorization Forms are available for pickup at the Town Office and can be downloaded from the Town's website at: www.town.sunapee.nh.us
- B. Heavy Commercial operators shall complete all the information required in the authorization form prior to use of the facilities and shall submit of a copy of their insurance certificate with the Town named as additionally with the Authorization Form.
- C. After submitting the Authorization form, heavy commercial operators shall notify the Board of Selectmen or their designee in writing (e-mail preferred) 24-hours in advance of the use of a Town boat launch, Town dock or associated parking area.
- D. Upon being notified, the Board of Selectmen or their designee shall provide written approval for the proposed use. The heavy commercial operators name, date, time and location of the proposed use will be posted on the Boat Launch & Town Dock Use Calendar on the Town's website.
- E. Light commercial operators are not required to submit a Boat Launch & Dock Use Authorization Form. However, they shall submit a certificate of insurance with the Town name as additionally insured on the certificate, and the light commercial operator's current business contact information (i.e. company name, contact name, company address, telephone #, cell phone # and current e-mail address).
- F. Authorization Forms shall be submitted to the Board of Selectmen at the Town Office at 23 Edgemont Road Sunapee, New Hampshire 03782, prior to use of the boat launches, Town docks or adjacent parking areas.
- G. Boat Launch & Dock Use Authorization Forms will be posted on the Town's website. and a hard copy must be in the commercial operator's possession before using the boat launches, Town docks or adjacent parking lots.

SECTION 6. ACTS PROHIBITED

- A. Heavy commercial operators shall not preclude others from using the Town's facilities for a prolonged period of time, and they shall not exceed the time limit that is approved by the Board of Selectmen or their designee.
- B. No motor vehicles, wheeled or tracked construction equipment, construction materials or supplies, skateboards, bicycles, scooters, roller blades shall be permitted on Town docks.
- C. Power loading of boats onto boat trailers is prohibited. Damage that is caused to Town boat launch ramps or associated components thereof, as a result of power loading by any person(s) shall be repaired by the person(s) causing the damage at no expense to the Town.
- D. No boats shall be docked in the areas that are reserved for the MV Mount Sunapee or MV Kearsarge boats.
- E. No boats shall dock in the slip closest to any public launching ramp except that docking for a period not to exceed 20 minutes shall be allowed for purposes of loading and unloading only.
- F. No overnight docking shall be permitted.

SECTION 7. PENALTIES

- A. Violation of any provision of this ordinance shall constitute a violation, and anyone so convicted may be required to pay a fine of one hundred dollars (\$100) for the first offense, two hundred fifty dollars (\$250) for a second offense and five hundred dollars (\$500) for the third offense. Future or repeated violations of any provision of this ordinance may result with additional fines and/or being denied use of the boat launches and Town docks. All appeals shall be to the Board of Selectmen.

SECTION 8. ENFORCEMENT.

This ordinance shall be enforced by the Board of Selectmen, its designees, and by the Town of Sunapee Police Department or any other police agency having jurisdiction within the Town of Sunapee in the manner prescribed for enforcement of violations of law by New Hampshire Statute.

SECTION 9. EXCEPTIONS

§ The Police Department, Fire Department and Highway Department shall be exempt from this ordinance for the purpose of conducting routine Town business and/or for responding to emergencies.

§ Verbal exceptions from this ordinance may be granted by the Selectmen, Town of Sunapee Police Dept. or the Town of Sunapee Highway Dept. for emergencies that involve and/or that require the use of Town boat launches or Town docks.



Town of Sunapee, NH

Boat Launch & Dock Use Authorization Form

Name of Applicant: _____

Business Name: _____

Address: _____

Telephone Number: _____ Cell Phone Number: _____

Description of Proposed Use: _____

Start Date of Proposed Use: _____ Start Time of Proposed Use: _____

End Date of Proposed Use: _____ End Time of Proposed Use: _____

Anticipated Impacts on Other Users (i.e. delays/shutdown/etc.): _____

I, the above applicant, have received, read, and understand the Boat Launch & Town Dock Ordinance. I shall be responsible for repairing, at no cost to the Town, any damage that I, any of my employees and/or subcontractors, may cause to the boat launches, docks or adjacent parking infrastructure while using the premises. I will abide by said ordinance, a copy of which is attached, and have attached a copy of my company's insurance certificate with the Town named as additionally insured.

Applicant's Signature

Date

Recommended

Action: Seasonal Approval: _____ Single Use Approval: _____ Denial: _____

Conditions: Contact Chief David Cahill via e-mail at david.cahill@town.sunapeepd.com or Highway Director Scott Hazelton at scotth@town.sunapee.nh.us 24-hours in advance of the proposed work involving the facility for approval.

Highway Director's Signature

Date

Based on the ordinance governing the use of boat launches and Town docks this Authorization Form will be kept on file at the Town Office and will be posted on the Town's website for the year in which it was submitted to the Town.

Signatures of the Board of Selectmen:

Approved by the Sunapee Board of Selectmen July 28, 2019



Bring your questions

**Join Sunapee Selectmen
and the municipal staff at
the Abbott Library.**

Coffee & Donuts at 8:30, Q & A at 9 am

August 6, 2019

**This is an exciting opportunity for residents to
participate in an information and feedback
session with members of the Board of Selectmen
and the Department Heads**

This meeting will be in lieu of the Summer Town Meeting.