

WATER COUNCIL MEETING

Dept. of Environmental Services
29 Hazen Dr., Concord, N.H.

August 13, 2008
9:00 a.m.

Members present: Chairman Bridges, Vice Chairman Christie, Councilors Bradley, Butler, Cowan, Czysz, Decker, Dupee, Densberger, , Lyons, Phillips, Rastallis, Rawnsley and Varotsis

Members absent: Councilors Barrett, Decker, and Lussier

Chairman Bridges called the meeting to order at 9:00 a.m.

1. Approval of Minutes of July 9, 2008 Meeting

A motion was made by Councilor Varotsis to accept the minutes of July 9, 2008, second by Councilor Bradley. The Council unanimously voted to approve this motion.

2. Status of Appeals

Amy Samson, Appeals Clerk, presented an update on a number of appeals and requested Council action on several, as noted below.

- **Docket No. 08-29 WC – Silver Lake Appeal**

The Appeal was received on July 31, 2008. It was distributed to the Council today.

A motion was made by Councilor Christie to table this Appeal until the September meeting to allow time to review the document, second by Councilor Rawnsley. The Motion was unanimously approved.

- **Docket No. 08-30 WC – David Hoyt d/b/a Al Hoyt & Son, Inc. Appeal**

The Appeal was received on July 2, 2008. It was tabled at the July 9, 2008 Council meeting.

A motion was made by Councilor Christie to table this Appeal until the September meeting to allow time to review the document, second by Councilor Bradley. The Motion was unanimously approved.

- **Docket No. 07-29 WC – Andrew and Karen Goldstein**

A Hearing is scheduled for today at 10 A.M. Presiding Officer is Councilor Butler.

- **Docket No. 03-14 WC – Gerald A. Bell Appeal**

Stayed pending court action. A Pre Hearing Conference is to be scheduled. Presiding Officer is Councilor Bradley.

- **Docket No. 07-04 WC - Gerald A. Bell Appeal**
Council accepted the State's Motion to Continue on December 12, 2007. Appellant filed an Amended Appeal on April 15, 2008. A Supreme Court Decision has been received. The amended appeal was accepted by the Council on July 9, 2008. Pre Hearing Officer is Councilor Bradley.
- **Docket No. 08-27 WC – Moody Point Company Appeal**
The Appeal was received on June 18, 2008. The Appeal was accepted on July 9, 2008. Vice Chair Christie will be the Pre Hearing Officer and a Pre Hearing Conference will be scheduled.
- **Docket No. 04-05 WC - Freudenburg-NOK General Partnership Appeal**
A letter has been received from Attorney Lazos asking for the Appeal to be held open indefinitely. A letter will be sent to inform Attorney Lazos that this appeal will be stayed, but will be on the Council's agenda in 6 months.
- **Docket No. 04-18 WC - Thaddeus Dymon Appeal**
A letter was sent to the new attorney for a request of status by the September 10, 2008 meeting
- **Docket No. 04-19 WC - Town of Newport Appeal**
A letter was sent to the new attorney for a request of status by the September 10, 2008 meeting.
- **Docket No. 06-13 WC - Shane Forest Appeal**
A letter was sent to the new attorney for a request of status by the September 10, 2008 meeting.
- **Docket No. 07-11 WC William and Melissa Brouck**
Motion to Stay Proceedings was granted. A letter was sent requesting status on June 3, 2008. A withdrawal has not yet been received. Another letter will be sent.
- **Docket No. 08-25 WC – Kenneth R. Ivister Appeal**
The Appeal was transferred to the Wetlands Council.
- **Docket No. 08-21 WC – Susan Yousseff Appeal**
The Appeal was transferred to the Wetlands Council.
- **Docket No. 08-19 WC – Frank Faticanti Appeal**
The Appeal was accepted on May 14, 2008. The Appeal was transferred to the Wetlands Council.
- **Docket No. 08-06 WC – Marlene and Jerry Schultz Appeal**
The Appeal was transferred to the Wetlands Council.
- **Docket No. 08-15 WC – Ronald E. Gocht Appeal**
The Appeal was transferred to the Wetlands Council.

3. Other Business

Jim Gallagher, Administrator of the Dam Bureau, gave a report on the high rainfall consequences of the past couple of months to the States' lakes and rivers.

Councilor Cowan made a motion to go into executive session at 9:30 AM, second by Councilor Densberger. Motion was passed unanimously.

9:45 return to public meeting.

Al Hoyt and Son Appeal paperwork was distributed to the Council.

4. Next Meeting

The next meeting is scheduled for September 10, 2008.

5. Adjournment

A motion was made by Councilor Butler to adjourn, second by Councilor Bradley and unanimously approved.

Meeting was adjourned at 9:55 AM.