

2016-08-23

Hi Fritz,

I understand the Town's motivation to align with the state requirements and adjust the shoreline protection zone to 250 feet, however, to protect the water quality of the Bellamy Reservoir we would rather not see any reduction in the setbacks. The adjustment to 250 feet may reduce the protection of the Bellamy water quality with respect to potential impacts from septic systems and other land use activities that could contaminate the reservoir.

That being said, if Madbury Planning Board chooses to make this change, could you also consider including the language from Env-Dw 902.30 that references the "high water elevation" at 136.0 feet (as written below)? This may help clarify the "seasonal high water level" and establish the full reservoir level as the point from which the shoreland protection is applicable.

The Shoreland Protection Overlay District is defined to include all areas of land within:

A. 250 feet horizontal distance of the high water elevation of the Bellamy Reservoir, as defined by the existing spillway elevation of 136.0 feet,...

Excerpt From Env-Dw 902.30

(g) In addition to any prohibitions adopted by local ordinance, the prohibitions that apply in the Bellamy Reservoir watershed described in (b), above, shall be as follows:

(1) A person shall not build, continue, or maintain any building or structure of any kind in which animals or fowls are kept within 75 feet of the high water elevation of Bellamy Reservoir, as defined by the existing spillway elevation of 136.0 feet, or within 75 feet of any inlet thereof or tributary thereto;

Thank you,

Al

Al Pratt, PE

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