

Town of Farmington
Conservation Commission Meeting Minutes
Wednesday, June 8, 2022
356 Main Street, Farmington, NH 03835

Commission Members Present:

Bill Fisher, Chairman
Larry Fitzgerald
Blanche Tanner, Secretary
Doug Staples, alternate Selectmen's Rep

Others Present:

Brad Jones, Jones & Beach Engineers

Commission Members Absent:

Richard Ballou, Vice Chairman, not excused

1). Call to Order:

Chairman Fisher called the meeting to order at 6 p.m.

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Comment:

Ms. Tanner said she would like to thank Kathy King for donating some of the grabbers used for picking up trash. She said they are presently at the Rec. Dept. and some of them are going to be used by the Rec. Dept., there will be a couple at the senior center when that opens for people to sign out and there will be a few available for the next town cleanup that people can sign out when they pick up the bags and then bring them back.

Mr. Fisher said that was great of Mrs. King to do and noted that she and the Friends of Farmington do so much for this town.

4). Review of Minutes:

May 11, 2022- Public Meeting Minutes- No errors or omissions

Motion: (Tanner, second Fitzgerald) to accept the minutes as written passed 3-0-1 (Staples abstained).

5). Old Business:

New Style Homes Wetlands and Non-Specific Site Permit- Mr. Fisher said that a few weeks ago they looked at the wetlands non-specific site permit for the property off of Fox Trot Drive where they are putting in a longer driveway that would encroach on 2 wetlands areas. He said it's a subdivision putting in 6 new lots, some driveways and a private road that will go from Fox Trot Drive back into the properties ending in a circle and coming back out again.

He said the special use permits have been approved by the state and he got the letter of approval the other day and the Planning Dept. has the paperwork. He said the first step is to

begin the roadwork and hopefully that will start soon.

Bay Rd/Spring St. Land Donation- Mr. Fisher said he met with the Planning Dept. and Selectmen Chairman Ken Dickie to discuss 3 possible scenarios for the 360 acres of land being donated to the Town. He said the land would be for public use for trails and family recreational use but no motorized vehicles or ball fields would be allowed. He said hopefully in the future there will be a handicapped fishing site on the Cocheco River, parking lots off of Spring St. and Bay Rd. and a foot bridge across the Cocheco River and discussions are in progress.

He said there are several options- 1. The Con Com owns the property and the conservation easement and the Commission and the Town would be responsible for anything that goes on there, 2. **Southeast Land Trust** would own the property and Farmington would own the easement and SELT would be responsible for putting in the trails, parking lots, kiosks, etc. 3. Farmington owns the land and SELT would own the easement. He said they plan to go back to the person wanting to donate the land and see what her desires are and that will be presented at a Selectmen's meeting for their decision in a few weeks.

Mr. Fitzgerald asked who he thought would be able to do all things that are planned such as putting in the roadway, etc.

Mr. Fisher said that is yet to be determined.

Mr. Fitzgerald said he was sorry to say this but if they leave it up to the Town it will take a long time.

Mr. Fisher said there is already a roadway there from when they logged it so all it will take is a little clean up by the Town and he has broached that subject with the Board of Selectmen. He said until they know who is going to own the land its "null and void" right now on who is going to do the work. That's all to be determined in the future he said.

He said the DPW has maintained the parking lots on their other properties and they have cut in roads for them. He suggested any Boy Scouts looking for an Eagle project could put in a trail and all it would be is to make sure it's well marked and we have signs to put up on the trees to mark the trails. There are private organizations and grants out there and all kinds of money we can get to do this work but until we know who is going to own the land and who is going to own the easement it's null and void he said.

He said there are some existing trails on the property and they will just have to wait and see. We should know in a couple of weeks and once the land is transferred we can start making plans on who is going to do what, where and when he said.

He directed the members' attention to the map he provided and said that it shows the lots on Bay Rd. and on Spring St. (Map R-60, Lots 17 and 18 and Map R-49, Lot 55) and it's all that land in the center. He said he has been contacted by people living along Bay Rd. and Spring St. wondering what is going on out in the back and there are no homes going in back there and it's all going to be public land for recreational use and they never will have anybody living right behind them. I think it's a win-win for the Town and for everybody living along there he said.

Any Other Old Business- Mr. Fisher said he received all the materials except for the lumber for the story boards to be put on the McCarthy Trail. He said the materials were delivered to his house recently and he is now waiting for the lumber to be delivered so he can construct the story boards in partnership with the Goodwin Library.

He said he needs help getting the placards out of the old fire station and putting them along the McCarthy Trail as he is currently unable to pick them up and walk well enough to do it himself.

Mr. Fitzgerald said he was also unable to help due to recent health issues.

Mr. Fisher said the placards are 4' x 8' sheets of ¾ inch pressure treated plywood and weigh about 80 lbs. each.

6). New Business:

Special Use Permit Application Tax Map R-64, Lot 3 -1172 Rt. 11- Brad Jones of Jones & Beach Engineers said he was representing the property owner which used to be called Nelson's Storage and there's actually a storage unit there now and they also do car detailing and it's right on Rt. 11 fairly close to New Durham. He said the property is a little over 3 acres and has a lot of frontage on Rt. 11 and also has frontage on the old railroad bed which is now a snowmobile trail behind the property.

Mr. Jones said he was here tonight to request a Special Use Permit because some of the parking lot will be in the 50 ft. buffer and turned to the map on display. He said they have 2 different classifications of wetlands and pointed out the Class II wetlands and the yellow dotted line depicting the location of the 50 ft. setback and they can see that it interferes with the existing building and the existing parking lot and they need a 2% expansion of the parking lot to get around the second building.

He then pointed out the Class III wetlands and the existing retention pond that was approved when they built this site and it has a small culvert that feeds back into the wetland area on the right side of the property that turns into a small brook and then goes down Rt. 11.

He said all the water coming from the railroad trestles flows through stone culverts in a couple of locations and that is what feeds these wetlands.

Mr. Jones said they can see that with part of the development they did not interfere or get into the back of the property and they could have but it would have required wetland permits and at this point the owner was trying to put the development in the area that is already developed.

He said the total lot area within the 50 ft. buffer is 32,132 sq. ft. and the existing impervious area within the buffer is 8,190 sq. ft. and they want to increase that to 8,350 sq. ft. which is a 2% increase.

He said there are a couple of things they want to do to help the situation and they are going to have a paved parking lot which currently is gravel. He said when they pave it, it will have a curb and take all that storm water and when it gets out toward Rt. 11 that will tip it and push it to the north and then get into a grass swale and then go back in. We're not going to do what is happening now and have all that water go directly into that swale and into that brook and

wetland and a lot of that gravel gets contaminated. That's a good improvement for what we're doing out there he said.

Mr. Fisher said he spoke with the Planning Director and explained that the water currently runs out there unfiltered and un-cleaned and gets into the stream. He said what they are proposing with the hard top they're putting in is to tilt it so it runs into a new retention area and is gravity filtered through the new retention media before it gets to the swale and drains to the wetlands area so the wetlands area will be getting clean fresh water so that is a major improvement to what's being done out there now.

Mr. Jones said another feature they designed is a new detention pond, detention basin #1 located towards the north of the property that will take the remaining storm water, detain and filters it and it ends up going back across under Rt. 11 and heads off in the same direction as it does today.

He said their proposal has 2 buildings and they will pave the site and relocate the current entrance a little further north, the southern entrance will stay the same to line things up. The good news is we have no wetland impacts so we'll stay within our limits of that and the only thing we're here for is the 50 ft. buffer for the Special Use Permit he said.

Mr. Fisher said he assumed that they will put in a silt fence or some type of blockage before they start excavating to keep any contaminants from getting into the wetlands areas until they are through.

Mr. Jones said absolutely and many times they will use a fiber berm and stake it. He said the reason for that is they don't have a lot of excavation to do there and are not doing big cuts and if they did he would probably use a silt fence but they're really doing gravel and that type of thing there. He said they would also monitor the site themselves and correct any issues that come up and they will have it all laid out on the erosion control plan of how the silt fence or fiber berm gets installed and where it goes and that type of thing.

Mr. Fisher said he said they plan to move the northern driveway a little bit and asked if they have talked or put in the paperwork to the state for that.

Mr. Jones said they are in the process for that. He said they met with the Town's Technical Review Committee and talked to them about it. He said they were in favor of it because it pushes the driveway and it's not affecting any wetlands.

He said they have plenty of sight distance and the state requires 400 ft. in either direction so they don't have that problem at all.

Mr. Fisher said the new top will be slightly sloped to the northeast corner.

Mr. Jones said if you drive in the first southern entrance the storm water will run the curb and get directed to the north instead of dumping it directly into that swale.

Ms. Tanner asked if this plan now needs to go before the Planning Board and what this board's concern is.

Mr. Fisher said yes and that the impervious area is going to encroach on the 50 ft. buffer for the

wetlands and the Con Com's concern is if that encroachment will affect the wetlands and the answer is no because they'll be sloping any runoff and contaminants so it runs towards the new retention pond and filter the water before it gets to the wetlands.

Ms. Tanner asked Mr. Jones about the yellow line on the plan and the wetland buffer.

Mr. Jones said that's a 50 ft. wetland buffer and that's the distance from the stream.

Ms. Tanner said he said the existing is already encroaching on that.

Mr. Jones said that's right and it's a gravel parking lot.

Ms. Tanner asked with the fact that that exists if they would have any issues with that going forward because it's already been approved.

Mr. Fisher said it's going to be improved over what it is and right now it's just a gravel parking lot and the water is running through the gravel right into that wetlands area. He said when they put in the new surface it will be running in the opposite direction to a detention pond where it will be filtered.

Ms. Tanner asked exactly where this is.

Mr. Fisher said if you are going towards Johnson's restaurant it's before you get to Johnson's on the left hand side.

Mr. Staples said it is pretty much across the street from where the ammo dump used to be.

Mr. Jones said there is a storage building there now and they just put new doors on it and there is a person who does vehicle detailing out front.

Ms. Tanner said there are 2 buildings there now and their proposal is to put in 2 more buildings.

Mr. Jones said yes. He added that self storage is a low impact on traffic and the people are spaced out and not coming all at once.

Mr. Staples said he thought the pavement is a good idea with the curbing to keep the water away. He said the only concern had was in the back corner where it says "snow storage" where they are going to plow all the snow and that will still have salt and everything else in it pushed up over the embankment which is right on both wetlands.

Mr. Jones said they could relocate that and right now there is a culvert that goes in there so there is an area for the snow but he thought they could push that out to where the snow storage is in front of the building.

Mr. Staples said if they are going to mound the snow up between the wetlands when it melts it's going into one of them.

Mr. Jones said they have quite a bit of area for snow storage on this site. He said he didn't know much de-icing they will need as this is self storage and they may concentrate a little heavier on the main entrance and then you could access both buildings. He said he was sure they will plow the whole thing but it's not like a hospital or a school where they have to stay on it.

Ms. Tanner asked if the snow storage area Mr. Staples mentioned is what they have been doing and putting it there.

Mr. Jones said he has seen it during the winter and the snow does get pushed over there. He

said they would look at that location and get that away from the Class II wetlands.

Chairman Fisher asked if the members had any more questions and hearing none called for a motion to approve or disapprove the Special Use Permit application.

Motion: (Fitzgerald, second Staples) to approve the Special Use Permit for 1172 NH Rt. 11, Farmington, NH, Tax Map R-64, Lot 3 passed 4-0.

Mr. Fisher said he needs to send a letter to the Planning Board giving them their recommendations. He said the standard letter he sends to the Planning Board says they have reviewed the Special Use Permit application and they have no comments other than ensuring that silt fencing or words to that affect be installed to prevent contamination of wetlands during construction and then he signs it and takes it to the Planning Board. He then asked the commission for a motion to allow him to do that.

Ms. Tanner asked if there needs to be something in his letter addressing the concern Mr. Staples has about the snow storage or if that would come from the Planning Board.

Mr. Fisher said snow removal is not in the Con com's purview that's the Planning Board's purview.

Mr. Staples asked Mr. Fisher (who is also a member of the Planning Board) to bring that up with the Planning Board because of the potential for contaminants in the snow.

Mr. Fisher agreed to put it in his letter to the Planning Board.

Mr. Jones said they will be cooperative.

Motion: (Fitzgerald, second Tanner) to allow Chairman Fisher to write a letter to the Planning Board passed 4-0.

Intent to Cut Wood or Timber for Tax Map R-60, Lot 005 on Rt. 11- Mr. Fisher said the property owner is Scott White, the property is a total of 9 acres and they will be cutting 2 acres of land for personal use. He said the anticipated start date was May 16 and he just received the paperwork so it may have already been done.

SELT Membership- Mr. Fisher said he received their annual membership renewal notice from SELT and there are several different levels of membership. He said the levels include a one-time gift of \$150, \$125 or \$100 and that normally the Con Com gives \$100. He asked the members if they were interested in staying with SELT and continuing their membership.

Consensus of the members was they want to retain their membership with SELT.

Motion: (Fitzgerald, second Tanner) to continue their membership with SELT for the amount of \$100 passed 4-0.

Any Other New Business- Hay Day-Mr. Fisher said he needs to contact the state about their fur kit for Hay Day and he would be doing that shortly. He said it doesn't cost them anything and he just needs to contact them and reserve it.

He said also still needs to submit their application for their space at Hay Day. He said he would get those turned in this week.

He said he has one pop-up tent and he will arrange to get 2 or 3 tables which will give them

plenty of room to spread things out.

He said usually they also ask the camper they sponsored to attend camp for a week to make a presentation and a display but since they didn't send any one to camp this year due to COVID he thought three 6' or two 10' tables would be enough room to spread the furs out.

He asked the members if he should get chairs or if those members attending wanted to bring their own chairs. He then added they don't want to leave the fur kit unattended even for 1 minute and then related how a little boy who liked the furs so much he decided to walk off with them when nobody was looking and his mom and dad made him bring it back. I didn't even see him take off with it he said.

7). New Members Needed.

8). Upcoming Dates:

Next Meeting- July 6, 2022 (Cancel for July 4 vacation?)- Mr. Fisher said their next meeting is scheduled for July 6.

Ms. Tanner said July 6 is the first Wednesday of the month and they usually meet on the second Wednesday of the month.

Mr. Fisher said she was correct and their meeting is supposed to be on July 13.

Ms. Tanner said she wondered if people were going to be away on vacation and that he wanted them to meet on July 6 instead.

Mr. Fisher they haven't had a lot come before them over the past few months and unless they get a Special Use Permit they really don't have that much to talk about. He asked if they would like to take off the month of July.

Mr. Fitzgerald said he will be away.

Mr. Fisher said he didn't know about Mr. Ballou's plans and he could be here but it's nice in the summer to take a little time off.

So moved by Ms. Tanner and **seconded** by Mr. Fitzgerald.

Mr. Fisher said if something important came up he may have to convene a meeting as he didn't want to hold up any type of construction for the town but that will be all they would talk about. We'll have a meeting before Hay Day to finalize everything he said

Vote: The motion passed 3-0-1 (Staples abstained)

9). Adjournment:

Motion: (Staples, second Tanner) to adjourn the meeting passed 4-0 at 6:41 p.m.

Respectively submitted

Kathleen Magoon, Recording Secretary

William "Bill" Fisher, Chairman