

Town of Farmington
Conservation Commission Meeting Minutes
Thursday, April 13, 2023
Selectmen's Chambers
356 Main Street-Farmington, NH 03835

Commission Members Present:

Bill Fisher, Chairman
Gerry Vachon, Selectmen's Rep
Amber Hall
Jim Pollard

Commission Members Absent:

Richard Ballou

Others Present:

Randy Talon, Farmington 500 Club
Dan Woodman, Farmington 500 Club
Veronica Bodge, MMRG
Chris Berry, Berry Surveying & Engineering
Patricia Torr Aiken, Franklin Torr
Mike Loughlin, resident

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:

Mr. Fisher said they will take questions all during the meeting and if you have any questions or would like to say something to please feel free to do so and come up to the microphone so the people at home can hear you.

4). Review of Minutes:

March 9, 2023- Public Meeting Minutes- no errors or omissions

Motion: (Vachon, second Hall) to accept the March 9 minutes as written passed 4-0.

5). Old Business:

Town Cleanup- Mr. Fisher said he posted flyers throughout the town and expressed his appreciation to Erica for making up the posters. He listed the places he posted the flyers around town and that he also posted it on the community Face book pages. He said he has gotten a few e-mails from people that said they are coming out and Mr. Pollard talked to a few people that are coming out and he hopes there will be a good turnout for the event.

He said the cleanup will take place on Saturday, April 22 and they will meet in the Municipal Office Building front parking lot at 8 a.m. and he will have all the supplies you need. You pick the place you want to clean up and we'll come get the garbage he said.

6). New Business:

Paulson Rd. Project Update- 500 Club members Randy Talon and Dan Woodman came forward

to update the commission on the on-going project at the club's Paulson Rd. property. Mr. Talon said since they last met they have begun the work and the trees are cut with the exception of the very eastern end. He said the Road Agent is very happy that they are going to take it down to 2 ft. above the road or below grade of the road for the drainage and give him a shoulder and a ditch line and they let the Police Dept. know they will be able to see the park from the beginning to the end so they can keep an eye on it. He said they have been broken into and suffered some damage there and they are hoping with new cameras and better visibility they can cut that back a little bit.

Mr. Talon said they are now constructing their second driveway which is on the far east corner not quite at that corner of the property and it will be an entrance only at this time. He said SUR Construction has been kind enough to help them construct that end and another company is cutting the other end and they are going to done with that area in the next couple of weeks and then the far western end will be the last piece that they do.

He said for a little back history they received 3.3 acres from the conservation to use down on Paulson Rd. and it's an all purpose field but it's for the football they have down there. He said it's leveled out and they need approx. 1,250 yards of loam to put the proper amount on it and seed it. He said when they level along Paulson Rd. they are going to loam and seed that and plant some shrubs in different spots to dress it up and a couple of deciduous trees along the way. So right now it might not look good but it will when we're done he said.

He said he was proposing to put up a kiosk at the parking lot at the western end at the main entrance. He said he would show a plan of the conservation land and theirs and show a trail going around their whole facility with distance markings so people can take a walk and know how far they're walking and get some fresh air out in a country setting.

Mr. Talon said they are also getting some stump grindings to place on the steeper slopes instead of loam and seed so it will up the stability of the soil and they won't have to have Mr. Woodman on a lawn mower going down a 2:1 slope.

He said they are going to build a retaining wall on the conservation side for the parking because one of the agreements when they purchased it in 2003 was to have 6 cars parking at the main gate. He said when the gate is closed people can park off the road and walk around the site. He then passed around copies of the site plan and the grading plan to members to review and said there is some big earth work that needs to be done. He said that Pike left a big hill that has a lot of ledge in it on that side so to get the fields developed the way they need to develop them outside of the conservation easement this is the grading plan that will get everything in place. We're up here in the driveway now and if you go by SUR is in here, we've got our second driveway permit from the Town and we're on this side over here cutting this whole area down so when it's all done it will be flat and you'll actually be able to walk on it. Today there are some very big depressed areas and the Town is still going to have their turnouts for their drainage and we're going to have it so you can actually navigate around it and have a nice comfortable

walk he said.

Mr. Talon said the last time they talked they mentioned if there was any type of financial help on the conservation land for seeding and doing some work on the easement. He said they appreciated them working with them and being a non-profit organization they go with only volunteers so he is here today to ask if there is any funding.

Mr. Fisher asked him how much he wanted.

Mr. Talon said whatever the board and the Town feels...

Mr. Fisher asked if he has gotten any prices on what it is going to cost to get this done.

Mr. Talon said loam is \$18 a yard and SUR is going to give it to them for \$10 a yard because they are going to screen materials coming from other projects on-site. He said that's \$12,500 right there on just doing this field here. He said they are processing some loam from the forest mats so they're going to have some decent material and they feel they should be able to accomplish a lot along the road.

He said the other thing is the blocks they want to do and they have blocks from AJ Foss that are 2 high and they are going to knock it down to one and finish it so when you come in the radiuses on both sides of the entrance have the block and the parking lot is well defined and to keep whoever does doughnuts with their vehicle in the parking lot from doing it on their fields.

Mr. Fisher asked if the back field ties into the McCarthy Trail at the Public Safety Building.

Mr. Talon said yes. He said when they originally met with all of the players to purchase the property and put this easement on it the plan from the Con Com at the time was to build some wooden bridges because there are a lot of upland pieces but there are also a lot of wetlands so to go from one piece to another may be challenging in different spots.

Mr. Fisher said that's something the Con Com would like to put off to the future because they are trying to get some land further up by Bay Rd. right now.

Mr. Talon said which is why they were saying for now is to have it marked out and going all the way around so it's a nice loop and it would be something that people can go out there park their car and walk it. He said the only problem is people like to bring their dogs and they have children playing there tonight and a lot of people don't pick up after their dogs. He said they tell them that on the park itself not to have dogs because they could bite a kid and if they don't pick up their pet waste that's a problem for them.

Mr. Fisher said all of their trails in Farmington are all pet friendly and pets are welcome.

Mr. Talon said that's fine and it's their easement.

Mr. Fisher said as long as they keep them out on the trail and not in the park itself. He said he read an article where it said in the Netherlands they have a motto they put up on their trails that says "get a stick and flick it" so you can flick it out into the woods and it will bio-degrade in a couple of weeks and its all gone or you can put it in a plastic bag but take your plastic bags so they can degrade in 500 years.

Mr. Talon said when he worked in environment at the state he had a storm water outreach

trailer and part of the trailer was painted with a lady walking a dog with a bag and they had posters of a dog sitting on a toilet and they asked the kids if their dog could do this and they said no so we told them they have to pick up after them.

Mr. Fisher asked if he has gotten any prices for what it is going to cost to do the entrances to the parking lots. He said that they had discussed that they needed some concrete blocks for the new driveway.

Mr. Talon said he was not sure how many they need for the driveway but they are \$155 a block so what they are going to do to help is they brought the elevation down and they now have 2 rows of blocks on their entrance and they are going to knock it down to one because their goal is to be 2 ft. above the road to prevent anyone from accessing anything other than their driveways. No decision needs to be made you guys can talk about it and we always try to communicate with the Town on what we're trying to do he said.

He said the inhabitants have increased and when he first started they just had downtown park and they've taken this sandpit and they're reclaiming it and are making it a jewel. He said they have their recreation building there and he would love to have everybody down there when they get it to where they are happy and take a walk around and see what they've done.

Mr. Fisher said so the people at home know the monies that the Farmington Con Com uses do not come from tax money. He said this all comes from fees for land uses and putting properties back on the tax rolls and the fees associated with that and the town voted years ago that 100% of those fees go to the Con Com. He said currently they have \$106,613.13 in their account keeping in mind that they are going to be using quite a bit of this for the new property they are trying to get from the Cartwright property to create more parks and wooded areas for the town so they need to be judicial in their spending. He said he would like to make a motion to fund \$5,000 to the 500 Club for loaming and any essential work they made need to do on this property.

He said putting a trail around it would be a good thing for people to walk it's a nice safe area during the evenings though he didn't know if he would walk it at night because it gets real dark out there and it faces the woods and there have been bear noticed out there.

Motion: (Fisher, second Hall) to grant \$5,000 to the 500 Club to assist with putting in the loam, the parking lots and the kiosks;

Discussion: Mr. Pollard asked how he came up with the \$5,000 figure.

Mr. Fisher said it will be taken from the fund that they have and that is normally what they do. He said there is another thing coming up before them tonight another proposal for 200 acres that they need to discuss and they have a few bills to pay for the 360 acres of land they are trying to get. By the time we get through with everything we're going to do tonight we're going to drop this down to about \$90,000 and \$5,000 is normally what we do for projects he said.

Ms. Hall asked if the remaining work is the remaining grading and paving.

Mr. Talon said there is no paving and its gravel. He said they can't afford the paving and that's why one of them was almost a 10% grade coming in down the hill and will only be a one-way in. He said another reason for this access is the emergency vehicles come this way and they want to get electric gates eventually so they can just punch in a code and open it up but everything is gravel. The only pavement is the apron that was there since Pike was there he said. He said the first thing they are going to do is to get to the elevation they are asking them to do and that is going to take some time. He pointed to the right side of the site plan and said that side would probably be done in about a month and the other side would probably take most of the summer to get everything done.

Mr. Talon said they bought it in 2003 and he and Mr. Woodman were interviewed by the newspaper and he said they'd have this done in 3 years so he wouldn't promise them any dates but they are pushing hard and they want to get this site done so he would say the fall would be the best seeding time for these areas (he pointed out on the site plan) and they want to seed the football practice field within the next month.

Mr. Vachon asked about the location of the football practice field.

Mr. Talon pointed out the location of the football practice field, the property line, the soccer field and the main gate on the map. He said they leveled it and re-pitched it and they have 250' x 235' usable for a midget football practice field.

Mr. Vachon asked if they are still planning on doing the other football field on the site plan.

Mr. Talon said that is the one they are struggling with now and because of the ledge they may move the road over and try to wiggle it in a different way. He pointed out the area with the ledge and explained the groundwater flow and their plans to control it by running an open drainage swale all the way down that part of the site.

Mr. Fisher added that this is part of the Town's Master Plan not specifically the 500 Club but increasing outdoor activities around the whole town and this is already part of their outdoor plan to get this done.

Mr. Talon said they are part of the Master Plan and they are 90% recreation for the town. He said it is all volunteers and nobody gets paid. It's hard for us to come in and say we need this or we need that but we're not afraid to ask and that's how we get it done he said.

Mr. Pollard said it sounds like it is well thought out and that they definitely have a plan here.

Mr. Talon said they've had many plans throughout the process since the initial 3 lot subdivision which goes all the way to Route 11. He said this is one tract, then there's the conservation tract and then it's the earth tenders on the end.

Vote: the motion passed 3-0-1 (Vachon abstained due to his involvement with the 500 Club).

Mr. Fisher said he will get a check cut and get it to them next week.

Mr. Talon and Mr. Woodman thanked the commission and left the meeting.

Moose Mountains Regional Greenways Conservation Land Project (Shillaber Property, Sheepboro Rd)- Veronica Bodge gave informational packets to the members and said the front

page is a description of the property, on the back there is a budget that she will go over for this project and there are some maps in the back. She said she is a Land Agent for MMRG and she facilitates all of their land acquisitions and conservation easement projects so she gets to do all the fundraising stuff and once the property is acquired she gets to do all the stewardship work as well so she is pretty hands on with all of their projects and today she would be talking to them about a project with a landowner in Farmington.

She said this parcel falls within Farmington and Stafford and roughly 175 acres of the parcel is in Farmington and 25 acres falls within Stafford. She said this parcel is 30% wetlands that are created by the Berry River and this person has roughly 2,300 ft. of frontage on either side of the Berry River. The Berry River is what feeds the Rochester water reservoir so we are looking to place a conservation easement on this property in order to protect the wetlands and the Rochester drinking water she said.

Ms. Bodge said this property owner was recently granted the property from his late father whose dream was to have the parcel be conserved and to open it to the public but he never got around to it. Now it's his son's wish to make his dad's dream come true so that is why we're here in hopes to get this conservation easement and the funds for it to help him complete his father's wishes she said.

She said 59% of this parcel is ranked as the highest wildlife habitat by the NH Fish & Game's Wildlife Action Plan and 100% of the parcel has high permeability for wildlife meaning there is a lot of wildlife using this parcel for a corridor habitat and also as their primary habitat. She said it is also close to 4,500 acres of other conserved land by SELT and the Blue Hills Foundation and most of their property falls within Stafford but it is within close proximity as well to Blue Job. She said this property falls within the core focus area of MMRG and is listed in the Farmington and Stafford Master Plans because of the Berry River.

Ms. Bodge said by conserving this parcel they'd be adding an additional 200 acres of un-fragmented undeveloped habitat to Farmington and Stafford. She then turned to the budget for this project.

She said they have their own internal expenses such as staff time and overhead for completing the work that goes into placing an easement on the property (\$12,471), the value of the easement itself (\$235,000), the transaction expenses (legal fees, closing fees, survey, etc.-\$54,800) and the Stewardship Legal Endowment or defense expenses that helps protect and monitor the properties in perpetuity (\$28,000) (total-\$330,271).

She said they are hoping to have several incomes for this property and they include the Land & Community Heritage Investment Program (L-CHIP) (applying for \$125,000), the Drinking Water Groundwater Trust Fund Source Water Protection Grant (applying for \$145,000), private donations (\$30,000 anticipated) and the Farmington Con Com Ask (up to \$10,000) (total-\$330,000). She then said she would be happy to answer the members' questions.

Mr. Fisher said this has quite a bit of frontage along Sheepboro Road and on the first map you

can see how much conservation land is around there. He said one of the biggest parts is the Maynard parcel at one corner and that property has some hiking trails on it and a lot of people use that and this will connect a big chunk of property for hiking trails and minimal non-invasive use because there are a lot wetlands in this area.

Ms. Bodge said there are some green wind throws on the property from active forestry work and the landowner is happy to have people out there walking and there is a small parking area. He is happy to have people out there hiking and hunting if they want to hunt and it's open to the public for recreation if they'd like she said.

Mr. Fisher said this gives another opportunity for people to get outdoors and it also conserves a great bit of land to keep our forestry areas maintained and keeps the encroachment of large housing projects out.

Ms. Bodge said that a lot of the funds that the landowner will be getting from the purchase of the easement will be put back into managing the property for forestry work as well.

Mr. Pollard asked if they harvest the lumber.

Ms. Bodge said yes and the last harvest was done in 2014 so it will be a little bit until the next harvest is done but they do actively manage the property for forestry products and it has a NH Tree Farm status.

Mr. Pollard said he liked the project.

Mr. Fisher said he liked it too but was concerned about the \$10,000 and that they may not know the commission is working on getting 360 acres up off of Bay Rd. and they have received a few grants for that totaling about \$17,000 but that is just for the phase 1 studies for biohazards, etc. and there is going to be a lot of closing costs and their funds are kind of limited. He said it has taken them years to save up what they have and they really don't know how much it is going to cost for that 360 acres and he didn't want to bankrupt them.

Ms. Bodge said she understood and they would be appreciative of anything and it was just a general ask. She said if they can't give them the whole \$10,000 they totally understand. Just your support on this project even in the form of a formal letter would be appreciated she said. She said if they need time to discuss this at another meeting she is looking for a verbal commitment by the end of May because that's when their grant funding is due and it would be nice to know what they're looking at for outside funding before they start applying for grants.

Mr. Fisher asked if the members would like more time or if anybody was prepared to make a motion for an amount.

Mr. Pollard said he felt Mr. Fisher was in a better position to make a recommendation than he was. He said it was a worthwhile project and a "no-brainer" as far as he was concerned.

Ms. Hall said these are intended grants that they are going to apply for and asked if at this point if they have received any other grants or other funding commitments for this.

Ms. Bodge said they have not received any grants because they have not become due yet but they have received commitments from the Town of Strafford and the City of Rochester and

both of their commissions have donated some money.

Mr. Vachon said they could always donate more if things look better than they think. Mr. Pollard said that's what he was thinking too once they see what the 360 acres is going to cost.

Mr. Fisher said he was thinking \$7,500 and they have some more funds coming in which will take care of what they owe tonight plus this \$7,500 and that shouldn't drop them below \$100,000 in their funds for now. Who knows what next month is going to be for bills he said. Mr. Vachon said that's why he suggested they could make another motion once they see and not to completely say no. He said he was thinking around \$5,000.

Ms. Hall said she was thinking \$5,000 for now. Ms. Bodge said they would not take offense to that. She said they are more than welcome to pay it to them now but they aren't looking for a formal commitment for this money until next May because that's when they intend to officially close on this project. Mr. Vachon asked if by next May she meant 13 months from now.

Ms. Bodge said yes because that's when all of their other grant funding will come in. She said they are looking for a verbal commitment by the end of this May and they are welcome to give it to them when they have it but they won't actually need it until next May when they close. **Motion:** (Vachon, second) that the Conservation Commission for the Town of Farmington supports this endeavor with funds to be allotted before May of 2024;

Discussion: Mr. Fisher asked for the amount to be included in the motion. Mr. Vachon said they would do another motion later on as she just wants a verbal commitment and they have 13 months to figure out how much money they have to put towards it. Ms. Hall asked if the verbal commitment needs to include the dollar amount. Ms. Bodge said it would be nice to have the dollar amount because when she is applying for the grant funds she puts in what they have committed so if they have to do the verbal commitment lower and then they want to donate more later that's totally fine as well.

Amendment: by Mr. Vachon: with a monetary value of \$5,000
Second: by Mr. Pollard
Vote: the motion passed 4-0.

Mr. Pollard asked if they should ask Ms. Bodge to come back and tell them what the situation is.

Mr. Fisher said they can talk about it and he can always ask because he has her e-mail address. Ms. Bodge said she attached her business card that has her e-mail address and phone number on it to packet she gave them and if they have any questions they can e-mail or call her as she is happy to talk more about the project. She said speaking on behalf of MMRG they appreciate anything they can give and thanked the commission for the \$5,000.

Mr. Pollard asked Ms. Bodge if she could give them some recommendations on how to develop the 350 acre property. He said they are going to come up with a plan but it is always good to

have people walk it and take a look at it.

Mr. Fisher interjected there is some background related to that and he could discuss that with him later. He said it was a good idea but they are already talking a couple of engineering firms that specialize in putting in parking lots and trails, etc.

Ms. Bodge said she could tell them about the natural resources on the property but she can't tell them how to put in a parking lot. She thanked the commission for having her and said to feel free to contact her to chat further about the property and that the landowner is happy to have people walk it and she would be more than happy to walk it with them.

Mr. Fisher said they would get back in touch with her later next year.

Great Meadow Walkabout- Ms. Bodge said she also wanted to remind them that the Tuftonboro Conservation Commission is hosting all of the commissions in their service area for a tour of the trails they put in at the Great Meadow on Sodom Rd. in Tuftonboro on Friday, May 12 from noon to 2 p.m. She said she would send Mr. Fisher a copy of the flyer and he can distribute it to the members and they are all invited.

Special Use Permit Application (Tax Map R32, Lot 6, Chestnut Hill Rd.)- Mr. Fisher said this is concerning 2 manmade, not natural wetland pockets.

Berry Surveying & Engineering Project Manager Christopher Berry came forward and said with him tonight were Frank Torr and Patty Aiken who are the owners of the parcel and they will be discussing an excavation project they are proposing off of Chestnut Hill Rd. He directed them to the last page of his handout and said the reason they are here tonight is there are 2 little pockets of wetlands on the project site that they think were excavated in the 1940's or 1950's and you can tell from the shape of the hole that goes down to each one of these wetlands that they were excavated out and they pierce the seasonal high water table. He said as the seasonal high water table fluctuates up and down throughout the year there is hydrology within that hole wetland plants take hold and in the last 70 years or so hydric soils developed and with all 3 of those criteria you have a jurisdictional wetlands.

He said the project site is on the Cocheco River and there is a Shoreland Protection Zone around the Cocheco River and a local 250 ft. zone of which the 100 ft. buffer around the river is required. He said they are not proposing any disturbance within 100 ft. of the river and there is also the wetlands that are adjacent to the river at the top of the floodplain that are considered category 1 wetlands and they also have a 100 ft. setback that they applied to this project.

He said to the southeast of the site there is the brook that just barely crosses on and off of the site that is also a resource that they held a 100 ft. setback to and a 50 ft class 2 wetlands setback to any of the wetlands that are adjacent to that as well.

Mr. Berry said they've done a number of test pits on site to determine where the seasonal high water table is on a fluctuating yearly basis and they've designed the site to meet the gravel excavation requirements of the Town and they put together a pretty comprehensive Planning Board package that they've started to present to the Planning Board. He said he pared back his

presentation for them tonight so they can get out of here at a reasonable hour but there is a high level of detail that has gone into the excavation design for the site

Mr. Fisher said they are also planning to have 2 infiltration ponds that he saw as a Planning Board member. He said they are not digging this whole thing out and if this room was the entire area being excavated they're going to start over there in that corner, work there and as it gets used up they're going to start reclaiming it and then move to another spot.

He said they're taking it in chunks and not doing it all at once and that's going to cut down on the noise, the dust, the dirt and the alteration of all the lands. They are putting in 2 infiltration ponds and sloping everything towards those ponds to catch any runoff before it gets into the Cochoeco River or into the brook he said.

Mr. Berry said they've done a pretty comprehensive storm water analysis of the site and most of the project site is internally draining so instead of having water leave the property in the existing condition it drains to the sandy soils on site and their drainage design and analysis continues that methodology through the infiltration ponds. He said one of the most notable requirements in the Town's excavation rules is that it requires a 6 ft. separation to the seasonal high water table with any excavation. He said that's a little unique and it's not common to have quite that extensive of a separation there.

He said as he pointed out on the Special Use Permit application, much of the discussion tonight in terms of pollution control and water quality control focuses around if you can imagine trying to work along an excavation floor in a uniform manner and then have this random 6 ft. hole in the middle of the project site it really doesn't work. He said they are proposing to fill these in so they have that 6 ft. separation in the pit floor. He said in so doing they are actually increasing the separation and decreasing the pollutant load within the seasonal high water table at those 2 locations.

He noted that these 2 holes are not vernal pools and if they were vernal pools it would be a very different discussion. He said they are manmade excavations in the center of the project site and they are not adjacent to the primary resources the Cochoeco River, the wetlands or the floodplains around the river so they would consider them low quality wetlands. They do qualify as wetlands they're known as a PFO1E which is a peatland forested wetland and they are very common in NH so we're not proposing to fill in a resource that is rare or somehow endangered he said.

Mr. Berry said they have filed with the Natural Heritage Bureau which is required of any project of this size and they have written back stating they found 3 species of concern the blundings turtle, the wood turtle and some sort of small fish. He said obviously those species are germane to the river not necessarily the site and certainly the fish don't play around on their sandy site. He said the turtles are well known for nesting in sandy soils but if you could imagine a turtle moving along the river or the floodplain and having this large existing sandy slope coming down to the river they are not going to navigate up that slope and into the pit. He said they worked

with an environmental company called Fraggie Rock Environmental in Strafford and they will produce a report to NH Fish & Game about these 3 species and that report will be required to be submitted to them prior to them receiving an Alteration of Terrain Permit. They will be doing their field work next week and then they would submit that report to NH DES and NH Fish & Game for their review he said.

Mr. Berry said in terms of the project sensitivity if they look at page 6, the lady from MMRG described the highest ranking inventory on what they call the WOP map and these maps are published by NH Fish & Game and are readily available online. He said the magenta areas are adjacent to the river so if they think of magenta as a hot zone that's where they're going to have wildlife. He said those areas are highest ranked in habitat and they follow the river and stream corridors but they do not extend onto the property.

He said the green areas are highest ranked in habitat not species and those areas are also isolated to the river corridors and do not extend onto the project site. He said the shaded yellow areas are what's known as supporting habitat and there is a small section of that supporting habitat that extends onto the site but he noted that because of the large buffers they have to the river most of that supporting habitat is within that buffer zone and the remainder of the parcel is well outside any of those wildlife action areas.

Mr. Berry said he would submit though there are species of concern they are not in a major habitat corridor in the project site clearly there's a habitat corridor along the river and along the wetlands and the stream bed.

He said they are asking the commission to recommend an endorsement to the Planning Board as the Planning Board has delegated authority over Special Use Permits. He said because they are proposing to fill in approx. 6,000 sq. ft. of wetlands they will file for a NH DES Wetland Permit so the wetlands board will also be reviewing the package.

He said just for the board's edification because he had prepared most of these for their wetlands permit he provided some photos of the holes and there is snow on the ground but you can see the lack of vegetation there. He said he itemized out where the details are of the small wetland areas. He said so the commission understands where they're discussing he provided the locations of the 2 holes on the tax maps so they can see where that is in relation to other larger resources and again on the USGS map so they understand the topographics they are dealing with.

He said the project site is interesting because it has not been mined or touched in such a long time but there is quite evident proof that it has been in the past. He said there are house lots on Chestnut Hill Rd. and then it slopes down to this very flat site clearly there are some excavations that have taken place on site but it's just interesting that it hasn't persisted over the years. He then said he would be happy to answer questions on the project design, the plan or what they are proposing here this evening.

Mr. Fisher said as the Con Com Chairman and their representative to the Planning Board he

wanted to point out that these 2 spots are well within the 250 ft. boundary away from any rivers or brooks. He said he would say they're probably another 100 ft. in so any work that's done on these will not affect the rivers and they're not going to be raising them up above the level because they want to excavate this area on a flat plain and instead of going down they don't want to go up either and go over the top.

He said the only reason they are even considered a wetland is because whoever dug these holes in the '40's or the '50's dug too deep and got too close to the water table and as the water table fluctuates, it puts water in them, the water level goes down below the bottom of these and there's no more water so calling them wetlands is a stretch of the imagination in his opinion. I have no problem I think they are taking all the appropriate precautions and then some and just because we endorse it or don't endorse it, it still has to get an AOT Permit, DES will get involved, they're looking at these 2 different turtles and fish, that's all being looked at, that could throw a monkey wrench into it and that's outside of our purview on this particular case he said.

Mr. Pollard said based on the pictures they don't see any standing water out there.

Mr. Fisher said there's no standing water but there probably will be some water in these as the snows melt but it also depends on where the water table is at and this year we did not get a lot of rain and a lot of snow so these may not even get wet this year.

Mr. Berry said there was some fluctuation last year in the spring time but Mr. Fisher was right that it's pretty infrequent.

Mr. Fisher said as he sees it this is fixing a problem that was created 70 years ago. He said there was more detail presented at the Planning Board but they would be here all night if he was to give them that presentation. They are well within the 250 ft. boundary from any rivers or brooks all appropriate precautions are being taken and all appropriate state agencies have been notified and they identified these 2 turtles and fish so that is being looked at by the experts so I personally don't see any problem that would be created by filling in these 2 spots he said.

Ms. Hall said it seems straight forward and with all the other additional reviews that are happening the DES permit, the AOT permit all the necessary reviews are going to happen at another level and if these are clearly manmade she didn't have any issue with it.

Mr. Vachon said if they're manmade and there's only water in them when it melts and there are species being looked at but that's outside their purview.

Mr. Fisher asked the board for a motion to recommend approval or to not recommend approval of the Special Use Permit application for Tax Map R32, Lot 06 and asked if whoever makes the motion if there are any recommendations for precautions they would like to see. He said he couldn't think of any precautions.

Mr. Vachon said he was looking at the grades and that Mr. Berry mentioned that it drops off pretty quickly behind the other properties and asked if there was any erosion that would cause those properties to lose property due to the excavation.

Mr. Berry said they are proposing to excavate at a 3:1 slope instead of a 2:1 slope because of the sandy soils. He said the angle of repose in a sandy soil in a 3:1 slope is stable and then they would loam and seed all of the slopes so there would be no degradation to the slopes. We're also set back from their property lines 50 ft. before we start our excavation he said.

Mr. Vachon said his only concern was about people losing property because they got too close.

Mr. Fisher said he forgot to mention that and it was noticed at the Planning Board that there is a 50 ft. buffer behind all of those properties and the soils do have some trees along the way to provide a visual barrier and 3:1 slopes is what they're working with instead of 2:1 slopes.

Mr. Vachon said if there is water in those pools at 250 ft. they'll be 6 ft. above that so they'll be at 256 ft. and they are looking at 296 ft. over here right behind the property so that's 40 ft.

Mr. Berry said that's correct.

Mr. Vachon said that would be a steep banking if they're not back far enough and that was his concern that these residents along here don't start losing property.

Mr. Fisher said once the land is excavated out that is going to be dropping.

Mr. Berry said he could demonstrate that on the larger board if they would like.

Mr. Vachon said he was looking at the grades and if they're not far enough away from the other properties and they start losing property and they recommended approving it and now they are losing acreage down into a gravel pit. He said he is saying this because he has seen it happen to a piece of property he lived in they got too close to the property line and they started losing property into his property and that was a gradual slope just due to the erosion, heavy rains and snow melt. I have no problem with the wetlands my concern would be the excavation in general he said.

Ms. Hall asked Mr. Berry if he had a grading plan that shows the toe of slope at that 3:1.

Mr. Berry said yes and pointed out on the plan that the bottom of the excavation is sloped so it's not just a bench and then flat and the lowest area in the area where they are proposing the excavation is actually at 262 ft. He pointed out the largest slope that would be adjacent to other properties and the solid black lines which are 10 ft. each and said they have to be 50 ft. from the abutters and because of the type of material on site they have gone to a 3:1 slope that would be stabilized.

He said they are proposing stabilization matting which is not common in pits and the matting is a natural fiber that way any animals that get in there won't get hung up in plastic parts. He said it's loamed, it's seeded and then it's matted so you don't have the sloughing they talked about. He said with 2:1 sandy soils and gravel if you imagine you take a pile of sand and drop it into a cone it's called the angle of repose and at 2:1 it's erodible like they discussed and at 3:1 the angle of repose is much more stable which is why they went with those slopes.

Mr. Fisher said they are doing this in chunks and not all at once so that should help with the erosion control because as they move along they are reclaiming the land also.

He then asked if there were any questions from the audience. Hearing none he asked if there

was a motion to recommend approval or not recommend approval.

Motion: (Pollard, second Hall) to recommend approval of the Special Use Permit application on Chestnut Hill Rd. for Tax Map R32, Lot 06 passed 4-0.

Mr. Fisher then asked the commission if they would like him to put together a letter sign it and send it to the Planning Board.

Consensus of the members was to have Mr. Fisher send a letter to the Planning Board.

Motion: (Vachon, second Pollard) to have Bill Fisher the Chair of the board sign a letter stating that we recommend approval of the Special Use Permit passed 4-0.

Mr. Fisher said he would get that letter to the Planning Board.

Mr. Berry said he had 2 other topics on this to discuss with them one being that the regulations

require that the Con Com Chair has to sign the plan if the Planning Board approves the project

so he would also have to sign the plan and he didn't know if this board needed to take action

on that.

Mr. Fisher said okay.

Mr. Berry said secondly the regulations also require that the Special Use Permit is only valid for

2 years and they likely won't even get to that area within that 2 year period so he will be asking

the Planning Board to ensure their Special Use Permit is proper and active throughout the

length of their project site and he felt that was important for this board to know.

Mr. Pollard asked how long the project would take.

Mr. Berry said they estimate that it will be about 8 to 10 years.

Ms. Hall asked if that could be a condition on the Planning Board approval.

Mr. Berry said that is how he would view it.

Mr. Fisher said he can't do anything with that but he could bring it up at the Planning Board. He

then thanked Mr. Berry for attending the meeting and putting this information out.

Cartwright Property- Mr. Fisher said at a previous meeting he notified the commission that

they had received a \$5,000 grant for the Cartwright land donation project from the Great Bay

Resources Protection Partnership. He said at that time they voted on matching \$5,000 for that

grant. He said that grant has since been increased by the grantor to \$7,500 and they need

matching funds up to that. He said they already authorized \$5,000 and tonight he is looking for

an authorization for another \$2,500 to match with that grant. That doesn't mean we'll be

spending all of it, it just means we have to match that much he said.

Mr. Vachon asked if that's \$5,000 that they already motioned for out of that account or if it is

still in that account with the \$106,000.

Mr. Fisher said he believes it is still sitting in the account so they can either have a motion to

withdraw that authorization and put in a new one for \$7,500 or increase it to \$7,500. He said he

has not gotten any notification that it has been taken out of the account and a week or so after

they authorized this it went to the Finance Administrator and she had it in her stack of things so

he does not believe it's been taken out of the account yet.

Mr. Vachon said if they approve that it will \$17,500 out of that \$106,000 because they already did \$10,000 tonight plus that \$5,000 is \$15,000 plus the \$2,500 is \$17,500.

Mr. Fisher said within the next month they should be getting another \$10,000 added to their account is what the Finance Administrator told him tonight.

Mr. Vachon asked what they are using that grant for.

Mr. Fisher said it is for the New Dam/Cartwright land donation project and is being used for the Phase 1 site assessment study of the property.

Ms. Hall asked if they got the grant from DES to do the Phase 1 study.

Mr. Fisher said it's not from DES it's from Great Bay Resources Protection Partnership Land Protection Transaction Grant Program and was something they didn't even ask for and it got granted to us. We got a letter and we were really surprised he said.

He asked for a motion to increase their matching funds from \$5,000 to \$7,500.

Mr. Pollard asked if that is the way that grants work and the Town has to match them.

Mr. Fisher said it depends on the grant and with some grants there are no matching funds and some grants have a 20% match and this grant is 100% matching which would give us \$15,000 to spend and we're only spending \$7,500. Its costs us but its still \$7,500 that we wouldn't have had he said.

Motion: (Vachon, second Pollard) to add an additional \$2,500 to the previously motioned \$5,000 to make it a total of \$7,500 to go to the Town's portion of the match for the Great Bay Resource Protection Partnership Land Protection Transaction Grant Program passed 4-0.

Title Search invoice- Mr. Fisher said they received a bill after their last meeting that needed to be paid and he wanted to wait until this meeting to get it approved but the Town wanted to pay it so the Town paid a bill to Fairly Title Abstracting for a title search for the Cartwright property for the Cartwright Trust. He said the bill was for \$558 and asked for a motion to reimburse the Town for \$558 to Fairly Title Abstracting for titles for the Farmington, NH properties owned by New Dam and the Bruce T. Cartwright Trust.

Motion: (Hall, second Vachon) to reimburse the Town for \$558 paid to Fairly Title Abstracting for titles for Farmington, NH properties owned by New Dam and the Bruce T. Cartwright Trust passed 4-0.

BH Keith Invoice- Mr. Fisher said previously they approved an expenditure of \$3,500 for a service agreement to BH Keith & Assoc. for the phase 1 study of the New Dam property. He said now the bill is due and the Town has asked for authorization from the Con Com to pay the first invoice of \$1,500. He said the money has already been authorized they are authorizing the first payment and it is going to be split up into 2 bills-one for \$1,500 and one for \$2,000. He asked for a motion to authorize the Town to pay installment 1 for the preliminary baseline documentation of the Cartwright/New Dam properties, Bay Rd., Farmington, NH in the amount of \$1,500.

Motion: So moved by Mr. Vachon and seconded by Ms. Hall.

Vote: the motion passed 4-0

SELT Donation- Mr. Fisher said it's that time again to make their yearly donation to the Southeast Land Trust and that they do a lot of work for us. He said they are asking that they renew their support with a gift of \$150 and that is normally what they do. He said like they saw tonight with MMRG, SELT does the same thing with various properties around here and they use this money for their expenses and their publications. He said if they agree he would like a motion to approve giving them \$150 to renew their membership.

Motion: (Vachon, second Hall) to renew our membership with SELT for a \$150 donation passed 4-0.

Prescribed Fire Planned- Mr. Fisher read aloud a notice stating that as an abutter to the Blue Job State Forest the NH Fish & Game Dept. is contacting the Con Com to make them aware of prescribed fire planned to occur at the end of May. He said the fire will be conducted by members of the NH Prescribed Fire Council including staff from the NH Division of Forests and Lands, NH Fish & Game, New Boston Space Force Station and others under the guidance of a comprehensive plan to ensure that conditions and available resources are adequate to safely implement the burn. He read the areas planned for treatment are indicated on the attached map and if they are unable to conduct the burn this spring they will try again in the fall. He said this is the typical burn that goes on every year at Blue Job and they're letting the Town know.

7). Other Business before the Commission:

Mr. Fisher said he received the March/April edition of NH Town & City magazine if anyone would like to see that.

He gave a plug for the town-wide cleanup again that will take place on Saturday, April 22 beginning at 8 a.m. at the Municipal Office Building parking lot where he provide gloves, vests and bags and participants can pick the areas they want to clean up. He said before they leave he will give everyone his phone number and once they are done they can give him a call or a text and either he or Selectman Doug Staples will come pick up the bags. Please-we need your help let's get some of this trash off of Farmington's streets. It's greatly appreciated he said.

8). Next Meeting: Thursday, May 11, 2023

9). Adjournment:

Motion: (Vachon, second Pollard) to adjourn the meeting passed 4-0 at 7:32 p.m.

Kathleen Magoon, Recording Secretary

William "Bill" Fisher, Chairman