

Town of Farmington
Conservation Commission Meeting Minutes
Thursday, May 11, 2023
Selectmen's Chambers
356 Main Street-Farmington, NH 03835

Commission Members Present: Bill Fisher, Chairman, Gerry Vachon, Selectmen's Rep., Jim Pollard, Secretary, Amber Hall

Commission Members Absent: Richard Ballou, Vice Chairman, excused

1). Call to Order:

Chairman Fisher called the meeting to order at 6:03 p.m.

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Comment: None

Mr. Fisher said if there is anything anyone would like to say or if anyone has any questions about anything they talk about tonight to please come on up and he will keep the public comment portion open until the end of the meeting.

4). Review of Minutes:

April 13, 2023- Public Meeting Minutes-No errors or omissions

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

5). Old Business:

Town Cleanup- Mr. Fisher thanked everyone that showed up to the town cleanup. He said their hard work and dedication to the town is very much appreciated by him and a lot of other people. He said they had a total of 14 people show up and those 13 people (he drove around and picked up the bags) picked a total of 1,140 lbs. of trash and 140 lbs. of that was picked up from Silver St. Everybody did a wonderful job and it looks so much better up there. Hopefully in Sept. or Oct. depending on the weather maybe we can do another one and we'll talk about that later he said.

Mr. Vachon asked if he still has some bags if someone would like to come and get some bags and collect some roadside trash in their neighborhood.

Mr. Fisher said they still have plenty of bags and someone could come up here and ask for bags and once they are done they can call him and he will pick it up and take it to the dump.

Hay Day- Mr. Fisher said their next big thing will be Hay Day which just came out today with a flyer and Hay Day is going to be on August 19. He said there will be more to discuss about that later.

Mr. Pollard asked what the Con Com's involvement is with Hay Day.

Mr. Fisher said they set up a booth and he puts in a request to the state for their fur kit and some of the brochures they give away. He said the fur kit has 15 or 20 pelts of different critters that have been preserved and they lay those out on a table and get the kids to guess what they are. He said they have to watch them carefully and he has had people walk off with them and they've caught them and people have tried to buy them. There is a bobcat pelt that is really nice and one guy offered me \$5,000 for it but I can't sell it, it belongs to the state which belongs to you people at home he said.

He said sometimes they come up with some other ideas and one year he built some bird feeders and bird houses out of recycled materials and had those on display and at the end of the day he gave them away to people that were interested. He said they might have something else on display there and they have some display boards if somebody wants to make something up to display. There will be more on Hay Day later he said.

6). New Business:

Intent to Cut Notice- Mr. Fisher said this notice is for Tax Map R47, Lot 41-1 on Ivy Lane consisting of 96.87 acres and the entire parcel will be cut. He said the start date is listed as March 31, 2023 and will go to March 31, 2024 so this will be a long time cutting this property. He said they will be cutting white and red pine, hemlock, spruce, hard and soft maple, white and yellow birch, oak, ash, beech pallet ties materials and logs, 2,000 tons of biomass chips and 700 cords of cord and fuel wood.

Mr. Pollard asked if this was going to be a clear cut or selected.

Mr. Fisher said it would be a selected cut and that clear cuts are against the law unless they get permission to clear cut. I hope they're not clear cutting almost 100 acres of land he said.

Culvert Replacement- Mr. Fisher said he received notice of a culvert replacement along Rt. 75 in Farmington and it says an existing 60 ft. of 24 inch CMP will be replaced in kind and it looks like it is along Elm Street that they are going to be doing it. He said the area has been looked at by the Town and the state and there are no endangered species in the area.

He said it looks like they won't be disturbing much and the culvert crosses the road so they will be digging across the road, installing the new culvert and then repairing the road.

Mr. Pollard asked if this was to run power lines under the road.

Mr. Fisher said it's a water line for storm water and stuff going under the road. He said some pictures were included with the letter and it looks like the culvert has collapsed so they are going to replace the whole culvert.

Mr. Pollard asked if this would be done by the water company.

Mr. Vachon said it's a state road and when a culvert fails the state will replace.

Mr. Fisher said this was just submitted on 05/05/23 and NHDES will need to approve it and they are probably just asking if the Con Com has any comments or anything they are concerned about with this project. He said there was not that great of a map, only some photos of where it is and he didn't see any wetlands.

He read the NH Natural Heritage Database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those threatened or endangered by the state of NH or the federal government. They currently have no record of occurrences for sensitive species near this project area he said. He passed around the letter and the pictures of the culvert for the members to review and said this looks to be the area up towards the other end towards Rt. 16 up on the long stretches up there.

Mr. Vachon said it looks like it is at the base of 3 mile hill.

Mrs. Hall said according to the coordinates provided it is just north of Hemlock Drive just past Chestnut Hill Rd. and Hemlock Drive before Glidden Lane.

Mr. Vachon read that the estimated start date is 07/10/23 and it will take 4 days to complete.

Mrs. Hall said this is a regular routine maintenance application and if there were any wetlands impacts they wouldn't be able to use this application and she is fine with it.

Mr. Fisher said he didn't know if there are wetlands back in those woods but a lot of hunters go hunting there for deer and turkeys and he has seen a lot of turkeys crossing there.

Mr. Vachon said he didn't think there were any wetlands in that location and they are just taking the storm water from one side to the other side.

Mr. Fisher said if they would like he could generate a letter but he was not sure who to send it to and then suggested maybe to the Planning Dept.

Mr. Vachon asked if a response was required or if they are just notifying them that they are doing it.

Mr. Fisher said he didn't know it doesn't ask for anything and that he would ask someone in the Planning Dept.

Alteration of Terrain Permit Application-115 NH Rt. 11; Tax Map R03, Lot 04; NHDES File number 230425-094-

Mr. Fisher said this is a very complicated one and he didn't get any drawings ahead of time and the package went to the Code Enforcement Officer. He said this property has been under surveillance by the state and it's located on Rt. 11 down close to PIP Rental on the left hand side of the road as you are traveling towards Wal Mart.

He said work was started on the property without any kind of permit being drawn, the state found out about it, a wetland was drained, the dike was cut through to drain the wetlands in the area and he was ordered to stop all work and submit all the paperwork. He said now the paperwork is coming in and now they have an Alteration of Terrain Permit application which was given to him today and he hasn't had a chance to look at it to see if there are any drawings of this property.

Mr. Pollard said this is after they've altered it.

Mr. Fisher said he went in, drained the wetlands and flattened the property. He said if you drive by you'll see a bunch of dirt at one end of it that he moved around to flatten the property and he believes he is going to be building some kind of storage facility in there for his family. He said there is nobody living on the property and he believes he lives up state somewhere.

He said for his AOT permit they are asking that the Con Com review it and take a look at the property and see if they have any comments about the property.

He went through the packet of materials he was given, found the maps and spread them out on the table and asked the members to review them. He apologized to the commission for not having copies of the materials for each of them but it took them 3 days to find this paperwork. Mr. Fisher said it looks like there are 2 endangered species, the Blanding's turtle and the wood turtle in the area so he is going to have to worry about that.

Mr. Vachon asked if they just submitted this today.

Mr. Fisher said he got notification on Friday and called here and said they want the Con Com's input by June 4 and their only meeting between now and then is tonight. He said he came in on Friday looking for the paperwork and nobody knew where it was and he found out late on Monday that they there is paperwork and they would have it ready for him. He said he told them he copies of the maps so he could get them to the members and nobody gave him anything and this is all we've got and he has to have this back to the Planning Dept.

Mr. Vachon said they want us to look this over at a normal scheduled meeting when they had no information ahead of the meeting to make a decision. I'm not comfortable doing it he said.

Mr. Fisher said he wasn't comfortable either but the state wants answers by June 4.

Mr. Vachon said that's the state's problem and they should have gotten it to them a lot earlier.

Mr. Pollard asked Mr. Fisher if he went out to take a physical look at this.

Mr. Fisher said he has seen it as part of the Planning Board when this was all cut through.

Mr. Vachon said he was sorry if it puts them behind but they can't drop this on them 3 days before a meeting and ask them to go over this entire application and make a decision in a couple hour meeting. I'm not making any decisions, I'm not making any comments, I'm not even going to look at the maps the state can wait. If it puts them behind on construction it's not my problem he said.

Mr. Fisher said he could send a letter to the Planning Dept. saying exactly that that they have not had time to perform a review. He said they can go back to Norway Plains and have them give them digital copies that he can have sent to them to take a look at. He said he could at least show them the area they're talking about on this one drawing.

Mr. Vachon said he was quite familiar with the situation.

Mr. Pollard suggested they have someone come in and make a presentation to them on exactly what they are going to do.

Mr. Fisher said they could try to get Norway Plains to do that. He pointed out Rt. 11 and the property on the map and noted the wetlands areas, the berm and where they cut thru it so all of this would drain and they flattened this area and pushed all the dirt over to one side. He said there's a hill and you have to drive down to get in there and there are excavators in there and up on the bank they have a garage type building.

He said he hasn't seen what restoration there is going to be. He said he was under the

impression that this all had to be restored before any work could begin again which means fixing the wetlands and the dike and none of that has happened.

Mrs. Hall said maybe they detailed that in their plan.

Mr. Fisher said he didn't know and he didn't know there were these 2 turtles in that area and they have them right here on the top of the drawings.

Mr. Vachon said according to this they are a ways off on being observed they're not directly in the site. He said a wood turtle was observed .3 miles away and a Blanding's turtle was observed over a half a mile away back in 2013, 2015 and 2018. He said they want them to make a decision on this and they need an extension to let them make it.

Mr. Fisher said with the commission's permission he will generate a letter to the Planning Dept. stating they have had insufficient time to perform an adequate review of this AOT permit and request that digital copies of all of the permits and all associated drawings be forwarded to the Con Com for review at their next meeting.

Mr. Pollard said they could even move the meeting up if that works with the other members.

Mr. Fisher said he didn't know if they could get the stuff from Norway Plains in the next 2 weeks. He said all the Town got was what he has here so they are going to have to go back to Norway Plains to get copies and the originator of all this is going to have to pay for all that.

Mr. Vachon asked what they are looking for from them and what they want them to do.

Mr. Fisher said their input is towards the wetlands and if they recommend that they refill the wetlands before the work starts or make sure that the application is correct that they're going to have reclaimed the wetlands at the completion of the work. He asked if they have any recommendations about fixing the dike and do they leave it draining while the whole project is going on or do they make them fix the dike. What we say are just recommendations we have no enforcement authority but we can give them our concerns he said.

He then asked if during construction if they have any recommendations as far as safety factors to mitigate any dirt coming out onto Rt. 11. He asked if they recommend safety barriers, bales of hay, construction fencing and that type of thing.

He asked if they have any concerns as far as drainage of any water from the property or pooling of water and do they need retention ponds or something like that. He said those are the recommendations they would make about what precautions they should take and they may have it all covered but they haven't had a chance to review the whole application.

Mr. Pollard asked if this was coming in for a variance.

Mr. Fisher said no this is just the AOT permit. He said what they want to do with the land will come before the Planning Board and if needed the Zoning Board. He said the Planning Board hasn't seen any plans on this and it was brought up at the Planning Board because a citizen called the Town and asked what is going on with this property and the Town said they didn't know and they didn't have any paperwork.

He said the CEO went out to the property, spoke with the owner and found out nothing had

been submitted. It was then reported to the state and the state took control of it and over a 2-3 month period they did their investigation and found out that no permits had been drawn and they came back with this what you've got to do. I have not seen what the state said he said.

Mr. Pollard asked if the state is going to be addressing the wetlands issues.

Mr. Fisher said that will all be taken care of by the state once their recommendations are put in. He said they will/will not use their recommendations as they see fit in their approval or disapproval of the AOT permit. He said that is the first thing that should have been done almost a year ago but it wasn't and he went ahead and altered the terrain and drained the wetlands into the Cocheco River which could have contaminated the river because no precautions were made. He said he cut a hole through the dike that separates the Cocheco flow from Rt. 11 and there is still a 3 or 4 ft. wide trench cut thru the dike all the way from the bottom to the top. Luckily we haven't had any flooding but if we did I don't know what that would do to Rt. 11 or the surrounding property. The state is handling all that that's out of our hands he said.

Mr. Fisher said in order to give Norway Plains enough time to give them copies of the material he would say to keep their normal meeting for next month and that would give them almost 4 weeks to get digital copies, get them to him and he can then forward them to the members.

Mr. Vachon said he didn't know if the state is going to wait on them. He said if they are looking for comments without having time to look at everything then it should be restored to back the way it was.

Mr. Fisher said he should restore the land to as it was at the beginning and then start all over again. He said again they can't make them do it but that's their recommendations.

Mrs. Hall asked if that would include restoring the berm.

Mr. Fisher said it would include fixing the berm and letting the wetlands fill back up again and if he did any digging and smoothed them out he will have to return the terrain to the condition it was in at the beginning and then start all over again. He said he could make that recommendation or he could make a recommendation that they have not had enough time to do a proper review of the material, request that digital copies be provided to the Con Com in time for their next meeting.

Mr. Pollard said he would like to get a presentation like they did with the other surveyor.

Mr. Fisher said they can request that Norway Plains give a presentation also.

Mr. Pollard said he did not feel comfortable making a recommendation to restore everything if it's not appropriate based on what the state requirements are for wetlands. We have a situation here where they're gone so what are we going to do. We could restore everything but I don't know he said.

Mr. Fisher said it sounds like the way they want him to go is a letter to the Planning Dept. requesting digital copies of the AOT with all applicable drawings and a presentation by Norway Plains on what is going to be done and an impact study or any information they have on the draining of the wetlands. He asked for a motion for him to generate a letter to the Planning

Dept. to request digital copies of the AOT and supporting drawings and to have Norway Plains give us a presentation on the project submitted in the AOT.

Motion: So moved by Mr. Vachon and seconded by Mr. Pollard.

Vote: the motion passed 4-0.

Motion: (Pollard, second Hall) to authorize Bill Fisher to sign the document passed 4-0.

Mr. Fisher said he would generate the letter tonight and get it to the Planning Dept. He said they could give their letter to the state if they want and it will be up to the Planning Dept. on whether they grant our request they may say we're just going to send this in because they want it by June 4. I will let them send in that we have no comments but I won't sign anything saying we have no comments because we do he said.

New Dam/Cartwright Property- Mr. Fisher said he should have sent this information to the members sooner but he needed some clarification on what they wanted him to do. He said they wanted him to make comments but he didn't feel good about making comments on this property. He said this is the New Dam/Cartwright property that is being donated to the Town for the use as a nature preserve, parks, trails, etc.

He said a title search has been conducted and they found several problems with the title and he brought in the tax maps and asked the members to gather around and view the tax maps for the property they are talking about.

Mr. Vachon asked what kind of issues they have with the titles. He asked if it was just clerical issues or if there were other owners that weren't agreeing.

Mr. Fisher said some land they're not sure who owns it, there's a \$130,000 lien against the property and what is going to happen with that, there's an access road that goes through the property and do we still need that and that is what he was about to show them.

He said once you look at all this stuff it's not too difficult to understand what is going on. He pointed out the section of land that is right off of Bay Rd. and there is another part that comes on here which is the part that goes out to Spring St. that he would open up in just a moment. He said there are a lot of different parcels of land on here and this is the biggest chunk of land right now. He pointed to Tax Map R17 and said it is 123.68 acres and has a \$130,000 lien on it that was put on the land (in 1986) prior to New Dam/Cartwright's owning it. He said the land was transferred to them and the \$130,000 mortgage was never paid or was never discharged. He said the lawyers will have to go back to the mortgage company and find out about discharging the mortgage and there is nothing we can do about that.

Mr. Fisher said to get to this property there was a right-of-way given to New Dam/Cartwright's property by a family that owned 2 parcels of land so that they could get to the property and it was the heirs of Jacob Lougee who owned R43 and R44. He said there was no way to get to R17 without somebody giving access to the property in that area so they got a r-o-w and put in a private road and they believe that is Coyote Rd. off of Spring St. and it's not much more than a dirt path going up thru there.

He said to get to the west end of the property they got the r-o-w for whatever reasons. He said if everything goes as planned R48 and R49 which both have access to Spring St. will be transferred to the Town of Farmington along with R17 and we'll have access to this end of the property through property we own and we'll no longer need a r-o-w thru this land. The questions from the attorneys are would we like to quit claim our authorization to use that r-o-w and return it to the heirs of Mr. Lougee. I don't see where we would need that because we would have R48 and R49 giving us access to this whole end of the property he said. Mr. Pollard asked why we have to do anything and why we have to spend money on a quit claim deed.

Mr. Fisher said we don't and this will all be up to the original owner. He said all they have to do is say the Con Com has no desire to maintain a r-o-w thru these 2 pieces of property. He said it is just clearing up the titles and stuff so the property can be given to us.

Mr. Vachon asked if it is a r-o-w or an easement.

Mr. Fisher said it's a r-o-w and if it was an easement it would have to stay with the property forever.

Mr. Pollard said he didn't understand why we have to do anything.

Mr. Fisher said it's because the r-o-w is identified as access to this property and if we don't need the access then they should give it back to the people that own this property here.

Mr. Vachon asked would we use because it's an established road to access that other property.

Mr. Fisher said we won't need to because this property will be ours and we can access thru it.

Mr. Vachon said that's correct but you would have to cut and build a road into there and there's already an established road at that end of the property.

Mrs. Hall asked if this r-o-w is specifically for the Town of Farmington.

Mr. Fisher said there are some houses back here and it's all owned by that family and he assumed those homes are too.

Mrs. Hall said if at some point in time those houses belong to different owners this private road provides access for those homes. She said she wonders if there is an access easement over this r-o-w for these property owners.

Mr. Fisher said no access easement has been seen that he knows of. He said another thing that was identified is there is a r-o-w to Cartwright's and pointed the properties that were owned by the Cartwright's and New Dam and it gets really complicated and that is what this is trying to straighten out. He said on the New Dam property years ago they were going to put a housing subdivision out here and for some reason that was never done. He pointed to the lots that were developed and noted that some were sold and some weren't.

He said Mr. Cartwright's business partner wanted some land on the other side of Rt. 11 that was owned by Bruce Cartwright and he said if Mr. Cartwright would sell him that land for \$1 he would give him his rights to this land and then Mr. Cartwright's heirs said they want to donate all of this. He said we said great we'll take it all and then they started doing title searches and

found these problems with the titles that have to be straightened out before the Town will accept this property. He said he didn't see any reason to keep the r-o-w because if they need to they can come thru other entrances and the logging roads on the property.

Mr. Fisher said they need to address this because the lawyers are asking them if they want this or not and it's to clear up the titles and deeds to this land. He said a lot of these deeds in here were handshakes by the people that lived here in the early 1900's and it's all messed up and they're trying to get it straightened out.

Mr. Pollard said if they leave it the way it is it's not going to affect anything the Town needs. He then asked what the impact of leaving it the way it is would be.

Mr. Fisher said he didn't think there is an impact and he guessed they want to give the property rights back to the owners since it hasn't been used by the Town or by the Cartwright's to go out into here. If we want to keep it so we have a backdoor into it I can make that recommendation he said.

Mrs. Hall said the r-o-w is shown on someone's property so she wondered if in fact it's an easement.

Mr. Fisher said the lawyers haven't found an easement and if they look in the packet he sent them they'll see there was some work done on R43 and R44. He said they will also have access off of Spring St. through property that will be given to us because Cartwright owned there too.

Mrs. Hall asked if they need to accept that property as well because if its r-o-w owned by Cartwright at this point in time and then this owner Jacob Lougee and would it automatically default back to them or would they need to agree.

Mr. Fisher said it would just default back to them. He said they already own the property and they have their own probably easement or something through there. He said he thinks there are a couple of houses back here on these 2 pieces of property so they have been using it it's just that Cartwright had permission to use that to get to his property.

He said if this piece of property is given to us and we accept it along with this piece of property then we have an access to it through here without having to use the r-o-w. He said as Mr. Vachon pointed out if they needed to they would have to cut a road thru here to log this end of the land where with a r-o-w the road is already there so they could log it. He said that's a whole new kettle of fish to get into because somebody is going to say you're going to damage my private road but we have r-o-w to use it.

Mr. Vachon said a r-o-w is ownership and an easement is the ability to use it. He said a r-o-w they own and with an easement you have permission to cross. That's why I'm asking if it's an easement or a r-o-w he said.

Mr. Fisher said the lawyers have said it's a r-o-w.

Mr. Vachon said then if we accept the property we accept that as our own so if we damage it we are damaging our own property.

Mr. Fisher said even though the road is not on the property we will be getting.

Mr. Vachon said that's why he asked if it's an easement or a r-o-w.

Mrs. Hall said that's why this would appear to be an access easement on this portion because the actual road appears on another property.

Mr. Fisher repeated that the lawyers have said it's a r-o-w not an easement.

Mrs. Hall said it says r-o-w but then it says a little farther down if Jacob Lougee still has any interest in this r-o-w basically it would default back to him which would actually mean that the property is his there is just an access easement which is completely different from r-o-w ownership. She said she was uncomfortable with saying let's get rid of it or making a decision on that because this language isn't clear to her.

Mr. Fisher said he could recommend that they take no action and keep our r-o-w.

Mr. Pollard said it's not necessary and they can always do that downstream.

Mrs. Hall asked if they can ask more questions and ask for clarification on when it is a r-o-w or an access easement.

Mr. Fisher said he could do that too and these are just questions that are going to go back to the lawyers because they are the ones doing the title searches. He said the next thing is this little piece of property R45 is 1/3 of an acre and it was originally owned by the First Baptist Church of Farmington and they believe that it was included as part of R17 turned over to Bruce Cartwright when he purchased this land and that he also got that and the church put in a quit claim deed on that and transferred the property to Cartwright but they are not sure if that actually happened or not. He said the lawyers can get it straightened out but asked if they really care and if they want to pursue getting 1/3 of an acre turned over to them.

Mr. Pollard asked who was paying the taxes on that lot and that will tell you.

Mr. Fisher said the Town doesn't know if anybody has been paying the taxes on it and since it's only 1/3 of an acre and it's all wooded the taxes would be negligible.

Mr. Vachon said this says Tax Map R49-45 and Tax Map R60-17.

Mr. Fisher pointed out that is the big section right here and those 2 pieces are tied together and there's a \$130,000 lien on the R17.

Mr. Pollard said we ought to get it as a package if it's tied together and they are going to have to address the lien.

Mr. Fisher said they'll address the lien and try to see if they can get it discharged but with R45 they weren't sure what was going on with that. He said in the packet he e-mailed to the members there is a sheet just for R45.

Mr. Pollard said they should try to get R45 as part of the package.

Mr. Fisher said it would make it nice for whoever owns R47 because they would have conservation land on 3 sides of their property and nobody will ever be able to build anything.

Mr. Pollard noted that R47 is not built on and maybe we'll get that too at some point.

Mrs. Hall said its worth clearing that up as a part of this.

Mr. Fisher said he would answer them saying they would like further investigation to clear it up.

He said this is regard to Tax Map R60, Lots 18-6, 18-7, 18-8, 18-10 and 18-11 and read that lots 1-5 and 9 were conveyed out to other people and that New Dam still owns 6, 7, 8, 10, 11 and the large remainder lot which is lot 18. He read when the property was sold to New Dam in 1986 the former owners had a registered forester familiar with the property attest to the location and description of the boundaries of the land. This was recorded on Book 1224, page 20 immediately before the deed to New Dam. This is obviously not the same thing as having a registered surveyor certify where the property boundaries are but it was apparently sufficient for New Dam to take ownership of the property and use it for a residential subdivision. He read for the Town of Farmington's conservation purposes the fact that the boundaries have existed uninterrupted and uncontested for more than 20 years is likely sufficient.

He asked if they want a surveyor to survey this land and tell us exactly where our boundaries are. I do not know the cost but looking at problems we have had with other conservation lands in Farmington where people have encroached on the boundaries I would like to know exactly where the boundaries are. I would like to have that survey I believe we have enough money to do it and after what we spent at our last meeting we still have over \$100,000 in our account he said.

Mrs. Hall asked if they could just have them do a boundary survey with no topographic or other information.

Mr. Fisher said it would just be a boundary survey and guesstimated it would be about \$10,000 based on 2 grant funded site assessments that were done recently. He said he would like to have the boundaries so we know we aren't encroaching on other people's properties and they aren't storing their stuff on our property.

Mr. Pollard asked when they do a survey if they put in permanent boundary markers.

Mr. Fisher said they talk about pipes in the ground so there are probably boundary markers and guessed that years ago a portion of the land was part of R18 and then they subdivided it in preparation for New Dam and sold off some of the lots. He said the Cartwright family decided to give one of the lots they didn't sell to somebody else.

Mr. Vachon suggested they contact somebody and get an idea of what the cost would be for a survey.

Mrs. Hall asked what the process would be to request proposals.

Mr. Fisher said the Planning Dept. would send all that in for them because they are in charge of getting this transferred to us. He said originally it was just an e-mail from a lady saying I want to give you this piece of property and this was 2 ½ years ago and it was turned over to him by the previous Con Com Chair who asked him to find out what this is because she had no idea what the lady was talking about.

He said he called the family and they said Mr. Cartwright died and he used to hunt all of this property and he wanted to give to the Town after he passed away for nature trails and hiking and no development. He said he brought it to the Selectmen and then the Planning Dept.

jumped in and tried to get the Southeast Land Trust involved in this and SELT said they would take the easement to the property and hold Farmington to getting anything done or Farmington can own the easement and SELT would develop the property but it might be 10 or 15 years down the road.

He said during the process of talking about all that the New Dam owner found out and talked to these people about trading some parcels and it's blown from there and the Planning Dept. is running it. But the easement will be owned by the Con Com so we have our cut on it he said. Mr. Fisher said he presented the 2 different plans to the Selectmen and said the third option is Farmington owns the land, Farmington controls the land and Farmington owns the easement and they agreed with him. He pointed out the area where they might put in a Town well and if we own everything in it we can do that if the Cartwright family doesn't mind because they want this to go for hiking trails, etc. He said so far there has been no objection so the Town may look into putting in a well there because they have nothing up in the north end of Farmington everything is out by Rt. 11.

Mr. Pollard asked why not put a well in by the water tower.

Mr. Fisher said he didn't know and that's up to the Board of Selectmen. He said he thinks what they would like to do is put a well in here and pipe it to the water tower that way it protects that property and it depends on how the aquifer runs and the available land.

Mr. Pollard asked about the location of the water tower.

Mr. Fisher said the water tower is somewhere along Bay Road and they may not own any property there except for that little piece and to dig a well they have to have so many feet around it of undisturbed property and the water tower is on top of where the community garden usually goes.

Mr. Pollard asked if there is water out Spring St.

Mr. Vachon said not that far and he didn't think it crosses the bridge.

Mr. Pollard said their recommendation should be to get proposals for the cost of the survey and asked if they would go out for several proposals.

Mr. Fisher said that would be up to the Planning Dept. and the Board of Selectmen. He said the final thing they wanted to tell us for information purposes is when a conservation easement is put onto a piece of property that easement stays with that property until Armageddon. He pointed out 18 acres that has a conservation easement on it and noted that Farmington owns the easement but not the property. He said once R60-18 is transferred to the Town this piece of property comes with it so it's just telling us when we get this property the conservation easement on this end is coming with it and it will be under conservation.

Mr. Vachon said that is across from Abbott's Grant next to the old mill pond.

Mr. Fisher pointed out the bridge and how the water flows down under the road to a wetlands area and that is the area where he would eventually like to put in a handicapped fishing area. He pointed out the area that was logged and how the Cocheco River flows through the property

and suggested locations for the parking lot, picnic tables, trails and foot bridges across the river. Mr. Pollard asked if Bay Road is a state road.

Mr. Vachon said it is Town owned.

Mr. Fisher said he now knows how to answer their questions and he did not want to answer them without showing the commission what is here.

Any Other New Business-Lakes Congress- Mr. Fisher said he received a letter inviting them to register for the Lakes Congress on Friday, June 2, 2023 at Church Landing in Meredith, NH and the early bird discount expires May 15. He said there was not a lot of information on this in the mailing but they could probably learn more by visiting their website.

Great Bay Matters Magazine- Mr. Fisher said he also received the latest edition of the magazine if anyone would like to take a look at it.

7). New Members Needed:

Mr. Fisher told the residents watching that the commission needs members and this is all they have for members except for Mr. Ballou who was absent because he had some family problems to take care of. He said they are allowed 7 members and 2 alternate members. We need people please consider giving some of your time and you can see how important it is. This 360 acres would be a wonderful place for Farmington and I hope a destination point for surrounding cities and I hope for an educational spot for students and bring in business. If you have the time please think about joining we'd really appreciate your help he said.

Meeting Action Update-Mr. Fisher then said the votes taken at their last meeting for the donations and to remain a member of SELT were given to the Town to be paid and as far as he knows the checks are in the mail. Thank you for all your hard work at our last meeting he said. He apologized for not having all the paperwork here tonight but he didn't get all the paperwork and hopefully they can get this straightened out.

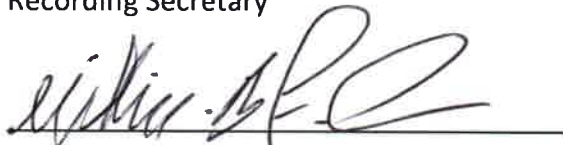
8). Upcoming Dates:

Next Con Com Meeting- Thursday, June 8, 2023 at 6 p.m.

9). Adjournment:

Motion: (Vachon, second Pollard) to adjourn the meeting passed 4-0 at 7:27 p.m.

Kathleen Magoon
Recording Secretary



William "Bill" Fisher, Chairman