

Town of Farmington  
Conservation Commission Meeting Minutes  
Wednesday, April 10, 2019

**Commission Members Present:**

Laura Bogardus, Chairman  
Randy Orvis, Vice Chairman  
Bill Fisher, Secretary  
Ann Titus, Selectmen's Rep.  
Michelle Elbert  
Richard Ballou  
Tom Sorensen

**Others Present:**

Colin Lawson, Trout Unlimited  
Janna Mellon, SAU Business Admin.

**1). Call to Order:**

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

**2). Pledge of Allegiance:**

All present stood for the Pledge of Allegiance.

**3). Public Comment:** None.

**4). Colin Lawson- Trout Unlimited:**

N. E. Culvert Project Coordinator Colin Lawson said he returned to the commission to share an update on the community flood resiliency workshops discussed at the previous meeting. He said they are trying to get a schedule together for the towns of New Durham, Middleton, Farmington and Milton and because of the difficulty with scheduling a mutually available date and that Milton was ready he has already held a workshop just for them.

Mr. Lawson said he would like to schedule a second workshop with Milton combining all 4 towns or to schedule the first workshop for Farmington. He gave the members a copy of the agenda for the workshop.

He said the Middleton Con Com was interested in participating but he has not heard back from them with dates for their availability for the workshop and the New Durham Town Manager also expressed interest in the meeting. The best thing moving forward would be to set some dates and a venue and invite the other towns and see what we can do he said.

Mr. Lawson said the first workshop focuses on what flood resiliency is, why they are doing this and how he can help each town with this. He said they look at the data they collected from the culvert assessments and then showed the commission color maps of the 4 town region depicting each town's hydrology assessment, culvert vulnerability ratings at the various storm events (100 years, 250 years, etc.) and the existing pass/failed culverts that would be discussed during the first part of the workshop.

He said the other portion of the workshop would include a discussion of the 30% plan. One of the advantages of conducting a prioritization and a proactive plan to get grant money to pay for the restoration of the culverts is to have a conceptual plan so you know how much a restoration is going to cost making you more competitive than another applicant who does not have a plan he said.

Mr. Orvis asked if by restoration he meant replacement with something that is adequate.

Mr. Lawson said that is correct and that they design structures to withstand a 100 year storm event.

Mr. Orvis asked if they were going by the state's stream standards where if it is over 200 acres an open bottom culvert is required.

Mr. Lawson said he tends to put in open bottom structures because they are the longest, most durable and pass fish. He said that his recommendation would be to go with open bottom structures especially if they going after funding.

He gave the members an example of a 30% plan for a culvert restoration on Meetinghouse Hill Road which included photos of some impassable locations along the Rattlesnake River which runs out to the Cocheco River. He said the plan they picked for the example is not the one they have to go after for restoration. I want the town to make the decision about what is most important for them and the Road Agent/DPW Director will have a lot of input he said.

Mr. Lawson said the advantage of finding a structure that both he and the town is interested in is that he can bring money to the project through grants that the Town couldn't get. He said that is an advantage to focusing on the aquatic resources but if that is not the Town's highest priority he can still offer technical support on putting in the right structure but it will be harder to get grant money if there isn't a connection to the aquatic resource.

Mr. Lawson then gave a brief summary of the workshop agenda which includes his presentation on everything they just discussed, a presentation on large wood habitat work where trees are cut and placed in streams, review of the maps, review of the data collected and discussion of the their suggested 30% plan with the participants. He advised them to have a list of the top 5 culverts in town which would be their priority for restoration and explained the **Dept. of Environmental Services' (NHDES) Aquatic Resource Mitigation (ARM) grant fund program** criteria.

He said workshop 2 would include presentations from various organizations (NH Fish and Game, ARM program, Emergency Management, etc.) explaining what they can do to help with the projects. Out of all of this I hope to find someone in each community to be the champion for their town's project who will take the bull by the horns and create the project he said.

Mr. Lawson said the available dates for the first workshop are May 1 or May 8 and asked the members which date would work best for the commission. He said he would like to have good attendance at the second workshop which is scheduled for May 18 where a representative from various groups will speak about how they can help with the projects.

He noted that Farmington has a Town Hall and that he would need a space that would accommodate 30-40 people for the workshops.

Mrs. Titus suggested the Public Safety Building as another possible venue for the workshop.

Chairman Bogardus asked if the first workshop was aimed at the decision makers in town such as the Selectmen, Planning Board, etc.

Mr. Lawson said that would be ideal if the boards/committees could each send a representative to workshop. He said if a project is chosen then someone from those committees would already have an idea of what it is all about and be able to share some knowledge of it with their boards.

Mrs. Titus asked Mr. Lawson if he had spoken with Town Administrator Arthur Capello.

Mr. Lawson said he had not yet spoken with Mr. Capello.

Mrs. Titus said they would have to determine where the funds would come from for the Town's portion of the project costs and suggested that he contact Mr. Capello and discuss moving forward with a restoration project and then Mr. Capello could discuss it with the Selectmen.

She then asked if Mr. Lawson had discussed the plan with DPW Director Gary Rogers.

Mr. Lawson said he met with Mr. Rogers and they looked at the data map with the culverts in town. He said that because Mr. Rogers was busy during the winter season he told him he would pick a potential project that had aquatic activity and is a vulnerable structure and go out to survey that site.

Mrs. Titus asked Mr. Lawson to e-mail Mr. Capello with some information about his plans and that she would talk to him about having a workshop, about applying for grants and the availability of matching funds for any grant awarded to fund the project.

Mr. Lawson said all grants require some type of match which could be in-kind or cash or some other type of contribution by the Town. The most important thing is to first figure what condition your infrastructure is in, what your targets and priorities are and then go after the funding. There are a lot of grants out there and we talk about what are the resources and where the money is for approx. 60 grant programs at the workshop he said.

Mrs. Titus asked how long it typically takes to get a grant for this type of project.

Mr. Lawson said as an example he is submitting a grant application in 2 weeks and he will find out in July if they will be awarded the grant funds. The money would be available in Sept. and we would conduct the full design and engineering over the winter and begin construction the next summer he said.

Mrs. Titus asked what is needed from the Town in preparation for the workshop in addition to providing a venue and a rep from each board.

Mr. Lawson said he would like to have a screen for the presentation and that he would provide the refreshments, send out the letters and the projector for the presentation.

Mrs. Titus asked if the members approved her speaking with Mr. Capello about funding for a culvert restoration project as she would not want to waste people's time if the Town is not able to come up with a matching portion for a grant at this time or there is some other issue.

Mr. Lawson said his time/presentation would be at no cost to the Town as he is paid through the NH Charitable Foundation. The only thing you have to commit to is the time to listen to how to potentially save a lot of money by getting a grant to do some of this work he said.

Chairman Bogardus said it makes sense to look into this as it is something the Town will have to do down the road anyway. She added that they do want to go through the right channels if Mrs. Titus was willing to help them with that.

Mr. Lawson agreed to contact Mr. Capello by e-mail.

Chairman Bogardus requested that he cc her with a copy of the e-mail.

Mr. Lawson said he would like to reference the workshop date in his e-mail with Mr. Capello.

Consensus of the commission was to schedule the first workshop on May 1 from 4-6 p.m.

Mr. Orvis said that about 2-3 years ago the Con Com had boundary, topographic, flood plains and wetlands surveys done on a 3 acre property on the Mad River with the intention of installing a handicapped accessible stream fishing place. The engineer and wetlands scientist said it wasn't feasible there so we didn't go any further he said.

He said he knew upfront it would be an expensive project and that grant funding would be needed. He asked Mr. Lawson what would be feasible for a handicapped accessible stream access.

Mr. Lawson said Trout Unlimited has been actively involved in getting Veterans, especially handicapped Veterans with access into the sport and they would be willing to look at this project. He said they have an engineer on staff and do what they can to protect the resources.

Mr. Orvis said the issue with this project is that the area is flood prone and the engineer felt that whatever was put in would be taken away by the flooding as you can see the scars on the trees but the trees are still there. He said he did not know if this would be possible by using some type of concrete structure and that it would probably be an expensive venture even if it is possible.

Mr. Lawson asked Mr. Orvis to contact him and send him some pictures of the site if available.

Mr. Orvis said this is one of the few spots that even during the driest times it still has a few feet of water and looks like a good fishing spot.

Mr. Lawson said his group has done a lot of bank stabilization and habitat work and asked about the ownership of the land.

Mr. Orvis said the Con Com owns the land and it is not deed restricted so they can put structures on it.

Mr. Lawson suggested the U. S. Fish and Wildlife Service would be receptive to this idea.

Chairman Bogardus thanked Mr. Lawson for attending the meeting.

#### **5). School Recycling Program:**

SAU Business Administrator Janna Mellon introduced herself to the members and said the Superintendent had mentioned that the Con Com had expressed interest in having the school district consider a recycling program. She said they are getting ready to put out a Request for

Proposals (RFP) for their trash disposal and recycling contract so she reached out to some of the members to see if anyone wanted to provide some input on a recycling program for the schools.

She said they want to consider all options but at the same time must be mindful of the budget while doing so and noted that recycling is now more expensive than trash disposal because China is not buying as much recyclable materials as they did previously.

Ms. Mellon asked if anyone knew of a local farmer who may want compostable food and who would be willing to pick it up at the schools. She said they would be willing to help with the education of the students about how to separate the items and the only issues would be the cost and that they would not be able to transport it anywhere.

Mrs. Elbert said food composting would be one of the most viable options if they could get somebody on board to take the food everyday from 3 schools. She said that's a lot of food and it has to be done daily so this is the kind of thing where there has to be a commitment on the part of that person to get this going. Maybe someone listening tonight is that person or knows that person or group because the food is there and available for the next school year she said.

Ms. Mellon said the food composting initiative would be independent of the recycling/waste disposal RFP. She said the food composting is paid by weight and they would not be able to pay to transport it daily to someone's farm. The alternative is that goes into the waste stream and increases the cost for waste disposal because that is calculated by volume and weight she said. She said they have also contacted Mr. Capello as they understand that the Town's contract with Waste Management is also up for possible renewal and they are looking into working with the Town to see if it would be possible to bring in the recyclables at a reduced charge to the recycling station at the landfill.

Mrs. Titus said that there are some schools that are packaging the leftover foods for students to take home.

Mrs. Elbert said she was trying to find out more about a news article about schools in Maine making frozen meals for students to take home on the weekends who don't have reliable meals.

Ms. Mellon said in order for the school district to participate in something like that they would need a place to freeze those meals and all of their equipment is currently being used for the food service program. They would have to partner with someone who has the ability to flash freeze food and food safety would be an issue but they are willing to look at any viable options including those in conjunction with another organization she said.

Mrs. Titus suggested that Ms. Mellon bring the idea back to Superintendent Vaughn and if they could consider doing it nightly so it wouldn't have to be frozen it would be a benefit to the community and would save a considerable amount of food from being wasted. She also suggested that cans could be placed in bins and be picked up by people who collect cans.

Ms. Mellon they could consider it if they had the equipment to keep the food safe and that they

have space and safety constraints so they couldn't leave a dumpster of un-rinsed cans out back due to safety concerns for the kids as that would attract animals to the area.

Mrs. Titus thanked Ms. Mellon for attending the meeting and discussing the matter with them. She said it's not that the school officials don't care but that sadly it comes down to money as with most things.

Mrs. Elbert said that it is also a matter of getting everybody on board with it and getting the right people in place. She said to her knowledge the last attempt at a recycling program at the school failed due to lack of communication between the school district and the landfill.

Ms. Mellon said there is a lot of work involved with a recycling program and that they must keep in mind that there are a set number of employees there and make sure they are not shifting a burden onto them that they can't maintain by starting a new program.

Mrs. Titus said something similar was tried in the past and it was hard for people to pick up the items, the area was often a mess and the kids were confused as there was no education about the program. We felt good about recycling but it wasn't working to its best potential and they stopped it she said.

Ms. Mellon said they are currently looking at single stream recycling costs which will minimize the need for separating the recyclable items. She said she looked forward to working with the commission and asked them to forward any suggestions they might be able to support to her.

Mr. Orvis said in the past the Con Com has had a student member but they have not had one in several years.

Ms. Mellon asked if there is an age limit for a student member and for a description of the student member's duties that she could forward to the Superintendent.

Chairman Bogardus said the position is open to high school students and that a description of their duties would be found in the commission bylaws which she would send to Ms. Mellon.

Mrs. Elbert asked if serving as a student Con Com member would count toward their community service requirements.

Ms. Mellon said she would look into possibly finding a student member for next year. She asked if any of the members would be interested in becoming a member of the Advisory Board to the food service program or know of someone who would be interested to e-mail her. She added that the district now has 2 water bottle filling stations- one at the high school that was installed last year and they just received one for the Henry Wilson School this year through a grant. She asked the members to reach out to her with questions or suggestions at any time. Chairman Bogardus thanked Ms. Mellon for coming to the meeting.

#### **6). Review of Minutes:**

March 20, 2019 – Page 6, last sentence- add a comma between "correct" and "he"

**Motion:** (Elbert, second Fisher) to accept the minutes as amended passed 5-0-2 (Titus, Orvis abstained).

## **7). Old Business:**

**A). Snowshoe Trail-** Chairman Bogardus said she and Mr. Sorensen met with Valley View Community School Physical Education teacher Tammy Cook and walked the area she would like to use to connect the rear of the elementary school property to the trail at the high school and found that the stone wall there will not be an issue as it is very easy to climb over.

Mrs. Titus said that she and one of the classes walked the trail and found it to be a very nice area. She said there were children who had never been on snowshoes before and they loved it. She said Ms. Cook is really excited about this project and this will make her and the children very happy.

Chairman Bogardus said during their walk, Ms. Cook mentioned that it may be someone else's property back there so she asked her to meet with Assessing Clerk Kelly Heon to make sure that it's not someone else's property and if it is to find out what they need to do to use it as a trail.

Mrs. Titus said she thought most of that land is school property and that in the past there was some discussion at the Capital Improvement Plan Committee about using that property which would have access off of Bay Road as an alternative access for the school.

Chairman Bogardus said the proposed trail goes over a stone wall which could be a boundary line and that Mrs. Heon could advise them about any written permission needed to cross the boundary and use someone else's land. She added that Mr. Sorensen was concerned about any potential wetlands issues as it is pretty wet in that area.

Mr. Fisher said he thought there wouldn't be any wetlands issues there as they would not be disturbing it by just walking though. He said he spoke with the Code Enforcement Officer about the stone wall and he advised that as long as the wall is not a boundary wall between two properties and is located on school property they can do with it as they wish. If it is a boundary wall between the school and the abutting property then they need a written letter of consent from that landowner to cross the wall and go on the landowner's property he said.

Mr. Fisher said with permission of the owner, they should consider putting a cut through the wall for safety reasons as someone could slip trying to climb over the wall.

Chairman Bogardus said that she and Mr. Sorensen planned to flag the area to be used for the trail and invited available members to assist them.

Mr. Fisher asked to be notified when they are ready to flag the trail and he will help with it.

**B). Trail Maintenance-** Chairman Bogardus said they also met with the leader of the local Cub Scout Pack who said she would try to get some older Boy Scout Troop members to participate in clearing/maintaining the trail once it is marked out and the permission to use it is received.

**C). Any Other Old Business –** Chairman Bogardus said the Congregational Church has expanded their annual Chicken BBQ to include their Bicentennial Celebration which will take place on Saturday, June 22 on the church grounds. She said the celebration will still have a historic theme with displays set up on the bank side of the property and the Con Com could still provide a display of antique farm tools as they planned when the event was to take place in



Fernald Park.

Mr. Fisher said he would not have an opportunity to look for antique farm tools until after the Spring Clean Up on April 28 and asked if he is unsuccessful if they still wanted to have a display space at the church event.

Chairman Bogardus said it would be a good way for the commission to get more public exposure and asked if any of the members would be available to attend the display.

Some members said they were unable to commit for a Saturday this far ahead of time.

Mrs. Elbert said she wants to support the church but that they need to decide what the display would consist of before deciding whether they will participate or not.

Mrs. Titus suggested they could use pictures of old tools and equipment on poster boards.

Mrs. Elbert suggested that someone speak with Mrs. Dottie Bean to see if she would have pictures of her family's old farm and equipment they used there.

Chairman Bogardus suggested that Scruton's Dairy Farm might be another source for photos of old tools or equipment.

Mrs. Elbert said it would be interesting to include a short history of the local family farms which the current family members may be willing to provide along any photos they may have.

Mr. Fisher said he was available on June 22 to set up and man the display tent.

Mrs. Elbert asked if the Historical Society museum would be open that day.

Chairman Bogardus said the Historical Society plans to participate in the Bicentennial celebration but she did not know if the museum would be open that day.

Chairman Bogardus said she would contact the church to advise them of the Con Com's tentative plans for a display at the BBQ/Bicentennial celebration. She said she would inform the members if the church would like them to attend a planning meeting for the event.

#### **8). New Business:**

**A). NHACC Workshop –** Chairman Bogardus said a workshop about putting farms into conservation will be held on Tuesday, April 16 at the Brentwood Community Center.

**B). Spring Clean Up –** Chairman Bogardus asked the participants to meet at the Public Safety Building on Sunday, April 28 for the annual Spring Clean Up which will run from 1 to 4 p.m. The rain date is Saturday, May 11 at the same time. The DPW will provide a truck to transport the trash to the Transfer Station she said.

Mr. Fisher said he will bring the bags, gloves and vests to the Public Safety Building that day.

Chairman Bogardus thanked Mr. Fisher for posting the event flyers around town.

Mr. Fisher said he has seen a lot of postings on Face book complaining about dirty roads and urged the residents to come help the Con Com clean up the roads.

Mrs. Elbert added that for those high school students who still need to fulfill their community service requirements this would be a good place to do so. She asked how much of the trash picked up is recycled or if it is put in one bag and placed in dumpster.

Mr. Ballou said he always carries 2 bags so he can separate the recyclable he picks up from the



trash to be disposed.

Mr. Sorensen said there are several other people who do that as well.

Mr. Fisher said if there are enough participants they can do that but if there is only a small number of people it is hard to get it all done.

Mr. Orvis recalled that one year the Boy Scouts helped out and separated the aluminum from the trash disposals.

Chairman Bogardus said the Cub Scout leader mentioned earlier in the meeting is also trying to get the Boy Scouts to help out with the clean up again this year.

Members then discussed methods and containers to use to make it easier to recycle the items.

Mr. Fisher suggested they mark some bags with tape to note the contents are recyclable materials so it would be easier to get them into the recycling bin at the Transfer Station.

Chairman Bogardus said she posted that participants are asked to bring their own refillable water bottles to the clean up.

Mrs. Elbert said she would supply the water jugs for their use at the clean up.

Chairman Bogardus asked if they wanted to have any other beverages for the clean-up.

Discussion then turned to supplying the pizza for after the trash pick-up is done.

Mrs. Elbert recalled that during a previous discussion the members discussed purchasing the pizzas instead asking for it to be donated by local businesses.

Mr. Fisher said the members voted to authorize up to \$100 to be spent for pizza for the event. He suggested the amount could be amended to \$150 in case more people come to help this year.

**Motion:** (Fisher, second Elbert) to amend the amount of money to \$150 for pizzas for the April 28<sup>th</sup> Clean Up;

**Discussion:** Chairman Bogardus asked if the drinks should be included in this amount.

Mr. Fisher said he would supply the drinks.

Chairman Bogardus said she would order the pizzas.

**Vote:** The motion passed 7-0.

**C). Seacoast Harvest-** Chairman Bogardus said the Con Com has previously supported the Seacoast Eat Local program's SAMM (Seacoast Area Mobile Market) van and they are asking the commission to sponsor their program again with a monetary donation of \$100, \$250 or \$500.

**Motion:** (Ballou, second Titus) to give them \$100 passed 7-0.

**D). Commission Reorganization** – Chairman Bogardus asked the members to take up nominations for board officers.

**Chairman - Motion:** (Orvis, second Titus) to nominate Laura Bogardus for Chairman;

**Discussion:** Ms. Bogardus said the members were free to nominate someone else for the position if they wished to.

Mrs. Elbert said they discussed this and that there is huge learning curve to the position and joked that Ms. Bogardus only has 1 year under her belt and that she needs 3-4 years to really

gain the right expertise.

Ms. Bogardus accepted the nomination.

**Vote:** The motion passed 6-0-1 (Bogardus abstained).

**Vice Chairman - Motion:** (Ballou, second Sorensen) to nominate Randy Orvis for Vice Chairman passed 6-0-1 (Orvis abstained).

**Secretary - Motion:** (Ballou, second Titus) to nominate Bill Fisher for Secretary passed 6-0-1 (Fisher abstained).

**E). Wellhead Protection-** Mrs. Titus said the Selectmen had discussed the possibility of putting 2 of the Town's wellheads in conservation easements.

Mr. Orvis asked about the locations of the 2 wells.

Mrs. Titus said she was not sure of their locations as she does not have all of the information.

Mr. Orvis said if one of the wellheads under consideration is the one located near Rite Aid it is not on Town owned land and has an easement over the cemetery property.

Mrs. Titus said the wellheads they discussed do not presently have any easements and they thought it was a good idea to further protect them by putting the land into conservation. She said she would get more information for the commission and e-mail it to Chairman Bogardus. Chairman Bogardus said she would include the issue on the meeting agenda after the additional information is received from Mrs. Titus.

**F). Possible Violation?** – Mr. Ballou asked about a company located near the Rochester/Farmington town line that was said to be in violation of their easement. He said the Con Com oversees that easement and recalled that they walked the site at one point but they haven't done so for a number of years.

Chairman Bogardus said she was supposed to speak with the owners and asked if it is just the piles of metal from the company that are encroaching onto the easement.

Mr. Ballou said they were also parking equipment on the easement which goes down by the brook.

Mr. Orvis said they were supposed to have cleaned this up.

Mr. Ballou said they did clean it up but the Con Com never went back to see if clean up was properly completed or to monitor its condition.

Chairman Bogardus said Selectman Dave Connolly pointed out to her that there is more metal about to encroach onto the easement.

Mr. Orvis said they previously visited the site and marked out the line that they weren't supposed to go over.

Mr. Ballou said when the place was built they went too close to the brook and the easement was put in as a buffer to the brook.

Mr. Orvis said if there is a violation there you would need to walk behind the building as it can't be seen from the road.

Chairman Bogardus said Mr. Connolly was talking about a pile of metal that can be seen from

the road.

Mr. Ballou suggested they may be talking about 2 different places.

Chairman Bogardus said she would like to be sure of the location of the easement before speaking with the property owner.

Mr. Sorensen suggested they research any available maps to determine the conservation property in that area.

Mr. Ballou said he would take a look at the site and report back to the commission.

**9). FYI:** None

**10). Upcoming Dates:**

NHACC Workshop: April 16, 5-7:30 p.m., Brentwood Community Center

Spring Clean Up: April 28, 1-4 p.m., Public Safety Building

May Con Com Meeting: May 8 at 6 p.m.

**11). Adjournment:**

**Motion:** (Elbert, second Ballou) for permission to close the meeting passed unanimously at 7:35 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

---

Laura Bogardus, Chairman