

Town of Farmington  
Conservation Commission Meeting Minutes  
Wednesday, December 9, 2020

**Commission Members Present:**

Laura Bogardus, Chairman  
Bill Fisher, Secretary  
Dave Connolly, Selectmen's Rep.  
Michelle Elbert  
Tom Sorensen  
Richard Ballou (6:15 p.m.)

**Commission Members Absent:**

Randy Orvis, Vice Chairman  
Larry Fitzgerald, excused

**Others Present:**

Scott Lawler, Norway Plains  
Charlie King

**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). Review of Minutes:**

October 14, 2020- No errors or omissions

**Motion:** (Elbert, second Sorenson) to accept the minutes as written passed 5-0.

**5). Special Use Permit Application:**

Norway Plains Vice President/P.E. Scott Lawler said he was representing Charlie and Kathy King on a Special Use Permit application that will come before the Planning Board in January. He said the permit application is a requirement based upon supposed impacts to the conservation overlay district.

He said Mr. King owns a 93 acre tract of land that is located at the corner of Route 11 and Places Crossings Road. He said Mr. King is proposing to construct a 12,000 sq. ft. light industrial manufacturing facility in the southeast corner of the parcel with the access to the site off of Places Crossings Road.

Mr. Lawler said there are some jurisdictional wetlands in the upper portion of the lot and another wetlands area closer to Route 11. He pointed out the proposed grading plan, the location of Rte 11 and Places Crossings Road on the site plan and said that Mr. King proposes to construct a 20 ft. wide paved driveway with 2 ft. shoulders coming off the gravel access way up to the buildable site.

He said the 12,000 sq. ft. manufacturing facility would consist of an 80 ft. x 150 ft. building with loading docks at the lower end and 22 parking spaces. He said this project will be serviced by an on-site well and an on-site septic system and pointed out their location on the plan.

Mr. Lawler said they designed a storm water management system to collect the storm water runoff from the developed area and direct it into an infiltration basin located down slope of that area. There is a sediment forebay (a pit or bermed area used to slow incoming storm water runoff) in front of it that collects the particulates off the pavement and the roofs and allows it to settle in the forebay, the water will rise up and flow down into the infiltration basin and promotes groundwater recharge by sending the water back into the ground.

He said there is another basin located at the intersection of the driveway and Places Crossings Road that picks up the storm water from the driveway sending it into a cross culvert and into the basin as well as picking up the runoff coming down the side of Places Crossings Road that goes into the ditch and then heads over to the basin.

Mr. Lawler said the green zones on the plan are the jurisdictional wetlands and the red areas are the 50 ft. buffer zones adjacent to the Class 2 and Class 3 wetlands.

He pointed out a small manmade pond and said he consulted with the Planner and reviewed the Town Zoning Ordinance and it does not qualify as a water body. It is less than 5 acres, is not part of the limited development or the water setbacks so there are 50 ft. buffers he said.

He said they submitted a permit application to NH Dept. of Environmental Services/Wetlands Bureau to allow 1,800 sq. ft. of impact to the wetlands associated with the crossing to the buildable area this spring and in July the permit was granted to allow those impacts. He said Mr. King has been working on the temporary driveway crossing over the summer so they can start doing the tree cutting and logging.

Mr. Lawler said the Special Use permit is required by the Town to impact wetlands and it is also required to allow some grading within the 50 ft. buffer on top of the crossing at lower basin but there are no jurisdictional wetland impacts associated with that. He said that utilizing the crossing to access the buildable land is warranted and to construct a storm water management system in the lower area of parcel is also warranted because it accounts for the storm water generated by the driveway and it also picks up the storm water coming down the existing road. It provides pre-treatment in the sediment forebay, it provides treatment in the infiltration basin promoting ground water recharge and both ponds have been designed to accommodate a 50 year storm event and in accordance with DES storm water management regulations he said. Chairman Bogardus said she also included the Planner's comments in the members' packets. Mr. Lawler said they met with the Technical Review Committee yesterday and received their comments, which were minor and have taken them under consideration.

There were no comments or questions from the Commission members.

**Motion:** (Connolly, second Elbert) that the Conservation Commission submit a letter of endorsement to endorse the Special Use Permit Application to be forwarded to the Planning

Board and to copy Norway Plains and Mr. King passed 4-0-1 (Fisher-abstained).

Mrs. Elbert asked what kind of business is planned at the site.

Charlie King said it will be a machine shop where mostly smaller components would be manufactured for local and national companies.

Mrs. Elbert asked if this is a new business.

Mr. King said he has been in business since 1999 and has an 8,200 sq. ft. facility in Somersworth that he plans to rent, lease or sell and move the business to Farmington.

Mrs. Elbert asked if this would bring jobs to the area or if he transferring all of his current employees to the new building.

Mr. King said he was transferring the jobs and that his employees either live in town or nearby. He said he bought this land 4 years ago with the intention of moving his business here and has been slowly working away at it as he needed a variance for the proposed use and there is a conservation easement that abuts the lot.

He said they are subdividing off 12 acres that will be held by the property company and the rest of parcel (92 acres) abuts his other property on Ten Rod Road and they don't have any long term plan for it other than its current use which is open land with access for hunting, recreation and ATV's.

#### **6). Old Business:**

**a). EAB Update** – Chairman Bogardus said the UNH study of the Emerald Ash Borer that was conducted on the French property has been completed but they don't have the results yet and they will probably make a presentation to the commission in February.

#### **7). New Business:**

**a). Potential Warrant Article-** Ms. Bogardus said some residents are considering bringing forth a warrant article to re-establish a recycling program in town and they have asked the Con Com to support the article.

Mr. Fisher said it costs the taxpayers \$80,000 a year for them to take our recycling and dump in the landfill because there are no places to sell recyclable materials.

Mr. Connolly said for example each time they haul a 20 yard dumpster with MSW they charge \$100 to haul that dumpster, then it goes on a scale and it weighs out at 20 tons and we get charged for that tonnage. He said recycling doesn't weigh much but we're still paying the same \$100 hauling fee to bring that dumpster to the landfill.

He said they did a cost analysis and it has been costing the Town \$80,000 to haul the recyclable items and we're getting nothing in return. The only thing we can make some money on is corrugated cardboard so after looking at the financials the Selectmen decided to discontinue recycling as of Jan. 17 he said.

Mr. Fisher said China is not buying recyclables and the Philippines has stopped taking in garbage and sent the materials back to the United States where they are being stored and then

put into landfills or into the ocean.

Ms. Bogardus said she has heard they are warehousing recyclables and asked if they are truly dumping them into the landfills.

Mr. Fisher said the studies he read say they are going into storage and then into landfills because they are running out of storage space.

Mr. Connolly said it was a hard for him to vote in favor of this and he is hoping it is only temporary. He said they are in contact with **Northeast Resource Recovery Assoc.** and they will give us some guidance on getting back into recycling. He said in the short term to save the taxpayers \$80,000 a year this is our best option at this moment.

Ms. Bogardus said a lot of people have been questioning why the Selectmen made that decision and that obviously it's a money thing but it's helpful to start the discussion.

Mr. Connolly said the board had an in-depth discussion on this and the "keyboard warriors" on social media need to get the information before running their mouths and being derogatory and putting it on people they really shouldn't. He said if they have questions they know how to contact him.

Mr. Fisher said the coastal cities in Africa are starting to look at taking recyclables but it is just in the beginning stages. Hopefully within the next few years we'll have a place to send it to but until then China and the Philippines may start taking it again but I think we will have to start segregating it again he said.

Mr. Sorenson said he read about some towns that have a machine that pulverizes their glass and they use for gravel on the side of the roads.

Mr. Connolly said he was in favor of doing something like that but asked who is going to give them \$300,000 to buy the machine. Hopefully NRRRA will discuss this with us and give us those kinds of options he said.

Mr. Fisher said in Newmarket people are composting their wet garbage and they have about 3000-4000 people participating and its growing.

Mrs. Elbert said our Transfer Station used to have a facility like that but it was attracting animals. She said it couldn't be done without a lot more management but there are people in town that would support composting.

Mr. Connolly said if the Con Com was to come up with some possible ideas he thought the Selectmen would be happy to hear about it.

Mr. Fisher said if the warrant article to reinstate recycling was approved at Town Meeting it would only be advisory not mandatory and there are "bigger fish to fry" right now with the bridges and roads.

Ms. Bogardus said \$80,000 is a lot of money especially if it is being put in a landfill anyway.

Mr. Connolly said because of COVID the Town is down about \$160,000 in anticipated revenues due to reductions in the amount of the Rooms and Meals Tax and the Highway Block Grants being dispersed to the towns.

Mr. Fisher said because of that it is not a good time for the Town to spend another \$80,000. Mrs. Elbert asked how the Con Com should get proactive to learn about composting and promote working with the NRRRA. She asked how that works and if they will work with anybody. Mr. Fisher suggested she call them and ask for information. She then asked for contact information for the Newmarket composting program. Mr. Fisher said he would find out at the next Stafford Regional Planning Commission meeting. Ms. Bogardus said she would check with the Chair of the NH Assoc. of Conservation Commissions.

Mrs. Elbert said there is a company where for a monthly fee you get weekly pickup of your compost and a clean bucket and every so often you get back a bag of compost. Studies show that food is the biggest landfill component she said.

Mr. Fisher said it's estimated that people with 1 or 1.5 bags of trash per week will go to 4 or 5 bags a week because the recycling materials will now go into the MSW and they will be spending more for bags too.

Mr. Connolly said that Pete Spencer no longer works for the DPW and he is now the Transfer Station Facility Manager. He said Mr. Spencer has been in this industry for many years and is very knowledgeable and has already come up with some money saving ideas for the Town.

Mrs. Elbert asked how they can educate people about what's going on in town and how they can make it better starting in their own homes-without using Facebook. She said as a member of the Con Com if there is anything she can do to help Mr. Spencer she would be happy to do it.

Ms. Bogardus asked if we could have a swap shop at the Transfer Station.

Mr. Connolly said if someone would present the details to the Selectmen they will listen.

**b). Roadside Cleanup** –Mr. Connolly said the Selectmen received a request from a Meetinghouse Hill Road resident wanting to take over the volunteer roadside cleanup there. He said he proposed that the Town provide the resident with blue bags and ask them to call the Town to pick up the bags once the cleanup is done and the board accepted his proposal. He said he asked for a follow up to see if the resident was contacted and supplied with the bags. Mr. Fisher said he would pick up the bags with 1-2 days notice if the Town can't do it. Mr. Connolly said there was some concern about how much personal trash would be dumped into the blue bags but the bags are semi-transparent and they would know if its roadside trash when they are brought in.

Mrs. Elbert asked if the resident cleaning up Poor Farm Road has asked for or received any blue bags. She then suggested maybe someone could go by and put some in his mailbox.

Mr. Connolly said he didn't know if he would accept the bags because he does this because he wants to and suggested that someone should ask him.

**c). By-Laws** – Ms. Bogardus said it's that time of year again to review the by-laws and if there were no changes or corrections needed they could vote to accept them and she would submit them after she adds the page numbers.

**Motion:** (Fisher, second Ballou) to accept the Conservation Commission By-Laws;

**Discussion:** Ms. Bogardus said she forgot to put in the signature line for Mrs. Elbert in the previous version and amended it to include her in the current version.

Mr. Connolly said when the by-laws come to the Selectmen they would like to see page numbers and the date they were adopted by the Con Com included in the document.

He said during a previous review of the by-laws the Selectmen wanted to make sure the intent of the Con Com wasn't to go after an historic place to put it in conservation like putting the library property in conservation. He said the historic value is only one of the criteria for placing a property in conservation and some others include the presence of wetlands, natural resources or habitats. Two perfect examples of this are the Maynard property on Sheepboro Road and the Town Pound on Pound Road which have historic structures. It was more that the intent had to be cleared up and if it comes up I can address it he said.

**Vote:** The motion passed 5-0-1 (Connolly-abstained).

**d). 2021 Budget** – Mr. Fisher said the Selectmen planned to discuss the budgets for the boards and the commission next Monday.

Mr. Connolly said the budget proposal calls for the Con Com budget to be level funded in 2021. Mr. Fisher said he thought with what the Town had to work with and the affects of COVID-19 all the depts. have done an outstanding job while trying to keep their budgets as low as possible.

**e). Barry Camp** – Ms. Bogardus said the student they chose to attend the camp is going to go and that she notified the camp and they have received their donation.

Mr. Connolly asked if the cost to attend the camp has increased for next year.

Ms. Bogardus said the price increased a little and the members voted on it at the last meeting.

**f). Tree Removal** – Mr. Connolly said the ash trees in front of the Municipal Office Building are scheduled to be taken down but he did not know the date for their removal.

Mr. Fisher said maybe they could find someone to donate some trees to replace them.

Mr. Connolly said he was given the contact information for a forester that could guide the Town in choosing the types of trees suitable for planting in that location.

**g). Library Storyboards** – Mrs. Elbert said the storyboard displays along the McCarthy Trail are really popular and that Children's Services Supervisor Kayla Morin-Riordan would like to expand it. She said they discussed potentially backing that project in place of the other project there they can't seem to get finished.

Mr. Connolly said he discussed this with Mrs. Morin-Riordan by e-mail and to do the permanent structures it would cost about \$6,000 which is out the library's realm in raising donations. He said he discussed seeing if the Con Com would be able to work with Mrs. Morin-Riordan on this the project with Mrs. Elbert and Mr. Fisher following the last Library Trustees meeting.

Mr. Fisher said he still intends to get the cutouts posted on the trail this spring even if it takes him 13 weekends to carry them out there one at a time.

Mrs. Elbert asked what the commission wanted to have from Mrs. Morin-Riordan and if she

should submit a proposal to the Con Com.

Mr. Connolly suggested she be asked to attend a Con Com meeting with the information about the materials needed and a drawing depicting what a permanent storyboard looks like.

Ms. Bogardus asked if the \$6,000 was just for the materials or the cost to have them built.

Mr. Connolly said he believes that is the cost just for the materials and it was based on what other libraries had done with similar storyboard projects.

Chairman Bogardus then “volunteered” Mr. Sorensen to get some prices for the materials.

Mrs. Elbert said the cost may include the book displays which could be swapped with other libraries that have storyboard displays and then they could have rotating books. She said she would contact Mrs. Morin-Riordan and ask her to attend a meeting.

**8). FYI:** None

**9). Upcoming Dates:**

**Next Meeting:** Wednesday, January 13

**10). Adjournment:**

**Motion:** (Fisher, second Sorenson) to adjourn the meeting passed 6-0 at 7:02 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

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Laura Bogardus, Chairman