

Town of Farmington
Conservation Commission Meeting Minutes
Wednesday, May 12, 2021

Commission Members Present:

Bill Fisher, Chairman
Laura Bogardus, Secretary
Doug Staples, Selectmen's Rep.
Richard Ballou
Larry Fitzgerald

Others Present:

Addison Knight

Commission Members Absent:

Randy Orvis, Vice Chairman, excused

1). Call to Order:

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

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Comment: None

4). Review of Minutes:

April 14, 2021 – Public Meeting Minutes- No errors or omissions

Motion: (Bogardus, second Staples) to accept the minutes as written passed 3-0-2 (Ballou, Fitzgerald abstained).

5). Old Business:

a). Spring Cleanup- Mr. Fisher said the Spring Cleanup that was conducted a few weeks ago was one of the most successful cleanups they have ever had. He said they picked up about 130 lbs. shy of 2 tons of garbage and even the Transfer Station attendants remarked about how much trash they brought in.

Mr. Fisher said one thing that disgusted him was the number of tires that were picked up as there were about 55 tires of all kinds and sizes, some with their rims still on them. People, this is our planet, we're destroying it and that was ridiculous he said.

He thanked the approx. 20 volunteers that participated in this cleanup and explained that this cleanup was done a little differently where the Con Com supplied the bags, gloves and vests and the participants picked the road they wanted to clean up and then called him or Mr. Staples to come pick up the trash and take it to the Transfer Station. It was a job well done by everybody that attended and I personally want to give you my thanks he said.

Ms. Bogardus said the suggestion to do it this way as supplied by Mr. Staples was a great idea.

b). Any Other Old Business – None

6). New Business:

a). Transfer of Town Owned Land – Mr. Fisher said there is a 12 acre tract of land off of Route 11 near the ERG industrial complex that is owned by the Town and the Town wants to keep the land but transfer it to the Con Com to conserve it. He said it would be a great idea because the land that abuts it is owned by a family in Farmington that plans to put their property into conservation and this piece would provide a great place to put the driveway, kiosk and parking area for that property. He asked the members for their thoughts on this.

Ms. Bogardus asked if there would be any money involved or if the Town would just transfer the land to the Con Com without any cost.

Mr. Fisher said he did not think there would be any money involved but he has not had the opportunity to talk to the Town Administrator about that. He asked if this matter has been brought before the Board of Selectmen yet.

Mr. Staples said the Selectmen are aware of it and it came to their attention because somebody wanted to buy it to put in a driveway to their property. He said there was a conservation stipulation in the deed so the board decided to offer it to the Con Com before deciding to sell it.

Mr. Fisher said the land is located on Tax Map R03, Lot 17-3 and the Town has owned the lot for 10 years or more.

Motion: (Bogardus, second Fitzgerald) to accept the transfer of the property at Tax Map R3, Lot 17-3 to the Conservation Commission passed 5-0.

b). Donation of Spring Street Land – Mr. Fisher said he was very excited to tell the members about 123 acres of land on Spring Street (Tax Map R60, Lot 017) that is still in probate right now that used to belong to Bruce Cartwright. He said it is a beautiful flat piece of property that is heavily wooded and the family wants to give it to the Town with the request that it be put into conservation and used for trails.

Mr. Ballou said they keep saying “put into conservation” and they can own land here but it doesn’t mean it has a conservation easement on it. He asked if the Con Com would take ownership of the 123 acres.

Mr. Fisher said they would take ownership of it and place it into conservation just like they did with the French property and the Town Forest conservation areas.

Mr. Ballou said someone oversees those areas.

Mr. Fisher said they have a manager that takes care of all the conservation lands for them.

Ms. Bogardus said that is the job of Forester Barry Keith.

Mr. Fisher said Mr. Keith would do the same with this property if they asked him to. He said he thought this property would require some cutting as it is pretty dense and he foresees doing something similar to what they did with the McCarthy Trail and to make it family friendly.

He suggested there could be perimeter trails and a trail through the middle of the property that branches out with picnic areas and that he would like to call it the Bruce Cartwright Trails.

He said the family member he spoke with has talked with the other family members and none

of them want to sell the land and they all want to give it to the Town.

Ms. Bogardus asked if there was another smaller parcel that goes with this land.

Mr. Fisher said that is correct and that is Tax Map R49, Lot 45 which is less than 1 acre and then showed the members an aerial photo of the property. He asked if the commission would be interested in taking this on.

He said the probate officer is out of town but will be back in June to speak to the probate court and to the Town Administrator, the Board of Selectmen and the Con Com. He said the property is not far from the schools and it would be great if they could access this land from the school property.

Ms. Bogardus asked if they needed to take any action right now.

Mr. Fisher said that he just wanted everybody to be aware of it until they know exactly what is going to happen and what the costs will be for the transfer and survey of the property which would come out of the conservation funds.

He said he didn't want to see motorized vehicles allowed on the trails because it's close to homes on one side and they don't want to hear ATV's, etc. running around there but it would be great for mountain biking. I think it would be a fantastic thing to do for the town he said.

Mr. Staples asked if the land would still be open to hunting and fishing.

Mr. Fisher said yes but he didn't know if the fishing was any good in the small part of the Cocheco River that goes through one corner of the property and that all of the conservation properties are open to hunting and fishing.

He said there is a good chance they would get this land sometime in July or August and he needs to find out the next legal steps to move forward to get this land.

Ms. Bogardus said after looking at a map it looks like there are a couple of properties between this property and the school property.

Mr. Fisher said they may be able to get those landowners to agree to allow a connecting trail from the school property across their land to the conservation land.

Consensus of the members was they were agreeable to moving forward with the procedure to obtain this land.

Ms. Bogardus added this is a very generous and amazing thing this family is doing for the town.

c). Cocheco River Local Advisory Commission –Mr. Fisher said Farmington is allowed 2 members to the CRLAC and that he was putting out the invitation to the members and anybody watching at home. He said there is currently one Farmington resident on the commission and they need one more Farmington member.

Mr. Fisher said the CRLAC looks at proposed building projects that would affect the Cocheco River and along the river corridor. He said the commission has members from New Durham, Rochester, Dover and Farmington and they look to see that what is being proposed is within the state guidelines and they have the necessary permits and that it won't pollute the river.

He said the biggest things they have been working on recently is the housing and commercial

development of the Washington St. area in Dover and a new gas station going in on Route 125 near Advanced Auto Supply in Rochester and some of the smaller projects they are looking at include the expansion of the areas behind the vehicle dealerships along the river in Rochester. They need members so if you are interested see (Town Administrator) Arthur Capello he said.

d). Resignation – Mr. Fisher said that member Michelle Elbert has resigned from the Con Com and the Selectmen accepted her resignation a few meetings ago and this is the Con Com's first meeting since then. He thanked Mrs. Elbert for all the work she did and the years she gave to the Con Com. He said she was a very active member and worked with the schools, the library and other boards she was on. She is a great lady and will be missed he said.

He said that means there are now 2 open positions on the Con Com and asked anyone interested in joining the Con Com to contact him using his contact information found on the Town website on the Con Com page or through the Con Com Facebook page.

Mr. Ballou said Mrs. Elbert was talking about recycling at the last meeting and asked if anyone has heard anything more about getting it going again.

Mr. Staples said they still take corrugated cardboard and metal at the Transfer Station and the Selectmen are working on the issue.

Mr. Fisher said part of it is a contract issue and there is nobody taking recyclables right now.

Mr. Staples said there is a huge market for recyclables materials out there but there is no market for single stream (unsorted, mixed materials) recyclables.

Mr. Fisher said that China has shut the door on the U.S. and there are other countries that are taking in recyclables but the local market is difficult and a lot of the other area towns have also stopped recycling.

Mr. Staples said that COVID put a chink in the system because for a while they didn't want to take anything that touched someone's mouth.

Mr. Fisher said it is a difficult situation right now and the Selectmen are working on it and it's not as easy as just opening it back up.

Mr. Staples said one problem is everyone wants to throw all their plastics in together and right now the market is for #1 and #2 plastics and there is no market for other plastics.

Mr. Fisher said another issue is where the items would be stored until they are picked up. He said there are a couple of buildings at the Transfer Station that could be used for that but they need to be redesigned and cleaned up and new equipment is needed.

Ms. Bogardus said Mrs. Elbert was nicknamed the "Trash Lady".

Mr. Fisher said she was staying on top of the recycling issue and trying to get a program going with schools and setting up monthly lectures in conjunction with the library and then COVID came along and stopped everything. Now whatever we can do is good but it's hard to get these things going with just 7 people he said.

Mr. Fitzgerald said he may be getting older and he can't cross trails for the commission but he really wants to do something for this board. "I want to be used!" he said.

e). Con Com Bylaws – Mr. Fisher said they had to cancel last month's meeting due to the lack of a quorum and he didn't want to make any decisions on things without the whole board's input. He said he looked up what constitutes a quorum of the members in their bylaws and the bylaws say that they must have 4 members present for a quorum three of which must be regular members and the fourth can be the Selectmen's Representative.

Mr. Fisher said he looked at the RSA's regarding Conservation Commissions and there are a few rules such as only 1 member of the Planning Board may serve on the Con Com at any one time. He said the Con Com bylaws say that they need 7 members and the state RSA's say they may have 3 to 7 members and he would like to change their bylaws to allow 3 to 7 members and a quorum to be 3 to 4 members. He said they did not discuss how many members they would have the last time they revised their bylaws which was in December 2020.

He said reducing the required number of members would reduce the number of members needed for quorum so they can conduct business.

Ms. Bogardus asked for clarification on the number of members needed for quorum.

Mr. Fisher said they would need 3 members present, two that would be regular members and the third could be the Selectmen's Rep. to have a quorum.

Ms. Bogardus asked if an alternate member could make up part of the quorum of members.

Mr. Fisher said if they only had 2 regular members and an alternate present the alternate could be seated in place of an absent regular member and would act as a regular member for that meeting. Then we could have 3 members plus the Selectman he said.

Motion: (Bogardus, second Fitzgerald) to amend the bylaws to have 3 to 7 regular members and to have a quorum be 3 members two of which must be regular members;

Discussion: Mr. Fisher suggested that he make the changes to bylaws and bring them to the next meeting so everyone can review it and then vote on it at that time.

Members discussed what to do about the motion on the floor.

Mr. Fisher then said they should vote to make the changes and then vote to accept them at the next meeting.

Vote: The motion passed 5-0.

f). Any Other New Business – Mr. Fisher asked if 7 year old audience member Addison Knight had any new business she would like to discuss with the commission.

Ms. Knight made her FCTV 26 debut by curling up into a ball physically signifying she did not wish to share her wisdom with the members at this time.

g). Summer Recess- Mr. Fisher said it is almost summer time and we have all had a very rough year and asked the members how they would feel about taking a month off in either June or July. He said he would prefer to not meet in July because of the great weather, the Independence Day holiday and family vacation time.

Ms. Bogardus said her vacation is planned for July.

Mr. Fitzgerald said he will be away in June as he has been invited to preach at church up north.

Mr. Fisher said they planned to review the bylaws in June and he hoped to have more information on the donation of the Spring St. property by then.
Consensus of the members was to not meet in July.

7). FYI: None

8). Upcoming Dates:

Next Con Com Meeting: Wednesday, June 9, 2021

9). Adjournment:

Motion: (Bogardus, second Staples) to adjourn the meeting passed 5-0 at 6:51 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary

Bill Fisher, Chairman