

**TOWN OF FARMINGTON
PLANNING BOARD MEETING
Tuesday, November 3, 2015
356 Main Street, Farmington, NH**

Joint Meeting with the Economic Development Committee

Planning Board Members Present:

David Kestner, Vice Chairman
Glen Demers
Martin Laferte
Resta Detwiler

EDC Committee Members Present:

Ann Titus, Chairman
Elaine Aylard
Resta Detwiler
Denise Roy-Palmer

Planning Board Members Absent:

Charlie Doke, Chairman, excused
Jim Horgan, Selectmen's Rep., excused
Anthony Vittorioso, excused

EDC Committee Members Absent:

Bill Tsiros, excused
Jodi Connolly

Town Staff Present:

Liz Durfee, Regional Planner

Others Present:

Jackie Bissell
John Bower
Dave Connolly
Bill Baxter
Robert Berner, Eversource Eastern Region Arborist

BUSINESS BEFORE THE BOARD:

- **Pledge of Allegiance**

At 6:10 pm Vice Chairman Kestner called the meeting to order and all present stood for the Pledge of Allegiance.

Joint Planning Board and Economic Development Committee Workshop:

Planner Liz Durfee welcomed the committee members and members of the public to an informal discussion of the Aquifer Protection Overlay District Update Project. Copies of "Got Clean Drinking Water?", "Farmington's Aquifer Protection Overlay District Update" and "What is Our Water Worth?" were available to the public and Board members.

Ms. Durfee's presentation began with a list of the members of the local update Planning Committee which includes Ms. Durfee, Resta Detwiler, Martin Laferte and Public Works Director Dale Sprague. The committee has been reviewing the existing ordinance, the State model ordinance for overlay protection districts and discussing updates to the ordinance to expand the district to include the area around town well six she said.

The purpose of the workshop was to give the public an overview of the existing Overlay Protection District, existing water resources and protection areas and why we should protect groundwater. The Power Point presentation included the following information:

What is Groundwater? – The water between the cracks and spaces in soil particles and rock beneath the surface of the land.

What is an Aquifer? – A geologic formation composed of rock, sand or gravel that contains significant amounts of recoverable water or water that could be withdrawn by a well. A “confirmed” aquifer is one that is covered by two hard layers.

Why Should We Protect Groundwater? –

Ensure the quality and quantity of drinking water
Minimize the cost of water treatments
Maintain the water cycle and provide water to streams, rivers and lakes
Support recreational activities and healthy ecosystems for the vitality of fish and wildlife
Attract new businesses with a sustainable water supply
Support the local economy – reports of unclean water impacts business and tourism

Potential Threats to Groundwater –

Contamination from certain land uses
Leaking above and underground storage tanks
Mishandling of industrial chemicals
Storage and use of road salt and de-icers
Agricultural and storm water run-off

RSA 485-C Groundwater Protection Act – The chapter includes the classifications of groundwater, management zones, potential contamination sources, Best Management Practices and prohibited uses around public and private water supplies.

How to Protect Groundwater –

Set quality standards through the use of zoning ordinances, public education, proper hazardous materials collection, easements and local regulations, management of potential contaminants and prohibit high risk uses such as landfills, junkyards, septage lagoons, road salt and de-icing chemicals and gas stations.

Planner Durfee’s discussion included that few changes are planned to the Overlay Protection Ordinance, some Best Management Practices are out of date, performance standards for manure and fertilizer storage, regulated substances, sealing inactive wells, local water source grants are available, expanding the protection area to include a third Town well (#6), being consistent with land use regulations, complying with state laws, the Health Protection Ordinance and the protection of future water resources.

Ms. Durfee invited the public to view the maps with the locations of the Town wells and the present protection areas, the water shed areas which flow into the Cocheco River, zoning districts and known contaminated sites. Ms. Durfee gave an update on the process to amend the ordinance. The Planning Committee began meeting in July 2015 and will meet until December. The draft ordinance will be prepared by the committee and sent to the Planning Board for review after which the information will be posted on the Town web site and there will be a Public Hearing held in December she said. She asked anyone with questions or concerns to contact her using the contact information on her business card.

Planner Durfee then opened the meeting to public comment. Discussion included more restrictions around the well itself and reducing requirements as you move away from the well, the TIF District is located in the proposed protection area, existing uses are grandfathered, protecting a potential future well site, any change in use triggers a review by the CEO/Planning Board, residential uses are exempt from the ordinance, Farmington is not responsible to protect Rochester’s well area and the center of Town is more developed but has less restrictions than properties located on Ten Rod Road.

Discussion also centered on the potential impact to existing and future home businesses which may have to be addressed by the Planning Board. Residents said fuel, chemicals, equipment and vehicle storage and repair could

become a big issue with added costs and could trigger issues with the Department of Environmental Services which could negatively affect an existing business or prevent a potential new home business from going forward. Ms. Durfee said many of these uses are already covered under State law and Town regulations and inspections are presently required. She said she would take a look at how home businesses might be affected and if the proposed ordinance will add an extra layer of regulations on them and discuss it with the Planning Board at their next meeting. She encouraged residents not to jump to conclusions about the impact on property owners and to read the language first before deciding the ordinance will be overly burdensome. She added the Planning Committee wants to develop an ordinance the Town will approve and residents will be able to provide feedback at the upcoming Public Hearings.

At 7:15 pm David Kestner motioned to take a 10 minute recess; 2nd by Martin Laferte. The motion passed unanimously. The meeting reconvened at 7:25 pm.

PUBLIC HEARING – 7:25 pm

In accordance with RSA 231:158, II, Eversource Energy requests a public hearing with the Planning Board to obtain the Board’s consent to allow the trimming and/or removal of trees and brush adjacent to and beneath power lines on River Road, a designated scenic road. The work is necessary to insure the safe distribution of power and to improve electric service reliability.

Eversource Eastern Region Arborist Robert Berner came forward to request approval to trim and remove trees and brush adjacent to and beneath some of the company’s power lines along River Road. A map highlighting the areas to be trimmed was provided to the Board. He told the board that Louis Tree Service will be the contractor performing the work and property owners will be notified before the work begins.

Ms. Durfee asked if the company would notify the Town if homeowners refused to claim the wood chips and make them available to the Town if there was a usable amount collected. Mr. Berner said he expected to have 3 or 4 loads of chips and would make them available to the Town if landowners didn’t want them.

Vice Chairman Kestner opened the hearing to the public at 7:30 pm.

Dave Connolly asked if all of the areas to be trimmed have been marked. Mr. Berner said all trees to be removed have been identified with a blue and white checkered ribbon. Mr. Connolly said he noticed that some of the markers are located on conservation lands along the northern side of the road and asked that the least amount of trees as possible be cut and still allow for safety.

Jackie Bissell asked if the company plans to just cut growth away from the power lines and how far in the trimming/removal would go. Mr. Berner said any tree that looks like it will fall or presents a threat to the company’s lines or equipment will be removed. Eversource specifications call for the removal of such threats located within eight feet to the side, ten feet below or fifteen feet above their equipment he said. Mr. Kestner noted that many of these trees and brush are located on private property and suggested they obtain the owners’ permission before removing them.

Ms. Durfee asked that the Town be notified after the property owners have been notified so a notice could be placed on the Town website stating when the work will begin. Mr. Berner agreed and said they would like the work to begin as soon as possible.

Vice Chairman Kestner closed the public portion of the hearing at 7:35 pm.

Martin Laferte motioned to approve the request to allow the trimming/removal of trees and brush on River Road; 2nd by Resta Detwiler. The motion passed unanimously.

BUSINESS BEFORE THE BOARD:

- **Review and approve Meeting Minutes of October 20, 2015**

On page 4, third paragraph, add the word “he” to read “Mr. Kestner asked Mr. McCarthy if he would...”

Martin Laferte motioned to approve the minutes of October 20, 2015 as amended; 2nd by Glen Demers. The motion passed unanimously.

- **Review of the Proposed 2016 Meeting Schedule**

The consensus of the Board was to approve the schedule as submitted.

- **Any other business to come before the Board**

FYI – The Municipal Association’s 74th Annual Conference will be held on November 19 and November 20, 2015 at the Radisson Hotel in Manchester, NH.

- **Adjournment**

At 7:45 pm Martin Laferte motioned to adjourn the meeting; 2nd by Resta Detwiler. The motion passed unanimously.

Respectfully submitted,
Kathleen Magoon, Recording Secretary

David Kestner, Vice Chairman