

APPROVED MINUTES  
Guilford Agricultural Commission  
December 17, 2018  
Community Center- 32 Church St

Note: Minutes not final until approved at subsequent meeting.

Members Present: Kim Brockett, Peter Perkins, Cliff Merin & Diane Augur

Absent: Janet Dudley and John Hammarlund

Staff: Kevin Magee – Environmental Planner

Items on the agenda were addressed in the order that would best expedite the meeting.

Commissioner Peter Perkins opened the informal meeting at 7:41 p.m.

GUEST: Herb Burnstein and Jim Goodman

1. Approval of Agenda

Motion made by Commissioner Cliff Merin and seconded by Commissioner Kim Brockett to approve the agenda. The motion was unanimously approved.

2. Approval of Minutes

- August 20, 2018

Motion made by Commissioner Cliff Merin and seconded by Commissioner Kim Brockett to approve the meeting minutes from August 20, 2018. The motion was unanimously approved.

- November 19, 2018

Motion made by Commissioner Pete Perkins and seconded by Commissioner Kim Brockett to approve the meeting minutes from November 19, 2018. The motion was unanimously approved.

- December 9, 2018 (walk)

Motion made by Commissioner Cliff Merin and seconded by Commissioner Kim Brockett to approve the meeting minutes from November 19, 2018. The motion was unanimously approved.

### 3. Public Forum (3 minutes per person)

- No one spoke during public forum

### 4. Old Business

#### A. James Goodman – 86 Middle Rd – Pheasants

Kevin Magee read an email submitted to Selectman Matt Hoey from Noelle and Ed Flamand dated December 9, 2018 which noted that the commission provided ample time with Mr. Goodman at the site walk to showcase his aviaries, and to express his views about questions the commission may have with no such opportunity afforded to them. Kevin Magee indicated that the agenda for the walk meeting was posted in the town clerks and that Erin Mannix notified the Flamands of the walk meeting. Since it was a posted meeting the Flamand's had the right to join the commission in the sitewalk.

Herb Burnstein indicated that the Flamand's gave permission for the commission to walk their property. Commissioner Pete Perkins indicated that his interest was to look at the pens and the water flow.

James Goodman indicated that he has the State coming in to conduct blood testing on the pheasants. James Goodman also provided data he found on line regarding the square feet per pheasant. The American Pheasant and Waterfowl Society noted 100 square feet; the World Pheasant association (UK) minimum 10 square meters; The code of Practice Aviculture noted that for a 400mm (16 in) bird the minimum floor area for 2 birds is 1.5 square meter (16 sq ft) which increases .75 square meters (8 sq ft) for each additional bird, the minimum height of the aviary is 1800mm (70 inches). Based on these calculations James Goodman found that a 92 square foot aviary can hold 12 birds and a 189 square foot aviary can hold 23 birds.

Herb Burnstein provided letter dated December 17, 2018 from Noelle and Edward Flamand which indicated that they do not like seeing blight in their neighbors yard and the aviaries with large quantities of birds. The Flamands are concerned with property value, water quality, and enforcement of bird quantities by the town. They are concerned that there is no inspection structure or schedule in place to maintain the bird count throughout the year. The Flamands hopes that the agricultural commission will not recommend to the ZBA the approval for additional birds. Herb noted property value is evaluated as part of special permit review.

Commissioner Pete Perkins noted that the structures were approved by Town as part of Planning and Zoning Commission Special permit.

James Goodman indicated that all of the requirements of the special permit have been corrected except for the number of birds.

Herb Burnstein noted that the commission's last review of the pheasants was by proportionality based on the size of the property. Why is he looking to change?

Commissioner Pete Perkins noted that the number was calculated before a site walk.

Commissioner Kim Brockett indicated that we are looking at the application from an agricultural perspective and can the facilities handle them or not.

Kevin Magee indicated that Mr. Goodman asked the commission to see if he can keep the 31 pheasants. Kevin Magee provided a document titled Raising Pheasants by the North Dakota State University Extension Service dated May 2016 which notes the number of pheasants per a pen is 20 square feet per pheasant. Kevin Magee will email the document to commission and will check with Conservation District or NRCS.

Herb Burnstein asked for agenda to be posted on web site

Commissioner Kim Brockett asked that Erin Mannix provide commissioner with official letter following her December 25<sup>th</sup> inspection.

B. Northern Heights Well Grant

The well house still needs roof shingles. Commissioner Pete Perkins indicated he has shingles and will do it in a few weeks.

C. Discussion regarding membership

Commissioners need to help recruit members

D. Discussion regarding licensed properties

- Kevin Magee noted that Half Mile acres paid their May to November 2018 balance.
- Commissioner Pete Perkins asked about the access to the south west corner of Dino's grazing area. Kevin Magee indicated that this area is best access by going along the edge of Hammarlund's license area which will require some brush hogging and placing stone in a wet area.

- Commissioner Pete Perkins asked if we received the yearly reports from the licensee. Kevin Magee indicated that he has not received them and will follow up with the licensee.

#### 5. New Business

- Commissioner Kim Brockett noted that Department of Agriculture has grants available. They may be able to assist with the access road.
- Need to update farm signage. Signs are starting to fade. Also need to look into signs that the commission can sell to farmers to display.

#### 6. Other Business

- Meeting dates for 2019 and meeting location.  
The commission reviewed the meeting dates for the year.
- Annual Report.  
The commission reviewed the annual report.

#### 7. Correspondence: None

#### 8. Adjournment

Motion by Commissioner Cliff Merin and seconded by Commissioner Kim Brockett to adjourn the meeting at 8:51 p.m. was unanimously approved.

Respectfully submitted by

Kevin W. Magee  
Environmental Planner