

Town of Farmington
Planning Board Meeting Minutes
Tuesday, March 17, 2020

Board Members Present:

Charlie King, Chairman
Rick Pelkey, Vice Chairman
Gerry Vachon, Selectmen's Rep.
Stephen Henry
Bruce Bridges
Bill Fisher, Secretary

Others Present:

Kyle Pimental, Interim Planner
Augustus Rainone

BUSINESS BEFORE THE BOARD:

Call to Order:

Chairman King called the meeting to order at 6:05 p.m.

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Review of Minutes:

March 3, 2020 – No errors or omissions

Motion: (Henry, second Pelkey) to accept the minutes as written passed 3-0-3 (King, Pelkey, Bridges-in favor; Vachon, Henry, Fisher-abstained).

Preliminary Conceptual Consultation:

Gus Rainone told the board that he put in an offer to buy the property at 83 Charles Street and that he would like to run his electrical business out of that building. He said he planned to use the space "as is" for office and storage space within the existing footprint.

Mr. Rainone said he inspected the building and there are some issues to be addressed and that he planned to apply for a building permit and have the Building Inspector inspect the property. He said future plans for the site include construction of a separate garage behind the existing structure. The land behind the garage would be paved and the electrical business would operate out of the rear shop and the front building would become office space he said.

Interim Planner Kyle Pimental said the site is relatively narrow for putting up a second building but the question is whether or not that would be 2 uses on 1 lot. He said that when he met with Mr. Rainone he said the front office building would be rented out to the public and/or other businesses and that operating 2 separate businesses would need approval from the ZBA.

Mr. King said the parcel is 1.61 acres and approx. 117' wide and asked if Mr. Rainone could put up another building and meet the required setbacks or if he would need a Variance for that too.

Mr. Pimental said the rear and side setbacks are 15' and it depends on the size of the building.

Mr. King said that would give him a reasonable amount of footage with about an 80 ft. wide building. He said there seems to be enough depth in the lot to accomplish that and enough room to provide parking if it is laid out properly. He asked if the lot has Town water and sewer. Mr. Rainone said he believes the lot has a private water source and Town sewer.

Mr. King said that based upon having access to the utilities he may qualify for a higher maximum density and that he may be able to subdivide the lot with a rear lot subdivision. He said if this were his project and he got a Variance for having 2 uses on the same lot he would configure it so it could be readily subdivided by the ordinance so that if he chose to sell it in the future it could be split off or to separate the uses.

Mr. Henry asked if Mr. Rainone planned to use all of the 2,000 sq. ft. in the building for himself.

Mr. Rainone said that when he first buys it would just be for his business and he planned to store all of his supplies there and park behind it. He said that once he builds the shop out back he planned to lease 10' x 10' locked sections in the front building for storage or office space.

Mr. King said that Table 2.04 (B) Space and Bulk Standards for the Urban Residential District says the minimum lot size is ½ acre and applies only to lots that are connected to Town water and Town sewer otherwise the minimum lot size is 1 acre.

Mr. Bridges asked how wet the land is behind the parking lot.

Mr. Rainone said that his lot is not really wet but there is a culvert at the rear of the building where water flows from one side of the lot to the other and dumps out on the neighbor's lot.

Mr. King asked if Mr. Rainone has a Purchase and Sale Agreement for this lot.

Mr. Rainone said he has a signed agreement that is contingent upon getting approval from the Town and that there is some gray area within that.

Mr. King said it has to be within the Town codes and that he must get a Variance or Special Exception from the ZBA or he would not be able to do this. He asked if he had scheduled a hearing with the ZBA yet.

Mr. Pimental said Mr. Rainone has not yet scheduled a hearing with the ZBA.

Mr. King said if there is a drainage issue it would have to be addressed so there are no negative impacts to the abutters. He said when the second building is constructed there would be more water runoff that could need outside engineering and site work so the costs could increase. He suggested he consult with Mr. Pimental and the Code Enforcement Officer for assistance.

Mr. Pimental said there are no apparent issues with the plan for the front building as it is mostly a change of use and that office space is permitted with review by the board. He suggested that he get a site plan approved for the change in use and when he is ready for the next phase the new construction will require a new survey and an engineered plan.

Mr. King advised Mr. Rainone go through the list of requirements and determine how each item will be addressed or if it does not apply to this application to ask Mr. Pimental's opinion on how that needs to be addressed.

Mr. Henry asked how long a variance is good for.

Mr. Fisher who is a member of the ZBA said the time limit is 2 years with the possibility of an extension.

Mr. Rainone asked if the time frame is to have all of the construction completed or if he would have to go back again once it is started.

Mr. Fisher said it is 2 years for the project to be underway and if nothing is done after 2 years he would have to go through the process again.

Mr. King said that the building permit has a time limit of 6 months and there are extensions.

Mr. Rainone asked if once the building is built if he would have to renew the variance yearly.

Mr. Fisher said that once the variance is granted you're done.

Mr. Henry asked if the engineered plan was needed in order to get the variance.

Mr. Fisher said they wouldn't want him to spend money for an engineering plan and not get the variance so he can get a variance without an engineering plan.

Mr. King advised Mr. Rainone to attend the ZBA with as much information as possible and that a hand drawn sketch on a tax map would be acceptable. He suggested that he meet with Mr. Pimental so he could explain the conditions that the ZBA will consider in granting a Variance.

Mr. Pimental said the April ZBA meeting has been canceled and their next meeting is on May 7.

Mr. Henry asked if the clock is ticking on his Purchase and Sales Agreement.

Mr. Rainone said that he sees the value in the existing building and the lot and since the change of use does not seem to be a big hurdle he was ready to "pull the trigger" on the agreement.

Mr. Fisher said as a member the Planning and Zoning Boards if he makes a decision as a member of one board he would have to recuse himself from any decision made by the other board relative to this case. He then listed some of the information Mr. Rainone should bring to the ZBA meeting to help them with their decision.

Mr. Henry asked if Mr. Rainone's business is located in Farmington.

Mr. Rainone said he is currently located in Middleton. He said he did not have any further questions and thanked the board for their help.

Mr. Pimental briefly excused himself from the meeting to assist Mr. Rainone.

Welcome Back/To:

Chairman King welcomed Mr. Fisher back to board after his absence and Mr. Vachon to the board as the new Selectmen's Rep. to the Planning Board.

He noted for the record that Mr. Bridges was attending the meeting via speaker phone as he was unable to attend the meeting in person.

Reorganization of the Board:

Chairman King said this item was not included on the agenda and asked the members if they wished to elect officers at this meeting or wait until the next meeting.

Consensus of the board was to elect the board officers at this meeting.

Chairman:

Motion: (Bridges, second Henry) to nominate Charlie King for Chairman;

Mr. King accepted the nomination.

There were no other nominations for Chairman.

Vote: The motion passed 6-0.

Vice Chairman:

Motion: (Bridges, second Henry) to nominate Rick Pelkey for Vice Chairman;

Mr. Pelkey accepted the nomination.

There were no other nominations for Vice Chairman.

Vote: The motion passed 6-0.

Board Secretary:

Motion: (Henry, second Pelkey) to nominate Bill Fisher for Secretary;

Mr. Fisher accepted the nomination.

There were no other nominations for Secretary.

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

Recess:

Motion: (King, second Pelkey) to take a five minute recess passed 6-0 at 6:35 p.m.

Mr. Pimental returned and the meeting reconvened at 6:40 p.m.

Discussion of ADG Memo:

Chairman King said that Arnett Development Group is the contract firm the Town is working with for the revision to the Master Plan.

Mr. Pimental said the 01/21/20 memo from ADG contains the status report and their initial recommendations on the Master Plan and they are looking for any final guidance before they come back to the board for an update.

He said he received an e-mail from ADG consultant Bill Parker who said he watched the previous workshop meeting where there was a discussion of transportation issues with Transportation Planner Colin Lentz and he incorporated some of the discussion into his recommendations.

Mr. Parker wrote that both he and ADG Managing Partner Stuart Arnett have not received any concrete comments from the board members other than they are happy with the direction that ADG is going in. He asked Mr. Pimental to obtain any comments from the board and if there are no further comments ADG may be ready to present a draft to the board in about a month. Chairman King asked Mr. Pimental if he thought there were any areas the board needed to discuss or where they haven't given ADG any direction.

Mr. Pimental said during the discussion with Mr. Arnett about a month ago it seemed that what he proposed and how the data was going to be used was reasonable and there are a lot of documents available that they can pull information from so they have a good base to move forward with.

He said that he met with the Town Administrator and Mr. Lentz to discuss long term transportation projects and which ones should be part of the state's Ten Year Plan. The number one project would be a downtown project with safety and pedestrian improvements that could be rolled into the infrastructure/utility improvements that would take place in about 10 years so the town should start thinking about finding revenue sources and funds to match grants to be ready to make those improvements he said.

Mr. Pimental said that there has been some discussion about the best use of the lots with gravel pits on them after the pits reach the end of their useful life.

Mr. King asked if he was referring to Town or privately owned gravel pits and that it is not up to the Town to determine what happens to the privately owned pits.

Mr. Pimental said there could be an opportunity for a public/private partnership where the private pit owners may want to do something with the Town or sell the land back to the Town. He said this topic should be in the Master Plan even if in a very broad way as the pits will end their useful life relatively soon and the town should be thinking about what will happen then.

Mr. Bridges asked about the Town gravel pit behind the Sarah Greenfield industrial park and if the intent was to use that land to expand the park.

Mr. King said there has been some recent discussion about the easement owned by the Town behind the park. He said there may have only been conceptual discussions about the expansion of the park into the gravel pit area as he has never seen anything about it even in a draft form.

Mr. Henry said the recent discussions and a warrant article were in regard to properly setting up a fund to hold money obtained through the sale of lots in the park.

Mr. Pimental said there is an issue with a right-of-way on one of the lots in the park to access the Town owned lots behind that lot. The lot owner was not made aware of the right-of-way and it was discovered when a title search was done as the owner is seeking a loan to expand his business there. He said the issue is new and has not yet been resolved.

Chairman King said he did not have a problem with Mr. Pimental mentioning the reclamation of old gravel pits to Mr. Parker and see what he has for ideas to repurpose them for the benefit of the town.

Mr. Pimental said that the board may have some thoughts about re-zoning the gravel pits to better fit the uses they could be best utilized for. He said it doesn't need to be spelled out but some ideas about what could happen should be mentioned in the Master Plan.

Mr. Henry said he has no interest in rezoning the gravel pit on Route 11 as he would like to see commercial development continue along Route 11.

Mr. King said they would have to be reviewed to see what they are currently zoned for.

Mr. Pimental said the back half of the gravel pit on Route 11 is residential and the front of the lot where the building is located is zoned commercial.

Mr. King said the area is zoned residential on the east and west sides of the lot and that the industrial zoning may only go back about 800' through the lot.

Mr. Henry then said that maybe the board does want to revisit the zoning for the pits. Consensus of the board was instruct Mr. Pimental to communicate to ADG about repurposing the gravel pits and that they are awaiting the first draft of the revised Master Plan.

Review of Prior TAP Grant Application:

Mr. King asked what "TAP" stands for.

Mr. Pimental said the acronym stands for the Transportation Alternatives Program. He said the 2018 application was prepared by Mr. Lentz and the previous Town Planner and it was the highest scoring proposal in the region but there were no projects funded in this region. He said they discussed potential changes to application at the meeting earlier that day and possibly resubmitting it for a letter of intent in August. The project would remain relatively the same for the sidewalk improvements but if the Town is going to do a larger improvement project that could include putting the utilities underground that is a huge project that belongs in the Ten Year Plan and a Capital Reserve Fund will be needed to pay for the infrastructure improvements he said.

He suggested that they reevaluate the project and consider doing the same type of project from the Main Street Bridge out to Route 11 which would connect the Public Safety Building, Farmington Children's Center and the Farmington Country Club and create a gateway to the downtown area. The downtown project would come later when there is a little more money available and the town is more ready for it he said.

Mr. Pimental said the town currently has a TIF (Tax Increment Financing) District fund which is intended to fund the installation of sewer lines out to Route 11 but that would not impact this project because the lines would be under the main part of the road.

Mr. Henry asked if he was talking about a sidewalk project for that portion of Main Street.

Mr. Pimental said it would be a sidewalk and pedestrian improvement project from the Main Street Bridge out to Route 11.

Mr. King said there are existing sections of a sidewalk going along one side of Main Street.

Mr. Pelkey said that a big part of the sales pitch for the (downtown) project was the proximity to the schools and the amount of people walking in that area. He asked if students walk or are bused from that section of Main Street because it may change the approach they took in the original application.

Mr. Pimental said it could change the approach taken on the application because all of improvements to area where the schools are located were included in that project.

Mr. Pelkey said the safety of students walking in that area is hit upon several times as a selling point of the project in the grant application.

Mr. King said going the other way on Main Street out of town would be a safety improvement as there is a reasonable amount of pedestrian traffic there and that a child was hit by a car where it goes uphill.

Mr. Pimental asked if the accident was a line of sight or speed issue.

Mr. King said he thought that it was a visibility problem and because of the way the sidewalk is disconnected and inadequate in that area.

Mr. Fisher said they need to figure out a way to slow down the traffic going through there and that there are a lot of private property owners there who will need a lot of talking to get them to allow sidewalks to be put in on their property.

Mr. King said that Main Street is a state highway (Route 153) and the speed limit changes from 30 mph to 40 mph.

Mr. Pelkey asked how it being a state road would impact the project.

Mr. Henry said there is a sidewalk in front of the existing homes in that location and that it ends right before the golf course.

Mr. Pelkey asked if there was any talk about doing some improvements up Central Street to bridge/church area where there are more houses and school traffic.

Mr. Henry said there is an existing sidewalk all the way down Central Street to Route 11.

Mr. Pelkey added that where Central Street hooks into Main Street is an area that would benefit from some traffic calming measures.

Mr. Henry said the Tri-City Trailblazers ATV Club is working on bringing ATV trails into town to further economic development using the North Country as a model of how the ATV activity has become a big part of the economy up there. He said they are looking at potential access to Main Street/Route 11 businesses and they should consider if and how ATV's and pedestrians would fit into the improvement plans.

Chairman King asked Mr. Pimental for any other thoughts on the TAP grant project.

Mr. Pimental said he planned to consult with Mr. Lentz and prepare a "white paper" for the Board of Selectmen to review in June. That would give us 2 months to iron out the idea before submitting the letter of intent in August and the application in October he said.

He said Mr. Lentz will be spearheading this project and asked if the board would like to review the direction of the project before it goes to the Selectmen for review.

Mr. King said he would like to give the board a chance to review and comment on it before it goes to the Selectmen.

Mr. Pimental said that one shortfall is that when the application is submitted in October there is no guarantee that matching funds will be available for the Town's portion of the grant as it has to go before the voters at Town Meeting for approval the following March.

Mr. King asked if they had thought about applying for **Community Development Block Grant** funding for the larger downtown project as up to \$500,000 in grant funds may be available and may be enough to do the infrastructure work. He said that if they apply for CBDG money and use it to fund the underground work the above ground improvements could be completed incrementally without wasting money on having to re-do things.

Mr. Pimental said they did not discuss it during their meeting and that he would mention it to Mr. Lentz. He said there was also some discussion of applying to the NH HSIP (Highway Safety

Improvement Program whose purpose is to achieve a reduction in fatalities and serious injuries on public roads through highway safety improvement projects).

Mr. King said that about 10 years ago the Town paid for a drainage study to assess the conditions from the schools down to the river so there are existing documents that will support an application and it is a matter of determining the location of the improvements and providing a cost estimate per foot that adds up to the \$500,000 the Town would be applying for.

Mr. Pimental asked if there are any reports with the associated costs included in it.

Mr. King said the costs may be included in the drainage report and it should be on file at the wastewater treatment plant.

Mr. Pimental said he would keep the board updated and he will ask Mr. Lentz to bring the proposed project before the board for review.

Review of Zoning Amendments Results:

Mr. Pimental said all of the proposed zoning amendments were approved at Town Meeting although there were some that had relatively close votes. He said the Village Center and recreational vehicles amendments were approved by 85 votes and 58 votes respectively. He said the vote went mostly as expected as those 2 issues were the ones they had the most discussion and feedback on. Most of the others were approved by about 200 votes he said. Chairman King said the rear lot subdivision was approved and will come back to the ordinance. He said that and the Table of Permitted Uses are now less restrictive and nothing that they proposed was more restrictive.

Mr. Henry said the prohibition against residential units on the first floor of buildings in the Village Center is more restrictive than it was. He said they also increased the density so there was some give and take there.

Mr. Pimental said that will eliminate the need for the developer to go before the ZBA and make it financially feasible by allowing more units in the spaces in the existing/proposed buildings.

Mr. King said one issue they know is coming is parking and they will make recommendations on changes to the parking regulations based on issues that arise from the applications.

Mr. Henry asked how any changes they make will apply to existing structures.

Mr. Pimental said they would be held to the regulations in place now which is 1.5 spaces per unit.

Mr. Henry asked if the changes to the parking regulations would only apply to new structures.

Mr. King said if someone came in for a site plan review of a multi-unit dwelling the parking regulations are in the site plan review and the board can impose more/less strict requirements.

Mr. Henry asked if he has a 2 unit building that now could fit 4 units and he is making no changes to the building if he still has to come before the board for a site plan review.

Mr. Pimental said if the owner is adding more units he would have to come in for a site plan review.

Mr. King said that one thing that would need to be addressed is more parking for the additional

units and if they cannot reach an agreeable consensus they may not be approved. He said based upon that experience they may want to provide guidelines for future boards.

Mr. Henry asked why they wouldn't want to do that anyway.

Mr. Pimental recommended that they see what the developers do, how they meet the requirements and what their challenges are. If they change things without knowing what their challenges are they could undo what they were trying to do by changing the density he said.

Mr. Pimental said if they do get some new redevelopment projects the Strafford Regional Planning Commission has summer interns that could replicate the parking study when there are more people in the area to get a more accurate picture of what the parking situation is than in April when the original study was done.

Mr. King said the new study should have more data points so they can add to it and have a history of the traffic pattern in the area at different times of the year. We have some issues that may need to be dealt with a little differently if it is causing a problem in certain areas he said.

Mr. Bridges added that the downtown is almost empty now too.

Mr. Henry said it is getting less empty.

Memos on the Corona Virus (COVID-19):

Mr. Pimental said they received a memo from the Governor's Office regarding the COVID-19 virus and compliance with the Right to Know Law (RSA 91-A) and gave copies to the board.

He also included a copy of a memo from the Planning Office regarding best practices for meetings, recommending cancelation of workshops that don't have a noticed hearing and to only meet on the second meeting date of the month for public hearings.

He suggested that if there is a public hearing scheduled where a lot of people are expected to attend to consider holding it in a larger venue or configure this room so there is enough space for the attendees to spread out. This guidance comes to us from the NH Dept. of Health and Human Services and they recommend that these guidelines be kept in mind he said.

Mr. Pimental said the Governor's memo also includes guidelines about the requirement to have a quorum of the members physically present and the ability to have the members present by phone or other electronic means due to an emergency. He said they did not have to feel that they have to come in to have a quorum if they are sick as there are other avenues they can use.

Mr. Bridges said he wanted the public to be aware that he is not sick and that the reason he is not physically at this meeting is out of the concern for the well being of his wife who has COPD.

Mr. Pimental said he planned to recommend to the Town Administrator that the workshop meetings not be held unless there is real need for them. He said the next workshop is scheduled for April 7 and there is nothing on the agenda for that meeting.

Motion: (King, second Henry) to cancel the April 7th workshop;

Discussion: Mr. Fisher asked if they told Mr. Rainone that their next meeting was scheduled for April 7 before he left the meeting.

Mr. Pimental said he gave him the ZBA and Planning Board schedules and circled the Planning

Board meetings on Apr. 21 and May 19 as their next meetings.

Vote: The motion passed 6-0.

NEW CASES:

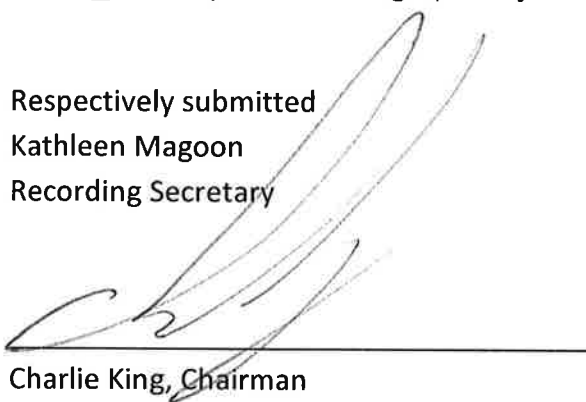
Application for Minor Site Plan Review by William Morel (Tax Map R52, Lot 36): Applicant proposes to operate a doggy daycare as an accessory home business on the property. The property is in the Agricultural Residential District.

Mr. Pimental said that because this was noticed as a Public Hearing it had to be included on the agenda but the applicant has withdrawn his Site Plan Review and Special Exception (from the ZBA) applications. The applicant came in and signed a letter for both of the applications which will be put in the file for this case he said.

Adjournment:

Motion: (Pelkey, second Bridges) to adjourn the meeting passed 6-0 at 7:25 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary



Charlie King, Chairman