

Town of Farmington
Planning Board Meeting Minutes
Tuesday, January 16, 2018

Board Members Present:

David Kestner, Chairman
Martin Laferte, Vice Chairman
Stephen Henry
Sylvia Arcouette
Bill Fisher
Rick Pelkey

Board Members Absent:

Jim Horgan, Selectmen's Rep.
Brandy Sanger, excused

Others Present:

Dan DeSantis, Town Planner
Brian Vachon
Chris Knight, Jeff Knight
Tim Bernier, T.F. Bernier, Inc.
Andrew Kellar, NE Solar Gardens
Clarke Fenner, NE Solar Gardens
Barry Elliott

BUSINESS BEFORE THE BOARD:

Call to order:

Chairman Kestner called the meeting to order at 6:07 p.m.

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Review of Meeting Minutes:

December 19, 2017- Page 3, 17th line- strike the "s" from "others"; Page 4, 1st line- add "said" after "DeSantis"; Page 4, 4th line up from the bottom- strike first "if".

Motion: (Laferte, second Arcouette) to approve the minutes as amended passed 5-0-1 (Henry abstained).

Voluntary Lot Merger: Application submitted by Robert Larson for Tax Map R06, Lot 190 and R06, Lot 191. New lot number will be R06, Lot 191.

Mr. DeSantis requested the application be continued as it is not ready to be reviewed due to a mortgage issue.

Motion: (Pelkey, second Fisher) to continue the voluntary lot merger application to the Feb. 6, 2018 board meeting passed unanimously.

Voluntary Lot Merger: Application submitted by Albert Cameron Jr. for Tax Map R60, Lot 14 and Tax Map R63, Lots 12,13 and 14.

Mr. DeSantis said there are no mortgages on any of the lots involved.

Mr. Pelkey said the applicant is proposing to take the 3 lots on Tax Map R63 and attach them to Lot 14 on Tax Map R60 and create one large lot. Lot 16 is mentioned in the narrative but

nothing is happening with that lot he said.

Mr. Kestner said the Assessing Clerk Kelly Heon's memo states there was a recorded subdivision done on March 25, 1976 which created 3 lots out of one, resulting in a total of 5 lots.

Mr. DeSantis noted the next paragraph of the memo which states that in the 1980's there was an internal merger by the Town for ease of tax billing without the knowledge and consent of the owner and no legal merger document recorded at the Registry of Deeds.

Mr. Kestner said the Town's Tax Map is not the actual recorded deed. The tax map is a token notice of the actual deed and the deed is the governing body. What the Town chose to do is irrelevant to the lots of record based upon the subdivision of 1976 he said.

Mr. DeSantis said that is correct.

Mr. Kestner then asked if these parcels are the same parcels that were created in 1976 that he is looking to merge back together.

Mr. DeSantis said they are the same parcels.

Mr. Kestner asked if there will be a new deed from the applicant that is re-written to show the meets and bounds of the newly created merged lot and would null and void that subdivision.

Mr. DeSantis said the applicant will have to provide a copy of the new deed to the Town.

Mr. Kestner questioned whether this can be done through a lot merger or by a written notification. He then added that he believes that a new deed will be required.

Mr. Fisher asked if the applicant can get a new deed without the board's approval of the lot merger.

Mr. Kestner said they could make a new deed a condition of approval for the application.

Mr. Henry asked if there are houses on the lots.

Mr. DeSantis said there are no houses on the lots to be merged.

Mr. Pelkey said there may also be some issues with the application as it states there are 4 dwelling units on the lots.

Mr. DeSantis suggested this application review be continued to the next meeting.

Mr. Kestner asked Mr. DeSantis to contact the applicant and recommend that part of the condition of approval will be a new deed to indicate the meets and bounds of the newly created lot and that the application needs to be amended to show there are no dwelling units on the lots.

Motion: (Henry, second Arcouette) to continue the application review to the Feb. 6, 2018 board meeting passed unanimously.

Correspondence:

Mr. DeSantis said he did not have any new correspondence to discuss.

He said copies of the ordinance amendments to Signs (Section 3.09), Waterfront Protection Overlay District (Section 4.03) and Accessory Dwelling Units (Section 6.00) were included in the members' packets as earlier requested.

Lone Star Sidewalk- Mr. Kestner said the Assessing Clerk provided him with some

correspondence regarding the \$3,000 Lone Star Sidewalk Escrow Fund being held by the Town. In a memo to the board, Ms. Heon asked for the status of this fund. During the development of Campbell Commons, one of the conditions of approval was the installation of a sidewalk section at the corner of Elm Street and Lone Star Avenue per the Notice of Decision on 1/4/15 she said. Mr. Kestner asked if Mr. DeSantis knew if the sidewalk has been completed.

Mr. DeSantis said he had not received the memo and did not know if the work was completed.

Mr. Kestner requested Mr. DeSantis ask the DPW Director to investigate this matter and confirm if the sidewalk has been completed as part of the build out of Campbell Commons.

Mr. Pelkey said this may be an enforcement issue.

Mr. Kestner agreed and added that it is also an issue of the release of the escrow funds if the developer has completed the work appropriately.

Intent to Excavate Compliance- Mr. Kestner said he also received a memo from Ms. Heon regarding compliance issues with some excavation sites and asked Mr. DeSantis if he has had an opportunity to meet with Ms. Heon to discuss those issues.

Mr. DeSantis said they have been unable to schedule a mutual meeting time.

Mr. Kestner asked Mr. DeSantis to meet with Ms. Heon to discuss updating the Intents to Excavate as some of them are past due. He asked that a list of the intents that are past due and not in compliance be provided to the board for the Feb. 6 workshop meeting.

Mr. DeSantis said he would try to meet with Ms. Heon in time for the information to be available to the board for that meeting.

Recess- Motion: (Laferte, second Kestner) to take a 5 minute recess passed unanimously at 6:30 p.m. The meeting reconvened at 6:40 p.m.

PUBLIC HEARINGS (CONTINUED) – 6:30 P.M.

Application for Minor Site Plan Review by Grant Myhre: to install an accessory dwelling unit. Property is located at 231 Camelot Shore Drive (Map R06, Lot 143); Agricultural Residential District. – HEARING CONTINUED TO FEBRUARY 6, 2018 PLANNING BOARD MEETING (NO ACTION NECESSARY).

PUBLIC HEARINGS – 6:30 P.M.

Mr. Kestner asked for a motion to postpone review of the proposed zoning amendments to the end of the meeting.

Motion: (Laferte, second Arcouette) to move the zoning amendments to the end of the public hearing agenda passed unanimously.

Application for Major Site Plan Review by: Christopher Knight (Tax Map R19, Lot 15-1); for property located at Main Street and Cocheco Road. The applicant proposes to construct a 254 panel commercial solar array. The parcel is located in the Commercial Business (CB) District.

Application for Major Site Plan Review by: Christopher Knight (Tax Map R19, Lot 15-2); for property located at Main Street and Cocheco Road. The applicant proposes to construct a 254 panel commercial solar array. The parcel is located in the Commercial Business (CB) District. Tim Bernier said the applicant is proposing to use just under 10 acres of the 33 acre site for a 1.7 mega watt solar array. The site is a former sand pit that was mined down, abandoned and left in disarray. The same access point that was used to enter the gravel pit will be used for the entrance to the property and the panels will all be installed on the floor of old pit he said. He said there is still some re-grading left to do on 2 corners of the property to fix the slopes to meet the regulations for gravel pits and to create a flatter area to put the solar panels on. The solar panels will point south and be perpendicular to Main Street. The 2 parcels are bounded by Main Street, Cocheco Road, the Transfer Station across the Cocheco River, 3 Phase Power and a third parcel containing one residence he said.

There is an old Class VI Town road running between the property and Main Street that remains from when Route 153 was rerouted by the state. The piece of land where Old Main is located is owned by the Town and is densely vegetated so the lot is not visible from Main Street. He said there is a raised berm and the panels will be installed at a lower level than the berm.

Mr. Bernier said the parcel with the house has a large hill behind the house which will be flattened to make room for the panels so they propose to landscape the area the top of the ridge to provide a buffer from the panels for the residence.

Mr. Bernier also displayed a cross section of the contours of the site looking at the property from Main Street depicting the height of the panels and the projected height of the trees to be planted for the buffer.

He said they are also proposing to install a chain link fence with a gate along one side of Old Main Street to address any safety issues and prevent unauthorized access to the panels. During construction there will be activity at the site but once it is completed there should only be one car at the site once a month to mow the grass he said.

Mr. Bernier said that the electric service for the panels would a service panel and a transformer that sits on a concrete pad. There will be conduits running throughout the site to collect the power generated and transport it the service panel.

He said the project has already received the Selectmen's approval to use the Class VI Town road to access the site, a state Shoreline Protection permit and the state Alteration of Terrain (AOT) permit was expected to be received the next day. The Zoning Board granted a Special Exception for the use as a "Utilities, Other" use and a Variance from the setback to the lot line that divides the property into 2 parcels to allow solar panels to be installed closer to the boundary line with the condition that the lots are being used for solar panels.

Mr. Bernier said they are working with Selectmen regarding the application fees that totaled over \$20,000 due to the large square footage of the panels which is about \$19,000 more than they would pay for this type of project elsewhere. He said the discussion is still on-going and

asked if the board were to decide to approval the proposal that it be conditional on receiving approval from Selectmen for a reduction of the fees.

Mr. Henry asked if the Town requires the installation of the trees and if there is something offensive about the sight of solar panels that they have to be hidden.

Mr. Bernier said the issue came up during the conceptual review of the plan at a previous meeting.

Mr. Kestner said the issue was concerns about glare off the panels along Route 153.

Mr. Henry said he thought the point of solar panels was to suck up the light not reflect it and said he did not think this was an issue.

Mr. Kestner said the 254 glass panels planned are not impervious to the reflection of light.

Mr. Bernier said the new technology for solar panels tries not to reflect light.

Mr. DeSantis said there are negotiations going on between the Selectmen and the applicant regarding the fees and suggested until that is resolved the request should be conditioned upon the resolution of the fees. He said that even if the Planning Board approved the project the applicant would not be able to get a Notice of Decision (NOD) until that issue is resolved.

Mr. Henry said he did not understand why the Planning Board approval must be conditional on the Selectmen's decision. The Selectmen will set a fee and they will pay the fee or pack up and go home. He asked why the Planning Board's approval has to be conditional at all.

Mr. DeSantis said the applicant shouldn't be able to request a NOD until the fees have been paid and the board has the authority to set certain conditions.

Mr. Bernier said he discussed the matter with Mr. DeSantis and decided this is the best way to handle the issue.

Mr. Kestner said there is a gravel driveway entrance of 2,200 sq. ft. for impervious soil conditions. He said there are no indications for station assignments for the driveway approach and/or a profile other than the short profile of 50 ft. shown on the diagram. He asked how the applicant came up with only 2,200 sq. ft. considering that the driveway goes up into the lot and then "T's" off to another access driveway going right down the property line.

Mr. Bernier said they gave an easement from Lot 15-1 to Lot 15-2 due to a large area of wetlands on Lot 15-2. A gravel driveway already exists and the only proposed construction of a driveway is the construction entrance required by the state to keep truck wheels from dragging soil out onto the street.

Mr. Kestner asked if the 12 ft. wide entrance going all the way in to the "T" is considered impervious material.

Mr. Bernier said that when the facility is completed and in use there will not be a specific road there. The floor of the pit will be allowed to grow grass and someone accessing the lots could drive anywhere on the site over the grass including in between the rows of panels.

Mr. Kestner said sand pits are typically not very good for driving on as it is gravel which is usually considered impervious. He said they would probably strip off the sand and put in at

least a 6 inch layer of gravel to make a gravel driveway for the access to the sites.

Mr. Bernier the 2,200 sq. ft. of driveway is the only thing that will be gravel and everything else will be grass.

He said from a storm water management standpoint, there is no outlet from the site as it was mined and is a low area and it was checked for a 500 year storm event. The area where the panels will be is a big flat field with good soils and nothing can off the site and all goes into the ground.

Mr. Kestner asked about the proposed silt fence in the area near the Cocheco River.

Mr. Bernier said the area where the silt fence is shown is a hill and all of the work will take place on the pit side of the hill and any loose materials would fall away from the river back down the hill into the pit floor. He said best management practices say to put up a silt fence so the contractor will know not to go past that point. Once the construction has been completed the silt fence will be removed he said.

Mr. Kestner said they did not seem to consider the square footage of the solar panels to be impervious surfaces.

Mr. Bernier said that is correct. He said that AOT considers them "detached impervious surfaces" because the panel sits over bare ground and the water drips off the panel and goes into the ground. In this case the ground is flat and the water doesn't have any where to go. The site is in a bowl and the floor is sand so there is no development of a flow he said.

He said that AOT only considers the sq. footage of impact to the ground and the panels are above the ground so they only count the foundation that holds the panel as the sq. footage of impact to calculate the fee. When water run-off is calculated the water from the surface of panels has to be included in the calculation he said.

Mr. Kestner asked if the entrance to the site would be maintained during the winter.

Mr. Bernier said there is no reason to go to the site during winter unless there is a problem so there are no plans to plow the entrance.

Mr. Kestner said that normally snow storage areas are designated on the plan and recommended they consider a spot for snow storage and depict it on the plan as their equipment may fail at an inopportune time.

Motion: (Henry, second Pelkey) to accept the application as substantially complete passed unanimously.

Chairman Kestner opened the hearing for public comment at 7:05 p.m.

There were no public questions or comments. Mr. Kestner said he would keep the public comment portion open as the board continued their discussion.

Mr. Kestner asked Mr. Bernier to provide Mr. DeSantis with the calculations that will prove there is no substantial water run-off from the site.

Chairman Kestner closed the public comment portion of the hearing at 7:10 p.m.

Mr. Pelkey asked if the snow storage needed to be depicted for both lots or just for Lot 15-1.

Mr. Kestner said it needs to be noted for Lot 15-1 for accessibility to at least as far as the location of the electronic equipment on the site.

Mr. Pelkey asked what level of failure would have to occur for it to be addressed on site.

Mr. Kellar said the inverters they use handle between 30 and 75 panels and if a panel was lost they would know because the inverters all have the ability to notice under producing panels. He said if a panel broke they could fix it in a day or 2 and there would be no need to bring in major pieces of equipment as the units weigh about 40 lbs. each so one employee would be able to handle the repair. The annual inspection and maintenance of the site would take place in the spring he said.

Motion: (Henry, second Laferte) to approve the plan as proposed with the following conditions; an agreement is reached with Selectmen on the planning fees and to designate the snow storage areas on the plan;

Discussion: Mr. Pelkey asked if the motion included both lots. He said that Lot 15-2 has the Shoreline question and Lot 15-1 has the snow storage question and asked if those things would be conditions of approval for each individual lot.

Mr. Kestner said he considered the property as 1 whole parcel because that is what they are developing it as. He said Mr. Pelkey's concerns are valid because Lot 15-1 is the one affected by the snow storage and Lot 15-2 has the Shoreline issue.

Mr. Pelkey said if it is the correct procedure he would favor combining the approval in one motion.

Mr. DeSantis suggested the board make a motion to grant conditional for the plan for both lots in one motion and the motion should clearly state both of the lot numbers.

Motion Withdrawn -Mr. Henry rescinded his motion to grant conditional approval of the plan. Mr. Laferte withdrew his second to Mr. Henry's motion.

Motion: (Pelkey, second Fisher) to approve the application for both lots, Tax Map R19, Lots 15-1 and 15-2 with the following conditions;

1. For both Lot 15-1 and Lot 15-2 the application fees have to be resolved with the Town;
2. The Alteration of Terrain permits must be approved for both Lots 15-1 and 15-2;
3. For Lot 15-1 the site plan will be amended to note snow storage;
4. For Lot 15-2 an approved Shoreline Impact permit will be submitted to the Town Planner.

Vote: The motion passed unanimously.

Recess- Motion: (Kestner, second Pelkey) to take a 5 minute recess passed unanimously at 7:20 p.m. The meeting reconvened at 7:30 p.m.

Application for Minor Site Plan Review by: Brian Vachon (dba Stone Pros Fabrication & Installation LLC). The applicant is proposing relocating his contractor/stone fabrication business to the existing building located at 257 NH Route 11 (Tax Map R14, Lot 005). The parcel is located in the Commercial Business (CB) District.

Mr. Vachon said he has been doing business in town for 15 years at a shop at the end of Main

Street and is proposing to move his business to building that will allow the business to grow and expand. He said he presented the board with the best information that he was able to as there are no actual site maps in existence for this building. He speculated that the building was built before site plans were required and has always been used for the same type of use since then. He said he was not able to get a surveyor to survey the property in a reasonable time frame so he submitted his own research, information from abutters' maps and a sketch of the site.

Mr. Vachon also provided a sketch of interior layout of the building as requested by the Fire Chief. He said that he plans to store the entire inventory of materials inside the building.

Mr. DeSantis asked Mr. Vachon to explain his plan.

Mr. Vachon said there is 170 sq. ft. of road frontage and a parking lot at the front of the building. The existing driveway is approx. 11 ft. wide and about 230 ft. long and slopes down fairly quickly as you enter the property but it flattens out once you are on the lot. There is also a paved driveway to the rear of the building to provide access to the rear entrance.

There is a propane tank on one side of the building and a spot for the existing sign he said.

He said his intent is to store snow on the either end of the existing front parking area and the push the snow from the rest of site out to far corner on the right rear side of the lot.

The landscaping currently consists of a grassed area that will be addressed this spring to make sure the area looks presentable following recent improvements made to site. The building owner reconstructed the front retaining wall that had cracked, a new roof was installed and the drainage system has been repaired or replaced he said.

Mr. DeSantis said he did not have any comments or concerns about this application and that the applicant had done what the board had asked him to do at a previous meeting. He noted that the board would need to address the waivers requested by Mr. Vachon.

Mr. Fisher asked where the office desk will be located.

Mr. Vachon said he had not finalized the plans for the office/reception area but was considering putting up a half wall near the front of the building with a small desk, one file cabinet and a break area for employees. He said he did not need much of an office space as he does 90% of the office work on his phone. He said did not expect to be flooded with foot traffic but that his sign on Route 11 may attract a few more customers.

Mr. Kestner asked about the 4' x 8' sign shown on the drawing.

Mr. Vachon said he plans to use the existing sign location for a sign for his business.

Discussion also included handicapped parking at the site.

Mr. Vachon said the location of handicapped spaces is depicted on the drawing and that he has a video of his largest truck (53') entering the driveway and successfully negotiating a 3-point turn while his own truck was parked in a handicapped parking space. He said that in the event that a larger truck needed to make a delivery to the building it would be possible to unload it in the upper parking area in front of the building.

Motion: (Henry, second Arcouette) to accept the application as substantially complete passed

unanimously.

Chairman Kestner then opened the hearing to public comment at 7:43 p.m.

No members of the public were present.

Mr. Kestner said there are 3 waiver requests attached to the Site Plan Review application which all deal with Section 18 of the Land Use Regulations regarding contours and topographic issues.

Mr. Pelkey recalled the board discussed the need for these waivers at the previous meeting with the applicant.

Chairman Kestner closed the public portion of the hearing at 7:45 p.m.

He then asked the board if they wished to discuss the waivers or if they were ready to make a motion on each waiver request.

Motion: (Fisher, second Henry) to grant a waiver to Section 18, Wetlands and Soil Delineation of the Site passed unanimously.

Motion: (Henry, second Fisher) to grant the waiver for existing grades and contours passed unanimously.

Motion: (Henry, second Arcouette) to grant the waiver to Section 18, Property Survey passed unanimously.

Motion: (Henry, second Pelkey) to approve the application passed unanimously.

Proposed Zoning Ordinance amendment: To amend Zoning Ordinance Section 1.14 Definitions to add the definition of "Shop front". "Shop front" is defined as follows: a shop front is a façade or entryway located on the ground floor or street level of a commercial building, typically including one or more display windows. A shop front functions to attract visual attention to a business and its merchandise or services.

Mr. Henry said these proposed amendments are here intended to impose increased regulations on business and he is not in favor of it.

Chairman Kestner opened the hearing to public comment at 7:50 p.m.

He said he agreed with Mr. Henry but that some definition of a shop front needs to be included in the regulations.

Mr. Henry replied that there only needs to be a definition if you plan to regulate it.

Mr. Kestner said the need for definitions was shown by the difference in the way fees are calculated for the solar panels as discussed during the earlier site plan review.

There were no members of the public present and Chairman Kestner closed the public portion of the hearing at 7:52 p.m.

Mr. DeSantis said he will find out if a second public hearing is necessary for proposed zoning amendments.

Motion: (Laferte, second Pelkey) that the proposed zoning amendment be put on the Town Warrant passed 5-1 (Henry opposed).

Proposed Site Plan Review Regulations amendment: To amend the Site Plan Review Regulations Article I: General Provisions; Section 3 Definitions to add the definition of “Shop front”. “Shop front is defined as follows: a shop front is a façade or entryway located on the ground floor or street level of a commercial building, typically including one or more display windows. A shop front functions to attract visual attention to a business and its merchandise or services.

Chairman Kestner opened the hearing to public comment at 7:54 p.m.

There were no members of the public present. Chairman Kestner closed the public portion of the hearing at 7:55 p.m.

Motion: (Laferte, second Fisher) to accept the Site Plan Review Regulations Article 1: Section 3 Definitions for the definition of “Shop front” passed 5-1 (Henry opposed).

Any Other Business before the Board:

Mr. Kestner said it was brought to his attention that the Planner had his hours cut back and that this is a step backwards for the Town. He said that he would like to see the Planner’s hours be restored to 30 hours a week to provide at least $\frac{3}{4}$ of a week’s coverage in the Planning Office. He said that the Town budget has been well within confines and that it is the School Board that is “out to lunch”. The difference in the 4 hours can easily be taken care of he said.

Mr. Laferte asked if the Selectmen had “raided” the Planning budget again.

Mr. DeSantis said they did as they cut his hours.

Mr. Laferte added that Selectmen raided the Planning budget last year and he wanted to know if they did it again this year.

Mr. DeSantis then said he was not sure if they raided the Planning budget. He said he was informed that day that starting on Monday his hours would be reduced from 30 to 26 hours a week.

Mr. Laferte said the situation with using a Planner from Strafford Regional Planning Commission wasn’t worth much and Selectmen are making a big mistake to cut back on this because we are finally getting back on track. It’s a lot better now than it was he said.

Mr. Fisher said the Planner’s hours should stay at 30. He recalled what fiascos they went through before Mr. DeSantis was hired and noted how he has streamlined things and put extra notes in the board’s packets to make their jobs easier which takes a lot of time. He said 4 hours a week, 16 hours a month won’t save that much money in the budget and will hurt the Town.

Mrs. Arcouette said there will be a public hearing on the Town budget and suggested residents attend the hearing and give their comments about raising the budget back up then.

Mr. Henry said the Budget Committee will get their first look at the Town budget the next day during the presentation of the Town budget to the committee.

Mr. Laferte asked if the board should write a letter to Selectmen informing them that they are opposed to cutting the Planner’s hours.

Mr. Kestner said a letter would be a good idea but it may be a conflict of interest for Mr.

DeSantis to do so.

Mr. DeSantis said it would be unethical for him to write the letter to Selectmen. He suggested the Planning Board make a motion to ask the Selectmen to return his hours.

Mr. Kestner asked if the board could instruct the Planning Dept. clerk (Secretary) to forward a memo to the Selectmen.

Mr. DeSantis said that they that could ask her to do so.

Consensus of the board was to ask the Planning Clerk to forward a memo to the Board of Selectmen and the Town Administrator asking that the Town Planner's hours be restored back to 30 hours to provide coverage for the Planning Dept. within the budget.

Mr. Henry said he did not have an opinion at this point as he did not know why the Selectmen made this decision.

Public Comment:

Mr. Elliott joined the meeting and told the board that he was concerned about the proposed store front zoning change to establish store front rules and regulations. He said the board is putting in a definition so they can make regulations and that the Town already has enough regulations on businesses.

He said he heard during a previous board discussion that the intent was to keep downtown storefronts from becoming permanent residences. He asked what someone could do if they owned a building, can't sell it, can't rent it to a business and still needs to make enough money to pay the utilities and taxes on the property.

Mr. Kestner said that currently he would be able to convert the downstairs into an apartment. The ordinance amendment would restrict downtown first floor units to commercial units because once it becomes residential you will never get it back. He said the board is working on Form Based Codes which would make it less restrictive but at the same time you need to have the ability to keep the commercial/retail space available.

Mr. DeSantis said currently the Code Enforcement Officer has sole authority to accept or reject a business going in downtown. The purpose of this is to ask ourselves what do want in a downtown and if you give in and say anything goes you won't have a chance he said.

Mr. Elliott said you can't make something you want happen by zoning it to death. He said they need to create a viable downtown with parking and a habitat where people want to get out of their cars and go into the stores and to find entrepreneurs that are willing to invest in the community.

Mr. Henry said what was approved tonight by the board on a 5-1 vote was to define a shop front. The proposal to regulate it has not come forward yet he said.

Mr. Kestner said the old Fire Station is probably going to be redeveloped into a multi-use commercial/residential area. The current zoning ordinances may not allow for the full redevelopment of what exists there he said.

Mr. Pelkey said he is not in favor of a lot of regulations but if the town wants to make an

investment in the downtown area they want to have some way to say when we improve the parking and the sidewalks that the shop fronts won't have all gone away.

Mr. Laferte said Form Based Codes won't go to Town Meeting until 2019 so there is a year to beat up on it. He said he was against it and would be against until the day he is thrown off the board.

Mr. Elliott said he had 3 store fronts he wanted to rent and tried to prep a potential tenant about the process they had to go through and the tenant did not want to go through it.

Mr. Henry asked him to explain how the process is different or more difficult in Farmington than in any other town.

Mr. Elliott said it is the same everywhere and the towns that had professional people doing the front work were the easiest to deal with because all of the leg work was done up front. We knew what we had to do so when we went before the boards it was so simple with no arguing. The toughest places were those where everyone had some sort of axe to grind he said.

Mr. DeSantis clarified that this regulation doesn't have anything to do with stopping business downtown and only proposes to stop housing on the first floors. Do not think we are even close to being anti-business as we spend hours with small businesses working through the process and determining their capacity to do so he said.

Mr. Elliott said that when the make-up of the boards changes the new members may interpret something done by the previous members in a completely different way.

Mr. DeSantis said that is part of being human.

Mr. Kestner thanked Mr. Elliott for attending the meeting and providing his input.

Adjournment:

Motion: (Laferte, second Arcouette) to adjourn the meeting passed unanimously at 8:30 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

A handwritten signature in black ink, appearing to read 'D. Kestner', written over a horizontal line.

David Kestner, Chairman

