

Town of Farmington
Planning Board Meeting Minutes
Tuesday, March 3, 2020

Board Members Present:

Charlie King, Chairman
Rick Pelkey, Vice Chairman
Neil Johnson, Alternate Selectmen's Rep.
Bruce Bridges

Others Present:

Kyle Pimental, Interim Planner
Colin Lentz, SRPC Sr. Transportation Planner

Board Members Absent:

Bill Fisher, Secretary, excused
Stephen Henry, excused
TJ Place, Selectmen's Rep., excused

BUSINESS BEFORE THE BOARD:

Call to Order:

Chairman King called the meeting to order at 6:12 p.m.

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Review of Minutes:

December 3, 2019 – No errors or omissions

Motion: (Bridges, second Pelkey) to approve the minutes as written passed 3-0-1 (Johnson abstained).

February 4, 2020 – No errors or omissions

Motion: (King, second Bridges) to approve the minutes as written passed 3-0-1 (Johnson abstained).

ANY OTHER BUSINESS BEFORE THE BOARD:

Downtown Parking Study – Interim Planner Kyle Pimental said the board asked him to look at parking in other communities and the communities he is looking at include Dover, Milford, Newmarket and Rochester.

Mr. King asked why Milford was included in the group.

Mr. Pimental said his Executive Director recommended it as a comparable community to review and that she thought that reviewing their language would be a good idea.

He said the density change is a large change and that he didn't want the board to go too far ahead with changes to the parking regulations without seeing how a developer handles the amended zoning. The parking study has not been discussed and there were some questions about how it was done and what came out of it so it would be good to hear from Mr. Lentz who wrote the report and was part of the study to get a better understanding of the real and

perceived parking challenges he said.

Mr. Pimental said that Colin Lentz is the Strafford Regional Planning Commission's (SRPC) Sr. Transportation Planner and he may have some insight on the Town's transportation projects, sidewalk improvements, parking issues and the state's Ten Year Plan as we go forward. He said the Master Plan revision is almost done and Mr. Lentz may have thoughts on what transportation related recommendations should be included in the revised plan.

Mr. Lentz said the parking study was done almost 1 year ago at the Town's request and the Milford study was the model for the study that was done in Farmington. He said that SRPC partnered with the Downtown Revitalization Steering Committee and UNH students who conducted the data collection.

He said they looked at the striped parking spaces in and around the downtown which included public and private parking due to the proximity of the TD Bank, Peaslee Funeral Home, the old fire station lot and the Post Office as well as the on street parking. The data collection method consisted of routes they walked on a Thursday and a Saturday in April so the snow was cleared and the spaces were all available and there were no conflicts from tourism travel he said.

He said they looked at the parking usage once every hour from 9 a.m. to 6 p.m. on Thursday and from 11 a.m. to 7 p.m. on Saturday. The data collectors walked their routes with clipboards and using the vehicles' license plates, marked if the space was empty, if it was the same car from the previous hour, if a different car was there or if the same car left the space and then returned. There is map showing the study area and survey routes included in the report he said.

Mr. Pimental said the full report contains about 100 pages as it includes the data collection sheets and that he only printed the first 10-12 pages as a summary for the board to review.

Mr. Lentz said the general analysis of the study included the overall parking occupancy and that there was a fairly low occupancy rate. He said the old fire station had the highest occupancy rate for off street parking at 35% of the total parking spaces available at any point of the day and the vehicles may belong to people who took the bus/carpooled to where they were going. He said they noticed a "decent" amount of turnover on Main Street despite the relatively low occupancy rate of the buildings and it did seem like people were using those parking spaces.

Mr. Lentz said the funeral home lot was not used by the public at all on either of the study days. He said the report includes some graphs that show the daily occupancy, number of cars, etc.

Mr. Pimental said the graphs were not included in the members' packets and passed around a copy of the full report for board to view.

Mr. Pelkey said he would like to convert the percentages in the analysis tables to numbers to make it easier to understand. He said for example that when it says the average occupancy for Main Street is 24% that means that 11 out of 48 spaces were occupied and 37 spaces were empty.

Mr. Bridges noted that is with an almost empty downtown.

Mr. Pelkey acknowledged that this is at its current state but it tells him about the existing

capacity downtown.

Mr. Pimental said the idea was to show the existing conditions and with the zoning changes it will change the existing conditions and that maybe there is not as much of a parking issue as what is perceived by the community.

Mr. Lentz said their overall conclusion was there is plenty of parking capacity based on the 2 days of the study. He said during the tourism season or an event weekend they may see an uptick in the usage but the old firehouse lot is the major use for long term and all day parking. He said they noticed a spike around the TD Bank lot in the morning and right before closing but otherwise it was fairly steady at the various lots throughout the day.

Mr. King said that on Main and Central Streets both on Thursday and Saturday the percentage of occupancy all day was extremely low at 2%. He said there was only 1 space that was occupied all day on both days.

Mr. Lentz said they might expect to see a downtown business owner parked in 1 space all day.

Mr. King said there were 64 cars on Main Street on Thursday and 79 on Saturday and Central Street had 19 cars on Thursday with 2 cars parked all day and 8 cars on Saturday with 0 cars parked there all day. He asked if the "Number of Unique Cars" were in the spaces less 1 hour or less than 2 hours.

Mr. Lentz said those cars were there less than 1 hour meaning they were seen one time during the study period that day and were not seen again that day.

Mr. Pelkey said that the total occupancy at the highest point on Saturday was 54% during a 1 hour period on Main Street and was below 30% for the remainder of the day. He said Thursday had the highest percentage at 57% (TD Bank, 2-3 p.m.) and that both are slightly over half usage of the available capacity in the downtown's current state.

Mr. Lentz said this could be considered as baseline usage as it does not incorporate holiday weekends or tourism during the summer.

Mr. Pelkey said if they conducted a similar survey between Memorial Day and Labor Day the number of out of state cars parked would allow them to see if we are drawing anybody off of Rte. 11 to the downtown area.

Mr. Lentz said they should consider the balance between drawing people in and allowing them to park without making a tradeoff to the density they are trying to achieve with the zoning amendments.

Mr. Pelkey said they want to increase the density to allow for more foot traffic downtown but not at the expense of the parking spaces for the commercial businesses. He said there is good commercial business capacity but the residential capacity is unknown and they are afraid that if the residential capacity is not there and the density requirements are lowered that it will overflow into what we want to have for the businesses.

Mr. Lentz said it is not a capacity issue and that people are using the parking for convenience. He said that people aren't using the funeral home lot and there may be room for a formal

agreement with the funeral home or the bank to use their spaces during after business hours. Mr. Lentz said that every 2 years the state updates their Ten Year Plan and through that process SRPC also has a long range plan. He said he planned to meet with Town Administrator Arthur Capello and Mr. Pimental to look at the Farmington projects on their list including the downtown streetscapes improvement project where he helped the Town to apply for the Transportation Alternatives Program (TAP) grant.

Mr. Pelkey asked if that was the grant where Farmington scored the highest score.

Mr. Lentz said that is correct and that he will discuss ways to improve the TAP project with Mr. Capello and Mr. Pimental.

He said parking would be a part of the development downtown and that more parking will raise the cost of the residential units as the developer must figure that into the overall project cost.

Mr. Pelkey said the board's intent is to make the developer responsible for providing enough parking for the tenants.

Mr. Lentz said parking is a cost tradeoff- it's necessary but its dead space unless someone is parking on it and you can spend \$5,000 to \$10,000 per spot in land value so some communities are taking a second look at their parking requirements.

Mr. Pimental returned to the TAP grant and said there are 2 thoughts as to why the Town's project wasn't funded: (1) the Town didn't have the matching portion of the grant ready and it would have to be voted on at Town Meeting in March and (2) this region has done well with that funding source so no projects funded in this region during that grant round because the Dept. of Transportation (DOT) may have wanted to fund other parts of the state.

Mr. King asked if there has been any discussion with Mr. Capello or the Selectmen regarding how they would handle funding the Town's portion of the grant if we were in the running again.

Mr. Pimental said to his knowledge there has been no discussion about this. He said the Economic Development Committee (EDC) is going to start thinking about how the Town can be more "shovel ready" when state or federal funding sources become available.

He said the specific purpose of the Tax Increment Financing (TIF) District fund is to extend the water and sewer lines out to Route 11 and it can't be changed unless the Selectmen change it.

Mr. King suggested the Town establish a Capital Reserve Fund (CRF) with funding for all projects that need matching funds. He said the Selectmen could consider putting away what they think is a reasonable number each year that would include all projects for any need the Town has.

Mr. Pelkey asked how the Town's other transportation needs such as the red listed bridges where one of them is now closed would affect this type of money coming into town.

Mr. Lentz said he would primarily be talking to Mr. Capello about outside funding sources the town would have to match and that bridges are outside of his control. He said the downtown project might need some refinement but it would be fairly simple to put together a cost estimate and then bring it forward to the Town. There will be another round of funding for the TAP grant this fall with proposals accepted in September and a decision on which projects will

be funded in December he said.

Mr. King asked if they have ever seen a town use funds raised by private groups or organizations to provide the matching funds for a grant to give the proposal time to go before voters at Town Meeting.

Mr. Pimental said they have not seen a grassroots fundraising effort to take on the matching portion of a grant. They would be putting in the cash up front in hopes of being reimbursed by the voters at Town Meeting he said.

Mr. Pelkey asked if an engineering plan was done on the proposed downtown project or if it was mostly a conceptual plan.

Mr. Lentz said it was mostly conceptual but he used peer reviewed cost estimates for the pedestrian and traffic calming issues and it was a relatively inexpensive project compared to others around the state. He said it was under \$300,000 and had a lot of good bang for the buck.

Mr. King asked for the amount of the required matching portion.

Mr. Lentz said the TAP grant is 80/20 grant with the Town paying 20% of the award. He said the funding is a reimbursement program so the Town would have to pay the entire cost of the project up front and then be reimbursed for the expenses.

Mr. King said they would have to go through the construction process during the building season and then it would have to be approved and signed off by the appropriate agencies so it could take as long as 2 years before the Town was reimbursed.

Mr. Lentz said that the Town would not have to wait until the construction was completed and would be reimbursed a portion of the total amount for each phase of the project along the way. He said he would check on the phases and timeframes involved in the program.

Mr. Pimental said while parking may not be an issue today they will need to see how the community grows and how this plays out as it will not happen overnight. He suggested that the board consider being ready for parking meters in places along the sidewalk and estimated they would need 3 or 4 meters along Main Street.

He said one parking issue raised by the public is that it is difficult for the Police to enforce the 2 hour time limit. If the town wants to move toward meters and sidewalk improvements are planned within the next 5 years it would be worthwhile to think about having them ready for future meter installations as opposed to having to rip up the improved sidewalk he said.

Mr. Bridges asked if the Police can't enforce the 2 hour time limit how they would enforce people paying their meters.

Mr. Pimental said with metered parking there is a slip that says the driver is in compliance or not as opposed to driving around, seeing a car, having to wait an hour and loop back around. He said he brought this up because if there is going to be a transportation/sidewalk/pedestrian related project it may be a good idea to think about the long term.

Mr. King said he didn't know if Farmington is a parking meter type of town.

Mr. Johnson said this town has not had good experience with parking meters.

Mr. Bridges recalled an individual who plowed over and took out the parking meters back in the 1970's when the downtown was full and parking was an issue. He said the meters might do some good as they would make people park there for less time, do their thing and then go instead of the apartment residents parking there all day and night.

Mr. King said currently there is some of that but percentage-wise it's not a lot.

Mr. Pelkey said the new way to do it is to put in a central kiosk instead of several meters and park your car and put a slip on your dashboard.

Mr. King asked if the 2 hour parking is in force all day or just during a certain time of the day.

Mr. Johnson said he thinks there is a 2 hour time limit between the hours of 8 a.m. to 8 p.m. and that no overnight parking is allowed.

Mr. King asked if other communities have similar rules or if they allow overnight parking after a certain hour.

Mr. Pimental said many communities allow for free overnight parking downtown and it is usually a 7 or 8 p.m. to 7 a.m. time frame.

Mr. Bridges said if the businesses are closed at night this would make sense and it would help out some of the residents there.

Mr. King asked for the intent behind prohibiting overnight parking.

Mr. Johnson said he didn't know and that there is no overnight parking at the old firehouse lot except for the agreements that have been made in certain spots to allow it.

Mr. King said that over the years a few people have come to the Selectmen to request permission to use a portion of the lot as parking for their tenants and it is up to the board's discretion to grant or deny it. He said that lot may be sold and he hopes the Town will reserve some easements for spots that were granted permission to use them and for municipal parking. He asked if the board members could receive a copy of the TAP grant application for review and see if the members have any suggestions as to how to increase its appeal.

Mr. Lentz said he did not think the old fire station area was included in the proposed project site and recalled it ending just shy of that area.

Mr. King said that application was used to apply to the DOT program and asked if it would be possible to tailor it a little differently use it to apply for CDBG funding.

Mr. Lentz said he would follow up with DOT and see if there were any "black spots" on the application that they would help them avoid. He said he would have to do some more research on other opportunities for revenue generation such as putting the meter revenues or impact fees on developers back into a fund for streetscapes development.

Mr. King said when he was on the board previously they looked at impact fees and when you take in impact fees for specific purposes you have to manage that money and if you don't use it for a project within a certain amount of time you have to refund it. He said they looked at the total next gain versus the cost of staff time to manage it and decided the Town was not ready to go with it at that time.

Mr. Pimental agreed that Farmington might not be ready for impact fees now but if the zoning changes pass and they start to see more commercial or mixed use buildings then it may make more sense.

He said another benefit of having an impact fee is that it gives communities the flexibility to offer the developer the opportunity where in lieu of paying the impact fee to make a public improvement to the project instead. For example a developer might propose a project where there is a dangerous intersection and the Town could say they would waive the fee if the developer makes the intersection safer he said.

Mr. King said this can also be done with offsite improvements as part of the negotiation process. It takes a strong board to do that because the developer may push back and if you have it in your ordinance it is a little easier to get compliance he said.

He said there are some properties that are not being fully utilized that could be re-used for parking whether they are on or off Main Street or close by. Over the years there have been a few lots with 1-2 cars in them where they might hold 15 and become a revenue generator for the owner he said.

He asked Mr. Pimental where they go from here.

Next Steps for Parking Changes – Mr. Pimental said he would like to continue researching other communities to see how they are addressing parking requirements and that he was a little apprehensive about making any formal changes yet. He said if the zoning amendments pass he would like to see how the developers handle the new regulations with the existing parking and to see what problems and suggested resolutions they come to the Town with.

Mr. King said he was okay with that but it puts the burden on Mr. Pimental because when the applicant comes in he is the person that is going to have say to the developer or corporation that this is very important and that they need to address this fully and not in a haphazard way.

Mr. Pimental said he would work with the developers to ensure that they are meeting the parking requirements and if they need flexibility to discuss it with the board. He estimated that they wouldn't see more than 2- 3 applications this year for mixed uses in the downtown and if there are 3 doing something that would revitalize the downtown that would be a huge success. He said if 3 projects do come in this year they may want to consider doing another parking study in April 2021 similar to the one that was done to see if there have been any changes.

Mr. King suggested commissioning a study on multiple days but with a smaller scope such as the affect on the area where the new projects are located. He said if they conducted a study at different times of the year every few years to monitor their parking needs they would have a pattern of the parking usage.

Mr. Bridges said the study should be done in the summer months when the area is more active.

Mr. King said that could be accomplished by doing the study 3 times a year in the spring, summer and fall with a format where the Town staff could do the audit as SRPC has laid the groundwork for the studies.

Mr. Pimental said that in going into the fall SRPC usually have 1 or 2 interns that focus on transportation related projects. He said if the study is smaller in scope or there are 2 projects in one area the interns can do some of the work at a relatively low cost to the Town.

He said he would like to table the discussion about the site and subdivision parking for now but if the current rules say no overnight parking the Planning Board could make a recommendation to the Board of Selectmen that they reconsider the prohibition against overnight parking and allow it during a certain time frame of their choice. That would offer up the opportunity for people who come home from work to the residential units to park overnight because they will be gone in the morning he said.

Mr. King said he assumed that most communities have a winter parking ban.

Mr. Pimental said some communities use dates such as November to April for their winter on street parking ban and that Dover has just switched to using a storm based parking ban.

Mr. King asked if the storm based parking ban is publically announced and whether it is by signage, on the City's website or by e-mail.

Mr. Pimental said that Dover had some "growing pains" with this where people didn't know and left their cars in the wrong spot and the City didn't ticket the owners for the first few months as they were still figuring out the new system.

Mr. Bridges said all it would take to fix it would be a few signs saying no overnight parking during snow storms.

Mr. King said the problem is that people will say they didn't know it was going to snow or if a storm comes in overnight. The notice portion ends up becoming a burden to the Town he said.

Mr. Pimental said Dover might be willing to share what they learned as they shifted from the date based ban to the storm based parking ban and how they get the word out. He said he would find out what is on the Farmington books now and bring it back to the board.

Recreational Vehicle (RV) Temporary Use on a Vacant Lot Permit – Mr. Pimental provided the board with his first draft of the temporary use permit agreement and application. He said page 1 contains the proposed language that will go before the voters at Town Meeting with a small paragraph at the bottom of page stating the applicant has read and understands the restrictions and definitions.

He said page 2 contains the application form with the information they would be collecting from the applicant who wants to put a recreational vehicle on a vacant lot between May 1 and October 1. He said the application form still needs an application fee from the Selectmen.

Mr. Pimental said he took some input from some other communities that have this type of application and ran it by Town Administrator Arthur Capello and Code Enforcement Officer Dennis Roseberry for their opinions on what types of information they should collect that would help the CEO to enforce this.

He said this section in the current zoning ordinance is oddly worded and one loop hole in the provisions is that the RV owner could remove their trailer for a few hours, have CEO come by

and see that the lot is vacant and then bring the RV back and the time frame starts over again. He asked the board for their thoughts on the draft and if there is any other information needed. Mr. King said he would put the last sentence in the agreement (page 1) which states "I further understand that violating any conditions of this permit may result in court action being taken" into a separate paragraph with any additional actions that may be taken or content the CEO says needs to be there so the applicants understand what they need to do to follow the rules. Mr. Bridges asked why the application form asks the applicants if they have proof of insurance on their RV.

Mr. King asked if this is requirement for the permit.

Mr. Pimental said it is not a requirement and is for informational purposes.

Mr. King said it is a privately owned vehicle on a privately owned land so the owners of the RV and the land are liable and that this information doesn't need to be included on the application. He said that the last paragraph of the permit agreement includes a "hold harmless" statement where the applicant agrees the Town is not liable (for all claims, actions and damages).

Mr. King said the application asks for a copy of the sewer disposal contract for both gray and black water between the applicant and the service provider to be provided to the Town and asked what happens if he had an approved septic system and a well on a lot of record.

Mr. Pimental said they shouldn't have an approved septic system on a vacant lot. He suggested this could be broken down into 2 options- if there is a holding tank that will need to be pumped out or if there is a septic system on site.

Mr. Pelkey said the applicant should be asked if they plan to dispose of it on site or off site and suggested if they plan to dispose off site to sign on this line or if they are going to dispose of it on site to sign on a different line and tell us how you are going to do it.

Mr. Pimental asked how the offsite dumping would work and what information is needed because they are not necessarily going to require a receipt every time the tank is dumped.

Mr. Bridges said they should be asked to name the place where they will dispose of the waste.

Mr. King said they should consider adding items of concern the applicant will be liable for such as proper trash and waste stream disposal or other unsafe conditions to the last paragraph of the agreement and what steps could be taken if not addressed properly by the applicant.

Mr. Pimental agreed to make the revisions as suggested by the board and said that the next step would be to send the application form/agreement to the Town Attorney for legal review. Then it will go to the Selectmen to determine the appropriate application fee he said.

Mr. Johnson said the Selectmen would like to have information on what other communities are charging for this type of permit and what amount Mr. Pimental would recommend so the board will have something to base their decision on.

Mr. King then added the first paragraph of the agreement should begin with the description and intent of the permit and then go into the details of the requirements and restrictions.

Mr. Pimental said that most of the communities with this type of permit did not have as long of

a time frame for their permits and their fees are relatively low.

Mr. King said the Selectmen will have to decide if this will be an enforcement issue and if more money will be needed to cover the inspections and enforcement issues.

Mr. Pimental suggested this fee should be consistent with the other permit fees and estimated that it would probably be between \$75 and \$200.

He said the next thing on his agenda is the changes to the Accessory Dwelling Unit application.

SRPC Luncheon – Mr. Pimental said the SRPC holds a regional economic development brown bag lunch every month and this month's luncheon will be held in Farmington with the Economic Development Committee members in the area. He said the purpose is to "talk shop" about the economic development in their towns, if they are ready to apply for a grant, if there are relative legislation changes they should be thinking about and what is working/not working in their communities. He said Mr. Capello asked him and EDC Chair Angela Hardin to attend the monthly luncheons and he will provide a monthly report to the board.

ADG Memo – Mr. Pimental said the board received copies of the memo from ADG regarding the status of the revised Master Plan and asked the board if they wished to make comments now or at their next meeting.

Mr. King said some of the members are absent and requested the memo be included again in their packets for the next meeting.

Mr. Johnson said there may be a new Selectmen's rep. to the board at their next meeting.

Mr. Pimental said he would ask the Land Use Assistant to include a copy of the ADG memo in the packets for the March 17th meeting.

Announcement – Mr. King reminded the viewers that local elections will be held on Tuesday, March 10 and Town Meeting will be held on Wednesday, March 11 and asked residents to come out to vote and to participate in Town Meeting.

Adjournment:

Motion: (Bridges, second Pelkey) to adjourn the meeting passed 4-0 at 7:55 p.m.

Respectively submitted
Kathleen Magoon
Recording Secretary



Charlie King, Chairman