

Town of Farmington
Planning Board Meeting Minutes
Tuesday, August 4, 2020

Board Members Present:

Charlie King, Chairman
Rick Pelkey, Vice Chairman
Bill Fisher, Secretary
Stephen Henry
Ann Titus

Others Present:

Kyle Pimental, Interim Planner

Board Members Absent:

Gerry Vachon, Selectmen's Rep.
Bruce Bridges

BUSINESS BEFORE THE BOARD:

Call to Order:

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

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Review of Minutes:

January 9, 2020 – Public Meeting Minutes – previously approved –needs signature only

July 7, 2020- Public Meeting Minutes – No errors or omissions

Motion: (Fisher, second Titus) to approve the July 7, 2020 minutes as written passed 5-0.

Review of (07/29/20) Memo from the Code Enforcement and Building Dept.:

Mr. Pimental said at the last meeting there was a lot of discussion about what to do with people who had storage units on their properties prior to the 2016 zoning change and going forward so he asked the Code Enforcement and Building Dept. for a memo on how they are handling this and addressing the ordinance.

He said that Sections A, F, G and H in the box in the middle of the page were taken from Section 3.23 Storage Units of the 2020 Zoning Ordinance. He read that Section A states that all temporary storage units require a written permit but that the application has no fee and is required to be submitted. It is similar to a normal building permit verifying that the storage container is not within any setbacks and is valid for 6 months he said.

Mr. Pimental said if the storage unit is still on the property after 6 months the owner can renew the permit once and after that an application is available for a Minor Building Permit which if approved would classify the storage unit as a permanent structure.

Mr. King asked if the permit would be granted if the placement of the unit meets the setbacks

requirements no matter what zone it is in, what requirements it will be reviewed under and if this is a guaranteed approval of the permit if they meet the setbacks or if it is at the discretion of the **Code Enforcement Officer** based upon its placement.

Mr. Henry said it would be considered a building so you could put it anywhere. He said he didn't think that was the intent of the original zoning and asked if this is a new procedure the dept. decided to do this based on people coming forward as nobody has come in complaining about having to get a building permit for something that has been there.

Mr. Fisher said the owners of the units that have been on a site for the past 20 years never filled out any paperwork and wanted them grandfathered. He said this was not new as this procedure in the ordinance has been effect for several years. The recent issue involved someone with a storage container on his property for many years and suddenly he was told to get rid of it he said.

Mr. Henry said the owner was told to remove the unit if he wanted to get a building permit to build a house.

Mr. Fisher said the owner asked about the unit being grandfathered and the Town Attorney said zoning was adopted in 1979 and the unit was put there after 1979 so it isn't grandfathered.

Mr. Pelkey read that Section H says no more than 1 unit may be placed on a property at any time unless reviewed and approved by the CEO and asked what criteria applied to that decision.

Mr. King asked if it is a guaranteed permit even if he wanted to put it on his front lawn.

Mr. Pimental said he understood that once the correct paperwork is submitted a permit will be issued.

Mr. King said someone had one on a vacant lot and was told to remove it even though it had been there historically.

Mr. Pimental said if someone had a unit on their property prior to 2016 they would not have to fill out the temporary application and would go right to the minor building permit application and then the storage unit can stay. He said a storage container on a vacant lot whether it was there historically or not, because there is no principal use on the property should not be able to stay on a vacant lot.

Mr. King said this goes back to their discussion at the last meeting about why there has to be a primary use and why it couldn't be allowed as a secondary use on vacant land such as for storage of agricultural equipment.

Mr. Pimental said this is an area that may need to be clarified by a zoning amendment. He said this issue seems clear going forward but the issue of units on private property prior to 2016 is a little wishy-washy although you could say they should get a minor building permit and move on.

Mr. King said if what they wrote is being interpreted as stated in the memo then the board should make this a work product to clarify it and straighten it out.

Mr. Fisher said a checklist of the criteria used for approving the permit should be included.

Mr. Pimental agreed this should remain as a work product and recommended that they define

what a storage unit is as it is currently viewed as a shed and to clarify the current zoning. He said the memo was provided so the board could understand how it is being applied.

Mr. Henry asked if this procedure is new because of recent complaints or if they have been doing this since 2016 and it was explained to people all they need to do is to get a building permit and they still felt they were being treated unfairly so it was brought to the Selectmen.

Mr. Pimental said he didn't know and would get an answer to Mr. Henry's question.

Mr. Pelkey asked if they would be creating a different problem for the owner by converting a temporary storage container to a permanent building. He asked what criteria were used when permanent storage units are approved and if the boxes meet any of the criteria. They may never meet that criteria because they are a metal box and not designed to be a building he said.

Mr. Henry asked if a shed the same size as a storage container would require a foundation.

Mr. Fisher read that the definition of a storage shed is a small building used for the storage of gardening equipment, toys, sports gear and other misc. yard tools. The structure shall be 120 sq. ft. or less of floor area and not situated on a permanent foundation. There is no definition of a temporary storage unit he said.

Mr. King said a storage container is typically 8' x 30' or 8' x 40'. He said he thought that in 2016 you couldn't have a storage unit unless it was approved in a site plan. If we are going to allow them we may need some requirements about where they are placed, screening, etc. he said.

Mr. Henry said there is nothing in this section about needing a site plan approval.

Mr. Pimental said these provisions are excerpts from section 3.23 and there are other provisions not listed in this memo. He said some of the push-back may have been from folks wanting them to be grandfathered and not have to fill out the paperwork for the minor building permit because once the building permit is filed the storage unit would be taxed.

Mr. King said they are getting taxed already because when the assessor goes out there if it's there it goes on the tax card whether it has a permit or not.

Mr. Pimental said there may be some units the Town does not know about.

Mr. Henry asked if an answer was received regarding the burden proof that a storage container was present on the property before or after zoning was implemented.

Mr. Pimental said he did not yet have an answer to that question.

Mrs. Titus asked if they could invite people who have storage units on their property to come in and have a discussion with the board at a workshop meeting.

Mr. King said there will be a public hearing on this or they can speak to it at any board meeting.

Discussion of Fee Change Recommendations:

Planning Board -Minor Site Plan Review-Mr. King said the board received copies of Mr.

Pimental's suggested revisions to the fee schedule and asked where the \$150 fee for a minor site plan review was scratched if that means the base cost would be zero.

Mr. Pimental said the fees for a minor/major site plan review would be \$200 and the difference in terms of the time spent is negligible so to make it easier the fees would be the same.

Mr. King said it says for residential site plan review applications the base cost is \$200 plus \$50 per dwelling unit and asked if this only applies to multi-family dwellings.

Mr. Pimental said if it is a duplex it doesn't come before the board and a multi-family structure would require a major site plan review.

Mr. Henry asked if his thought was to put \$200 on the line for minor site plan review or they would just have site plan review and not differentiate between minor and major reviews.

Mr. Pimental said if they were to make that change it would also have to be changed in the subdivision regulations. He said a minor site plan review is defined as not adding any commercial use where there previously wasn't any. It's up to the board if you want to do a flat fee for minor reviews or if you want the fee to be the same for either of them he said.

Mr. King said he thought it should be a flat fee for minor site plan reviews.

Mr. Pimental then recommended that they keep the fee at \$150.

Consensus of the board was to keep the fee for a minor site plan review at \$150.

Major Site Plan Review - Mr. Pimental said currently for a major site plan review of a commercial/industrial plan the cost is a base fee plus \$100 per 1,000 sq. ft. of new non-residential construction and someone could say their plan is 1,999 sq. ft. and only be charged \$100 and recommended this be changed to 10 cents times the number of sq. ft.

Mr. Henry asked if the plan was under 1,000 sq. ft. if the applicant wouldn't pay anything for the sq. footage.

Mr. Pimental said that is correct and the applicant would just pay the \$200 base fee.

Consensus of the board was to accept Mr. Pimental's recommendation for this change.

Minor/Major Subdivision Review Lot – Mr. King asked if the word "Lot" should be stricken from the heading. He said this line is crossed out and asked what Mr. Pimental was suggesting. Mr. Pimental suggested that the fee for major subdivision review be reduced from \$225 base fee to \$200 and to apply that fee to both major/minor subdivision reviews so the fee would be a \$200 base fee plus \$100 per newly created lot for both major/minor subdivision reviews.

Mr. Henry asked for the difference between a major and minor subdivision review.

Mr. Pimental said the difference is the proposed number of lots in the subdivision.

Mr. King said more than 4 new lots require a major subdivision review.

Mr. Henry asked if major and minor should be removed and to just say subdivision review.

Mr. Pimental said to keep it as written because they are specifically defined in the ordinance.

Voluntary Lot Merger – Mr. Pimental suggested removing the \$12 fee as no other community has this fee.

Zoning Board of Adjustment- Variance, Special Exception, Appeal of Administrative Decision – Mr. Pimental said he thought these fees were a little high at \$150 each and suggested reducing them to \$100 each. He suggested adding that if an Administrative Decision is overturned by the ZBA the cost would be \$0. He said he didn't recommend making it \$0 across the board because if there are no repercussions people would be appealing any decision whatsoever.

Mr. Henry said the cost to the applicant is not zero as he still has to pay \$175 to advertise in the newspaper plus \$6.90 per abutter. He said he understood the concern about nuisance applications but the approx. \$200 cost should deter them while reducing the cost for someone to get a second opinion.

Mr. Pelkey asked why it costs Farmington so much to advertise in Foster's newspaper when other towns are charging so much less for advertising.

Mr. Henry speculated they may have not updated their rates and are subsidizing them. He said our regulations say the fee shall be the actual cost to the Town.

Mr. Fisher said he is a ZBA member and was speaking only for himself and agreed the fees for the legal notices and abutter notifications would substantially deter nuisance appeals and he didn't see the need for an application fee to appeal an administrative decision.

Mr. King agreed and that depending on the property location there could be 15 abutters.

Mr. Fisher added the applicant has already spent a lot of money for the site plan and related fees and if he lives in town he is paying taxes and this should be something granted to him through his payment of his taxes.

Mr. Henry said a person who owns property in town pays property taxes if they live here or not.

Mrs. Titus said she agreed with the board members.

Mr. Henry said he was concerned about having money attached to a decision made by a board which could influence their decision.

Mr. Pimental said he thought the Selectmen were in favor of a \$0 application fee for appeals.

Consensus of the board was to reduce the application fee for an Administrative Appeal to \$0.

Planner Fee – Mr. Pimental said he did not know how this fee of \$75 after 2 hours is applied.

Mr. King said when it was written the intent was it was reasonable to get a few hours of professional assistance through the taxes you paid here but if an applicant came in with a 30 lot subdivision or other large site plan needing 200 hours of the Planner's time that is something the board at that time didn't want the other taxpayers to pay for. We tried to come up with a reasonable amount of time for a small application that a resident would benefit from at no cost because he is already paying for the support he said.

Mr. Henry asked how much of the Planner's time an applicant would use for a large subdivision.

Mr. King said a large subdivision could go on for months.

Mr. Pimental said that applicants that want to subdivide their land are coming in long before they even start the process to figure out what the requirements are and what they need to do.

Mr. King said they are not now charging for the pre-application assistance from the Planner.

Mr. Pimental said he spoke with a landowner for 45 minutes about subdividing his lot and went through the information he should look at, what challenges he may face and what his next steps are for a possible 3-4 lot subdivision and he hasn't decided if he will do this. Something a lot larger is also going to require a review by the Technical Review Committee he said.

Mr. King said a project could have a plan set that is 15 pages long including the road design,

drainage details, etc. and someone needs to go through it to see that everything is in order.

Mr. Henry said the 2 hour number is a good number.

Mr. Pimental said he took it out because he didn't fully understand how it was applied. He said he works 8 hours on Tuesdays and has an additional 8 hours which he spends on anything that comes up whether it's with an applicant, developer, attorney or member of the public and has never charged anyone or had the Town bill somebody for \$75 an hour on top of his regular hours with the Town. He suggested it should stay in case the Town decides to go with a permanent full time Town Planner position.

Mr. Henry asked if he ever spent more than 2 hours with someone after an application was submitted.

Mr. Pimental said he has done that.

Mrs. Titus suggested they allow 2 hours for consultation and have a set price after that. If he is going to be working with someone for 20-30 hours then we should charge for that she said.

Mr. King asked Mr. Pimental for the most time he has spent on a residential or commercial application.

Mr. Pimental said there were 3 applications that were more than 8 hours each and an application they've been working on for over a year is returning to the board for further review.

Mr. King suggested they take it out and that Mr. Pimental should tell the Selectmen that this has not been happening historically and they haven't been charging people.

Mr. Pimental said he should have this conversation with the Town Administrator as he was never told he has a certain amount of hours to spend with an applicant but once you go over that you should be tracking it because we are then going to charge them.

Mr. King said Mr. Pimental is allotted 16 hours a week and with all that is going on that is not a problem.

Mr. Pimental said the only time he has gone over the 16 hours was during the work on the proposed zoning amendments.

Mr. King said that maybe the number of hours should be increased to handle it in the event of a large application.

Mr. Pimental said he agreed with that as 2 hours will add up quickly. He said this happens when an applicant is trying to do the work themselves and needs help with the process because they are not paying an engineer to do it.

Mr. Henry said he doesn't get to use the Town Attorney for legal advice and has to hire his own attorney for legal advice. He said the Planner is the professional on the planning side and asked how far they should go with this.

Mr. King said he doesn't have to hire someone to plow his road.

Mrs. Titus suggested that Mr. Pimental get clarification from the Town Administrator and asked the board to move on.

Mr. King said they should take it out or raise it to something that is a more reasonable number.

Mr. Pimental said the number should be changed to no less than 5 hours.

Mr. Henry asked Mr. Pimental for the cost of his time that is billed to the Town.

Mr. Pimental said he did not know.

Mr. Henry said the rate per hour should be what the Town pays **Strafford Regional Planning Commission (SRPC)** for Planner services.

Mr. King said the Town should start charging applicants after the Planner has provided 5-8 hours of assistance.

Mr. Pimental said that he spent 8-10 hours helping Mr. Rainone with his application as he started with a change of use and then decided to demo the existing building and put up a new building.

Mr. King said that doesn't include the inspections that the Planning Dept. may be involved with.

Mr. Henry said the building permit fee covers the Code Enforcement inspection process.

Mr. King suggested they remove the Planner's fee or say it starts at 8 hours at the SRPC rate.

Mr. Henry suggested that language similar to what is used for advertising (actual cost to the Town) be used while the Town is contracted with SRPC and that he is comfortable with charging a fee after 8 hours. He asked if this happens only on Tuesdays during his regular office hours.

Mr. Pimental said some of the time could have been spent on e-mails, phone calls and conference calls with applicants from home. He said Tuesday is his designated Farmington day.

Motion: (King, second Titus) to revise the fee schedule as discussed and forward it to the Selectmen for consideration for approval passed 5-0.

Mr. Pimental noted they are making some recommendations for the ZBA.

Mr. King said this is the mechanism the Town has and they can participate if they wish to.

Mr. Fisher said the ZBA hasn't met in a long time and he didn't know if the board plans to review the fee schedule or would just go by whatever the Town sets up.

Mr. Henry asked if they want to recognize the **Economic Revitalization Zones (ERZ)** (the Village Center District and the Sarah Greenfield Business Park) in the fee schedule.

Mr. Fisher suggested giving the ERZ's a 25% or 50% discount on the fees.

Mr. King said the Planner's fees, legal and abutters' notices and recording fees would not be eligible for the discount leaving the discount applicable to the application fees.

Mr. Pimental said he would like to think about this more before making a recommendation.

Mr. King asked that he contact the EDC and ZBA Chairman for feedback on the fee schedule.

Mr. Pelkey suggested he ask the Selectmen for their opinion on incentives for the ERZ zones.

Mr. Henry said this revised fee schedule is a recommendation to the Selectmen and they will do what they want with the fees.

Mr. King suggested the ERZ's be given a 50% discount for planning application fees.

Mr. Pimental said at least one Selectman is supportive of incentives but he didn't know if there is a consensus of that board on the issue. He said he would ask Mr. Capello to get the Selectmen's feedback on Monday and from the EDC on Tuesday and he will research what

incentives for economic development zones are offered by other towns.
Chairman King tabled the matter until the additional feedback is received.

Discussion of Potential Zoning Amendments:

Mr. Pimental said he put together the following 4 points for discussion purposes:

1). Amend the Table of Permitted Uses - convert some uses currently allowed by Special Exception (needs ZBA approval) to conditional use permits (needs Planning Board approval)

He gave the example of a beauty salon allowed by SE in the Rural Residential zone and recommended they make it a conditional use because if it goes for SE approval it automatically triggers the need for site plan review so why have the applicant go to both boards.

Mr. Henry asked if the Special Exception allows for the use to be denied.

Mr. King said conditional use applications can be denied but there are different criteria.

Mr. Pelkey noted the board has said there are several reasons they want to review the table.

2).Amend the regulations requiring a change of use to have a site plan review- Mr. Pimental said currently all change of use requests are subject to site plan review which may have been because the Town didn't have a Planner and decided that the Planning Board would be the body to do that. He said that several applications that came before the board would have been handled by staff in other communities. There would be some criteria associated with it and if this change was approved it may encourage more applicants which may push the Town to consider hiring a part time Planner or another contract Planner who can provide more hours than he can provide he said.

Mr. Henry asked if an applicant wanted to come before the board instead through the staff if he could do so and if he would have to pay for the notices to do that where he wouldn't have that cost if the staff handled it.

Mr. Pimental said if someone wanted to come before the board there is nothing stopping them and there would have to be a public hearing for the Planning Board to approve the application. If they want the staff to do it they don't have to pay for notices he said.

Mr. King said they would need to include language allowing the applicant to choose to go before the board if desired.

Mr. Henry said if they can have the staff handle without the notices then they shouldn't have to pay for notices to come before the board.

Mr. King said it may not be a requirement but there may be instances where the abutters need to be notified even if the staff handles it. He gave the example of being a downtown business owner and someone wants to put in a smoke shop and he would not be happy if he wasn't notified because the application went through the staff.

Mr. Henry said when he applied for a change of use for his VC business he requested an expedited review and did no noticing and is able to sell glass bong and pipes.

Mrs. Titus said the abutters should know no matter what type of business it is.

Mr. King said this needs to be considered when they are reviewing it and that they wouldn't be

able to hash through every possible scenario tonight.

Mr. Pimental said this is something being done in other communities and the board may not want to do it.

Mr. Pelkey said if an applicant chooses to go through the staff they are choosing the less expensive option than going through the normal process of going through the board.

Mr. Henry said they are volunteers there to serve the community and the community should have the right to come before their Planning Board.

Mr. Pelkey said the community can comment to the board for free.

Mr. King said Mr. Henry was referring to the applications and someone may be uncomfortable doing it through the staff and wants to go before the board.

Mr. Pimental said if an applicant wanted to do that the process would be what it is now.

Mr. King said this would have to be written into the zoning that it is allowed because an interpretation down the road could be that is not the process and you're staying here.

3). Amendments to regulations regarding ground level storage units- (discussed earlier)

4). Amendments on zoning administration- Mr. Pimental said they may want to look at certain areas of the zoning that would allow the board to play a role when there is an issue that can't be resolved at the staff level or they can't reach a consensus on an issue.

Mr. King asked if that would be different than an administrative appeal.

Mr. Pimental said an administrative appeal is 1 way to go and this is something to think about.

Mr. King said in the early 2000's there was a major re-write and a lot of discussion about interpretation and how it was going to be done. He said they didn't have any planning so they needed a consistent person to do the interpretation because the board is a part time board and someone needing an interpretation may not be able to wait until the next meeting. It was set up based on the staff at the time and since then we have had a few full time Planners and discussed having more than one interpreter depending on the staff's skill set he said.

Mr. Pimental said the current wording doesn't offer much flexibility-it identifies a particular staff member to interpret the zoning and that's it. He said the Planner is before this board more often than other staff members and should have a better understanding of the intent of the zoning changes and can then interpret the board's wishes that don't always translate. He asked the board to think about ways to adjust the language to make it more flexible as opposed to having one person as the end all.

Mr. Henry said in order to be responsive the board might have to meet once or twice every week and asked if the board could take the role of the interpreter back.

Mr. Pimental said he didn't know and would have to look into it.

Mr. King asked if the board or their designee could be the interpreter of the ordinance. He said they have a pool of resources that changes in terms of their skills and availability and they could designate a single person, a group or outside contractor because some decisions have legal, building code and planning components.

Mr. Henry said it could be changed in March because the zoning ordinance identifies the position. If the board has it back we can change the designee by a board vote any time throughout the year he said.

Mr. Pimental said this is something to consider because of staff turnover or if the Code Enforcement Officer was to retire now we would have an issue with what to do with that.

Mr. King said in the past when the CEO was out his duties fell to the Town Administrator and there may be some instances where that would be a bad choice such as if a legal challenge to the Town was involved.

Mr. Pimental said he liked the idea of the Planning Board or its designee as it would give them some control and flexibility and asked them to start thinking about how to craft the language.

Motion: (King, second Fisher) to take a 5 minute recess passed 4-1 at 7:25 p.m. (Titus-opposed). The meeting reconvened at 7:35 p.m.

Master Plan Discussion:

Mr. Pimental said following their discussion in June he asked the Economic Development Committee to review the Economic Development Chapter, the Historical Society to review Cultural and Historic Resources Chapter and the Conservation Commission to review the Natural Resources Chapter. He said he compiled their comments in his (07/29/20) memo to the board and gave them a copy of the marked up version of the PDF file submitted by Historical Society President Stan Freeda with highlights and comments they would like to see added. He gave kudos to Mr. Freeda for the amount of time he spent reviewing the chapter and for giving them some really good feedback and thanked Mr. Freeda, Con Com Chairman Laura Bogardus and member Bill Fisher and EDC Chairman Angela Hardin for providing their feedback.

He said the EDC requested another chance to look at this because they didn't have his original memo when they met and they are meeting on Tuesday to provide additional comments.

He said the goal is to compile a list of the comments from him, the Planning Board and other local boards into one document and send it to ADG by next Friday. ADG will make their final revisions and there will be a public hearing to review the proposed final documents he said.

EDC Comments- Mr. Pimental said the EDC said they liked the chapter and can get behind some of the initiatives that support Planning and Selectmen's decisions but they are only an advisory committee and can't make policy but can affect it by helping with community feedback and partnering with other organizations in the state.

He said their suggested revisions include: provide more information about how the EDC can help with a survey and gathering community feedback, more information on what the Master Plan survey yielded that could be action items for the EDC, more specifics on what the EDC can do based on community feedback they already have and correct 2 grammar/spelling errors on the first page.

Historical Society Comments- Mr. Pimental said Mr. Freeda's comments are in the separate highlighted version of the chapter with yellow highlights indicating suggested changes to the

current text of the document and green highlights indicating a comment that suggests an addition or improvement to consider.

He said the comments included: define the structures and sites so it is clear what the plan wants to do, define the unique development and growth that sets Farmington apart, name some of the surviving resources and some examples of what Farmington has done to protect them, provide some evidence of how the town has maintained, restored and reused historic and culturally important properties, name the town's 3 rivers as the waterways that made Farmington a meeting place for trade, develop Farmington as historical tourist location and add the School Street School to the list of historic places.

Mr. Pimental said Mr. Freeda's generic comment about the plan's goals says the goals are very weak and the action verbs are arbitrary so it is hard to tell if you have reached your goal. He said Mr. Freeda suggested they look at using SMART goals which are defined as **Specific, Measurable, Achievable, Relevant and Time-bound** and provided the online link to the criteria.

Goals -Mr. Freeda's comments on the plan's goals for over the next decade include:

1. Strive to remain true and authentic to the cultural and historic heritage- Be proud of it and define it in the plan so it is clear what the objectives are.

2. Recognize the need to enhance, preserve and utilize the town's resources to foster the identity, economy and better future for the community- Set the goal to enhance and preserve our resources and identify those resources in the goal.

3. Encourage uses and design that enhance Farmington's heritage and utilize incentives for property owners- Don't just encourage-develop an historic district with the appropriate ordinances that require updates to maintain and enhance Farmington's heritage and define that heritage.

4. The Selectmen will create a historic district downtown and appoint a committee to oversee the district by the end of year 1 of this plan- This will define the downtown as a historic district needing protection and create a focal point through the policies and actions in the plan which would further the goal of maintaining the historical relevance of the town and establish a travel destination.

5. The Selectmen will approve a set of ordinances developed by the Historic District Committee that preserves and protects the historic architecture within the Historic District by the end of year 2 of the plan – This will define the needed regulations that govern the Historic District, create a focal point to establish the town as a destination and prevent it from losing any more historic properties.

Policies -Mr. Freeda's comments on the policies included:

1. Utilize best practices for appropriate redevelopment of historic structures and places- Define what the best practices are, articulate the policies needed to progress and put them in place so they can be checked off the list which enables the next planning cycle to build from the successes of the plan.

2. Encourage public/private partnerships to protect, preserve and reutilize key sites- Define the policies will be enacted to encourage this and give examples of public/private partnerships.

3. Be prepared to assist owners with finding assistance using federal and state tax credit tools- Being prepared isn't a policy. Define what the policies will be or already exist to assist owners.

Actions - Mr. Freeda's comments on the action steps include:

1. Enlist local historic groups, organizations and individuals to participate in the implementation of historic/cultural objectives and policies- Needs specific actions with a specific timeline. Name the local historic group, the cultural objectives and policies that will be implemented. The actions need to be strong and bold so they can be evaluated as completed or not done.

2. With these local and state historic resources and groups assemble existing inventories and utilize available technical assistance – What purpose does the assembling and utilizing serve? For what purpose is the technical assistance needed?

3. Work with local and state preservation groups and the State Division of Historic Resources to identify and prioritize sites to protect, preserve, redevelop and re-purpose. Adopt strategies that can be accomplished with public and private participation- What sites need to be protected? Set a goal to create a historic district so we develop a central historic center that can be preserved.

4. Determine the feasibility and practicality of utilizing tools such as RSA 79: E, TIF Districts, density bonuses and flexible building codes and adopt as appropriate- Needs a specific action with a specific timeline. This determination should have already been done so the actions could be articulated in the document.

5. Revisit existing development regulations and revise as necessary to meet preservation objectives –Needs a specific action and timeline. What regulations need to be revised? How will they be revised? If not articulated clearly nothing will be done and no change will occur.

6. Support local institutions such as the Historical Society and the Goodwin Library in their roles as cultural resources – Needs a specific action with a specific timeline. How will the town support these institutions? What will we actually do? That needs to be articulated.

Mr. King asked Mr. Pimental what he thought should be incorporated into the plan from Mr. Freeda's suggestions. He said revisiting the existing development regulations and revise them as necessary to meet preservation objectives (action #5) is not bad although it could be a little more specific. He said he didn't agree with creating a historic district with requirements that people have to follow. He said he will not support it because it tends to stifle redevelopment investment because you are putting requirements on building owners and structures that become cost prohibitive especially in our Village Center District which lacks funding for redevelopment. He asked if Mr. Freeda received the section that he had revised and approved. Mr. Pimental said he had not been tasked with making any editorial changes to the document so their comments are based on how the draft plan is worded.

He asked if the board intends to make a historic district an action item and there needs to be

support for it because his recommendation could go either way. He said they could put it in there as something the board would explore and not as “adopt a historic district” or it could be removed. He said if they want to soften the language it could say the Town would look at how historic districts in the region have functioned to see if it’s applicable in Farmington.

Mr. King said a set of design guidelines for downtown businesses was developed that included cosmetic and structural things that are specific to Farmington and can be pointed to that as one of the items used to maintain the character and to assist people doing redevelopment. Starting a historic district adds another whole layer of review and approval he said.

Mr. Henry said it’s a taking of property rights.

Mr. Fisher said with historic districts there is the possibility of more state requirements about what colors can be used and what can and can’t be changed.

Mr. Pimental said the Town has some architectural requirements in the site plan regulations.

Mr. King asked if it points to a design standard which could be added to the plan.

Mr. Pimental said it talks about roofs, building materials, awnings, architectural details, windows, doors, fencing, lighting, color and talks about traditional New England materials and may have been striving to keep that character.

Mr. King said there is a design manual that has photos and is about 40 pages long that goes with that and they could use it to encourage the most preservation they can get voluntarily. He said after the Master Plan is adopted they could revisit the design manual and see if it needs to be changed.

Mr. Pelkey asked if the action item would be to revise and maintain that document in order to ensure that future development downtown maintains the same character.

Mr. Pimental asked if the guidelines in the design manual are mandatory.

Mr. King said it is advisory to show what is here and how it’s constructed to help somebody who wanted to develop or redevelop something to make it fit and not have to be an architect.

Mr. Pimental said that is a good way to address this and in terms of the goals being more specific it makes sense for some but not all of them.

Mr. King said someone is going to have to condense Mr. Freeda’s suggestions to what they are going to make for changes to the plan.

Mr. Pimental said it is ADG’s job to figure out the changes/additions to the plan and he would supply them with the board’s feedback and his comments on the recommendations. He said the suggestion about the SMART goals is a good one but it would have to be done for the entire Master Plan and may not be feasible at this point.

Mr. Henry said Mr. Freeda’s point about some of the goals are pretty weak should be applied to the entire document. He said he did not support the creation of a historic district and it would be stricken from the recommendations if it were up to him. I didn’t see too much else that I didn’t think wasn’t a good rewording or a good point he said.

Mrs. Titus said they shouldn’t change to a historic district yet and there shouldn’t member of

the Historical Society on the Planning Board unless they want to be a regular member as it isn't needed.

Mr. King said if somebody wants to be a member of the board there are open seats and Planning Board membership is set by state law and the only liaison from another board is from the Board of Selectmen.

Mr. Henry said that most of what the board deals with doesn't apply to historical issues and the Selectmen appoint the board members.

Mr. Pimental said they could notify the Historical Society on projects in the downtown area so they could provide comments to the board similar to how notification is sent to the Con Com for anything that is proposed to take place within the wetlands overlay.

Mr. Henry said he did not have any problem with reaching out to them but it shouldn't be limited to the Village Center as there are other historic sites in town.

Mr. Pelkey said if they want to have an active voice in what the Planning Board is doing everything they do is noticed and the agendas go up on the Town website and if they want to be involved they can come in and speak when they see something they have an interest in.

Mr. Henry said if the point of including the historic section in the Master Plan is to encourage historic preservation then it is reasonable for them to go the extra step to make sure they know about things that might impact the historic nature of the town.

Mr. Pimental said that a good action step is if there is a project that has a cultural or historic component to it the Historical Society will receive a specific notification.

Mr. Fisher said Mr. Freeda's comments mention RSA 79: E and there are ordinances in place and it has already been used in the downtown area.

Mr. Henry said the Master Plan talks about the things we do to revitalize and encourage development so mentioning it in the plan is relevant.

Mr. Pimental said it is mentioned in the Economic Development chapter and that recommendation was made by ADG (goal #3, action #4) and not by the Historical Society.

Mr. Henry said action #4 says to determine the feasibility and practicality of tools such RSA 79: E that has already been made and RSA 79: E has been used. He said the item may have been carried over from the last Master Plan and could be stricken from the list.

Mr. Pimental said it also mentions TIF Districts which the town is using as well.

Mr. Henry said that density bonuses and flexible building code options could stay as recommendations but some of the items have been done.

Mr. Pimental said he would try to organize the feedback in a way that would be most useful to ADG. He asked if they should suggest to ADG if they don't use the SMART goals method to use something similar to ensure that the goals are measurable and have a timeframe.

Mr. Pelkey said ADG will come back to the board and ask them for the time table.

Mr. Pimental said in the beginning he advocated putting the action steps into a matrix which includes the goals, actions, responsible party, funding source and the timeline and that may be

part of the final implementation. The SMART goal option is one way to go and I don't want to make that recommendation without the board's support he said.

Mr. Pimental said he has received a lot of comments about the goals, policies and actions and Mr. Freeda is correct that a lot of them are not measurable and some of them are too vague.

Mr. King said they could make the suggestion but there may be significant push back from ADG and if so they will have to deal with it.

Mr. Henry said if ADG doesn't want to redefine the goals then maybe the board should do it.

Mr. King said they may only be able to do it to a certain extent and then the board will have to finish it because they are not Farmington residents and won't have the right words and goals.

Mr. Pimental said if ADG takes on that recommendation it will address a lot of his comments which are geared toward the policies, goals and actions.

Mr. Pelkey said the Selectmen had the same type of comments.

Consensus of the board was to recommend that ADG use the SMART goals or a similar method.

Con Com Comments – Mr. Pimental said Chairman Laura Bogardus and Mr. Fisher put together some suggested revisions to the Natural Resources chapter as follows:

Two additional goals- development of hiking trails at the Town Forest; development of a learning center at the old water tower on the McCarthy Trail

Mr. Pelkey asked why they limited the development of hiking trails to the Town Forest.

Mr. Fisher said they were looking at the Town owned properties and there are existing trails at the McCarthy Trail and the French property, a trail is needed for the Dubois property and the Leary property is privately owned and they would need to discuss the matter with the owners.

Mr. Pimental suggested they clarify the first goal to say development of hiking trails on Town owned properties such as the Town Forest and the Dubois properties and encourage the development of trails on non-Town owned conservation lands.

Mr. Fisher said there are several things that could help to get the trails put in and maintained such as Boy Scout projects and there are some grant funds are available. He said if these goals are included in the plan they can use the plan when applying for grants.

He said the old water tower at the McCarthy Trail needs to be rebuilt and if it is in the Master Plan it may be possible to get grants to repair it without using taxpayer money.

Mr. Henry asked if they wanted to have the water tower designated as a historic site.

Mr. Fisher said it is 100+ years old but he didn't know if it meets the criteria for historic places.

Mr. King added that hiking and biking are allowed on the trails.

Mr. Fisher said by law only non-motorized vehicles can be used on the conservation trails.

Mr. Henry said the plan looks at the next 10 years so they may want to consider adding electric bikes. He added they can revise the Master Plan every year if they want to.

Delete goal #2 – encourage redevelopment of existing sites

Combine goals #5 and #6 – promote public access to private conservation lands and access to connections

Delete policy #3 – building and zoning codes will be conducive to redevelopment of existing structures

Mr. Fisher said that doesn't have much to do with the Con Com and they felt it was more of Planning Board issue. The Con Com is advisory and can't change zoning rules he said.

Delete the use of the words "Planning Board" and replace with "Conservation Commission"

Mr. Fisher said there are places that said there are actions the Con Com could do for the Planning Board and the Planning Board will do this or that and that should be put under the Planning Board actions not under the Con Com.

Mr. Henry said one proposed action is the Planning Board will review the existing zoning ordinances/subdivision/site plan regulations and propose appropriate modifications if needed to protect important farmlands. He said he didn't see any issue with changing that to the Con Com because they would be proposing something to the Planning Board.

Mr. Fisher said they would make recommendations to the Planning Board.

Consensus of the board was it should say the Planning Board working with the Con Com will review the existing regulations.

Mr. Pimental said that none of the previous comments from the Planning Board have been incorporated into a new draft yet and they planned to incorporate all of the comments at once. He said his goal is to send the consolidated list of all the comments to ADG by next Friday so the new draft probably wouldn't be ready until Sept.

Mr. Fisher said on page 113, Section 3.23 of the Zoning Ordinance has quite a bit of information on storage units and is other than what was in the memo the board received tonight.

Any Other Business before the Board:

Rec. Dept. Survey- Mr. Pimental said the Town Administrator asked him to provide the board with copies of the Recreation Activity Space Needs Assessment and asked the members to complete the paper survey or online if they prefer.

Aug. 18th Meeting- Mr. Pimental said there is a public hearing scheduled for this meeting and he will be on vacation and will not attend the meeting. He said he will have a memo prepared for the meeting and he is willing to call into the meeting from his vacation location.

He said the applicant's engineer plans to call in or attend the meeting electronically but he didn't know how the logistics for that would work.

Mr. King said he has the same engineer under contract for his business site plan so he will recuse himself from the board and asked Mr. Pelkey to Chair the meeting.

Mr. King asked him to point out any deficiencies in the application or the plan and to include recommendations to rectify those issues in his memo.

Mr. Pelkey asked to get their meeting packets in time to have 1-2 days to look at it before the meeting.

Mr. King said he thought the engineer would be present at the meeting and asked Mr. Pimental

to find out what his plans are.

Mr. Pimental said he would follow up with the engineer.

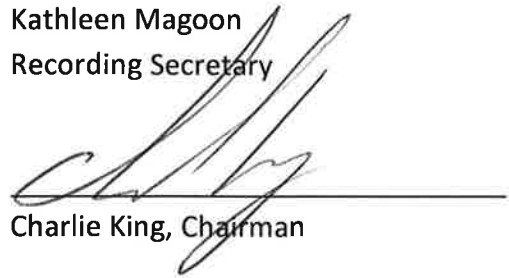
Adjournment:

Motion: (King, second Henry) to adjourn the meeting passed 5-0 at 8:35 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

A handwritten signature in black ink, appearing to be 'C. King', is written over a horizontal line. The signature is stylized with a large, sweeping 'C' and a long, horizontal stroke extending to the right.

Charlie King, Chairman

Memo

To: Planning Board
From: Sarah Morse, Land Use Assistant; Dennis Roseberry; Code Enforcement Officer
Date: 8/19/2020
Re: Storage Units

Good evening,

The Code Enforcement & Building Department was asked to clarify the procedure regarding storage units.

Please refer to these portions of 3.23 STORAGE UNITS of the 2020 Farmington Zoning Ordinance:

- (A) All temporary storage units require a written permit (*This is a one-sheet, building permit style document issued by Dennis like a normal BP so that he may verify setbacks*) from the Planning and Community Development and Code Enforcement departments, prior to placing a unit on a property in the Town of Farmington. No fee will be charged for the temporary permit.
- (F) **Temporary** use as storage in the event of renovations to a home is limited to a **maximum of six (6) months** but renewable if conditions warrant.
- (G) After **one** renewal of the temporary storage unit permit, the Code Enforcement Officer shall reevaluate the need to classify the unit as permanent storage. (*This is referring to a standard, Minor Building Permit, unless property owner decides to remove unit entirely*).
- (H) No more than (1) unit may be placed on a property at any time unless reviewed and approved by the Code Enforcement Officer.
- No additions may be attached to the temporary storage unit.

So, to simplify:

The purpose of temporary storage containers was to help property owners with home renovations; not to be kept as permanent storage area like a shed or garage.

Options:

1. Apply for temporary permit
2. When permit expires, apply for formal Building Permit (including fees) so that it may be considered permanent and taxable, OR remove unit permanently.

OR bypass "temporary" permit and apply for a Minor Building Permit like you would for any other structure – this option also applies to storage units that have been on a lot prior to 2016 when section 3.23 was added to the Zoning Ordinance.