

Town of Farmington Planning and Community Development Department 356 Main Street Farmington, NH 03835

FARMINGTON PLANNING BOARD - AGENDA

Meeting Type: Regular Meeting

Meeting Location: Board of Selectmen's Chambers, Municipal Building, 356 Main Street, Farmington, NH

Meeting Date: Wednesday – April 17, 2024

Meeting Time: 6:00PM

- 1. Pledge of Allegiance
- 2. Public Comment
- 3. Old Business
 - A. Workshop on Route 11 Corridor Study
- 4. New Business
- 5. Member Comments
- 6. Any Other Business Before the Board
 - A. Change of Use Approval
 - B. Rail Trail Summer Maintenance
 - C. Update on Several Legislative Bills
 - D. TRC Meeting on April 17th
 - E. Update on Abbey Road Letter
 - F. Update on Milton/Farmington Subdivision
- 7. Adjournment

Rick Pelkey, Chairman Farmington Planning Board

Memo

To: Farmington Planning Board

From: Kyle Pimental, Director of Planning and Community Development

Date: 4/11/2024

Re: April 17th Planning Board Meeting

Good evening,

Please note the following correspondence from the Planning and Community Development Department.

1. Pledge of Allegiance

2. Public Comment

Public comment is an opportunity for residents and property owners to speak to land use matters in the Town of Farmington. If residents would like to speak during the public comment portion of the agenda, it is asked that those individuals come up to the microphone and state their name and address for the record. The Planning Board may institute rules on the length in which an individual can speak. If so, the Chair will keep track of time and give participants a warning on when their time is almost finished so they can wrap up their comments.

Please note that any resident that wishes to speak on agenda items that have a public hearing, we ask that they wait until the public hearing portion of the meeting. For those looking to speak to something that is NOT on tonight's agenda, the public comment period is the appropriate time.

Old Business

A. Workshop on Route 11 Corridor Study

The Town's consultants will be in attendance to share a project update and obtain feedback on the proposed zoning district map, which includes two mixed-use nodes, potential district standards, and multifamily conditional use permit criteria.

4. New Business

5. Member Comments

Member comment is an opportunity for Planning Board members to speak on an issue or project. This may also include an update from another board or commission in which they serve.

6. Any Other Business Before the Board

A. Change of Use Approval

Planning Department staff have reviewed a change of use application and made the determination that all criteria referenced in Section 1.02 (4) were met, thus allowing staff in the Planning and Community Development Department to approve the proposed change of use for a powersports retail and service space, located at 679 Route 11 (old NAPA building) without site plan review at the Planning Board. The applicant shall obtain all necessary permits and inspections in conjunction with the Code Enforcement

Officer and ensure all conditions as part of the approved NHDOT driveway permit #06-155-225 are met prior to final certificate of occupancy.

- B. Rail Trail Summer Maintenance (Scheduled for 2024):
 - 1. The Powder Mill Snowmobile Club will be improving some of the trail from the recycling plant to the north.
 - 2. The Department of Natural & Cultural Resources (DNCR) will be grading and mowing to the south, as well as installing some railings at a few cattle crossing locations. Additionally, they will be looking at adding a 1/10 of a mile of existing guard rail along the stretch that is closest to Route 11. That same area, after improvements are made to the ditch line, ½ mile of 1" ledge pack materials top dressing the trail 3" thick. According to staff at DNCR, there are many other areas also in need of gravel after mowing and grading. Their goal is to cover the entire length with 3" of ledge pack, some places should get a heavier 3" ledge pack first in sandy and or damp areas, then topped with 1". They will also be high limbing as well.

C. Update on Several Legislative Bills

- 1. HB 1361: This bill clarifies the wording of the existing manufactured housing law (RSA 674:32) that requires municipalities that adopt land use control measures to provide reasonable and realistic opportunities for the siting of manufactured housing on individual lots or in manufactured housing parks and subdivisions within residential districts. The bill also directs municipalities to provide reasonable and realistic opportunities for expansion of existing manufactured housing parks. The House Amended text of the bill is located here.
- 2. HB 1291: This bill expands the existing accessory dwelling unit law (RSA 674:71-73) by requiring a municipality to allow at least one accessory dwelling unit as of right and a second accessory dwelling unit by right or by conditional use permit or special exception. The bill also requires one accessory dwelling unit to be detached, adds definitions, and increases the maximum square footage. It also gives municipalities the right to require accessory units meet the definition for workforce housing. The House Amended text of the bill is located here.
- 3. SB 538: This bill as amended expands 79-E tax relief to conversions of office/commercial/industrial space to residential use; enables municipalities to allow its governing body to adopt zoning changes; requires planning boards to consider alternative parking solutions, and enables municipalities to adopt mandatory inclusionary zoning. The bill as introduced is here.
 The amendment to the bill as introduced is here.
- 4. HB 1399: This bill allows the expansion of a single-family residence within a residential zone in an urban area to no more than 2 residential units without discretionary review or a hearing, if the proposed development meets certain requirements. The House Amended text of the bill is located here. However, NHPA is aware that there may be amendments forthcoming from the Senate. We do not have those amendments currently.
- 5. HB 1400: This bill provides that zoning and planning regulations shall not require more than one residential parking space per unit. The House Amended text of the bill is located here.
- 6. HB1215: This bill extends the existing 5-year exemption for subdivision plats to 10 years, and increases the preliminary step from 2 years to 5 years. The bill also changes the building code and fire code appeals process, limiting the jurisdiction of the local building code board of appeals to hearing decisions made under local amendments to those codes. The House Amended text of the bill is located <a href="https://doi.org/10.2016/journal.org/10.2016/jour

- D. Technical Review Committee Meeting on April 17
 - 1. TRC met on April 17th to review of site plan application for Rivard Pizza, LLC, Tax Map U-01, Lot 26. The proposal is to redevelop the former NH Liquor Store into two separate spaces. The two spaces will encompass a Domino's Pizza and a future commercial flex space for rent. As part of this redevelopment project, the applicant is seeking to address several non-conforming issues, as well as various site enhancements including improvements to drainage, ADA parking layout, and existing concrete sidewalks.
- E. Update on Abbey Road Letter
 - 1. Letters were sent out to property owners during the week of April 1st. See attached.
- F. Update on Milton/Farmington Subdivision
 - 1. Staff attended the Milton Planning Board meeting on April 16th. See attached.

7. Adjournment

-Kyle Pimental, Director of Planning and Community Development

Draft Zoning Standards

Farmington Route 11 Corridor - Housing Opportunity Grant

Existing Zoning Vs. Proposed Zoning

The following three tables compare the <u>existing</u> zoning district provisions to each of the <u>proposed</u> districts and suggested provisions. As you read each table, please note that the column on the left reflects the existing zoning for that area of Farmington, and the new zoning is listed in the right column.

For each of the proposed districts we have included a new purpose statement and dimensional standards. If a use or dimensional standard is not carried over to the right column, we have suggested leaving it behind. If it has been crossed out, we are suggesting it may not be a good fit in the new district.

The new districts include:

- Mixed Use District East (large) Table 1
- Mixed Use District West (small)- Table 2
- Suburban Residential District Table 3





Table 1

Former CB, RR, IB, SR

District Purpose:

COMMERCIAL BUSINESS DISTRICT (CB)

The purpose of the Commercial Business District shall be to provide areas for retail and commercial uses that serve the community from readily accessible locations and which define entrances to the downtown and to accommodate well-planned, high-quality Office and Service uses either individually or in as business park environment.

INDUSTRIAL BUSINESS DISTRICT (IB)
The purpose of the Industrial Business District is
to provide areas for traditional industrial and
business park development, along with individual
industrial development in a well-planned
environment.

RURAL RESIDENTIAL DISTRICT (RR)

Proposed Mixed Use District East District Purpose:

This area is envisioned as a transformative zoning district that will accommodate a mixture of uses and serve as a new gateway to Farmington. This area is served by town water, and there is a desire to extend municipal sewer to serve existing and future uses within this district. The district contains sections of NH Routes 11 and 153, has easy access to the rail trail, other nearby trails, and a planned sidewalk extension along NH 153 will connect this district to the Village. This district is envisioned as a place to cultivate local businesses and residential units in a pedestrian and bicycle friendly pattern. Commercial uses are encouraged to face NH Routes 11 and 153, but the desire is not for a sprawl pattern of development. Instead, the community envisions shared and interconnected frontage roads, parking lots, and green spaces that make the

The purpose of the Rural Residential District is to provide areas in the Town of Farmington for high quality, open space, residential development containing low to medium overall density.

SUBURBAN RESIDENTIAL DISTRICT (SR)
The purpose of the Suburban Residential District
is to provide areas in the Town of Farmington for
high quality, residential development containing
medium overall density in areas where public
water and sewer may be extended in a compact
and cost-effective manner.

district desirable for new development as well as a destination for residents and visitors. This zoning district is also the location of a Tax Increment Finance (TIF) District and two Economic Revitalization Zones.

CB and IB Uses:

- Agricultural Uses
- Mixed-use
- Congregate Living facilities
- Home Businesses
- Home Occupations
- Accessory Apartments
- Child day care, Family
- Child day care, Family Group
- · Renting of rooms and furnishing of board
- Adult day care out of home
- Daycare centers or nursery school (with 12 or more children)
- Daycare centers or nursery school (with less than 12 children)
- Health Service Facility
- Hospitals and Psychiatric Hospitals
- Libraries (In CB)
- Museums (In CB)
- Nursing Home
- Schools and colleges
- Amusement arcade (In CB)
- Amusement park (In CB)
- Indoor recreation
- Movie theaters; drive-ins
- Outdoor recreation (low impact)
- Parks and outdoor recreation
- Essential services
- Public utilities facilities
- Public utilities, not including facilities
- Telecommunications Tower
- Barber Shop/Beauty Salon
- Bed and Breakfast
- Car Wash
- Contractors (Specialized)

Proposed Mixed Use District East Permitted Uses:

- Agricultural Uses
- Mixed-use
- Congregate Living facilities
- Home Businesses
- Home Occupations
- Accessory Apartments
- Child day care, Family
- Child day care, Family Group
- Renting of rooms and furnishing of board
- Adult day care out of home
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- Car Wash
- Contractors (Specialized)

Commented [sw1]: Do these make sense in this mixed use district if people are generally living in multi-family structures?

- Financial Institutions
- Funeral Homes
- Grocery Store
- Health/Fitness Club
- Health Service Facilities
- Heavy Equipment Sales and Service
- Hotels and Motels
- Laboratories
- Laundry Services
- · Manufacturing, major
- Manufacturing, minor
- Lounges/nightclubs/bars
- Lumber yards (including the milling and distribution of wood products and the Wholesale and Retail sales of building materials)
- Mineral Exploration and Extraction
- Motor Vehicle Repair, Services, and Sales Facility
- Professional/Business Office
- Repair Service not involving motor vehicles
- Research and Development Facility
- Restaurant
- Retail stores: < 7,500 SF
- Retail stores: > 7,500 SF
- Self-service storage facility warehouse
- Site Preparation Contractors
- Small equipment repair
- Small-scale retail store: < 2,500
- · Trucking and distribution facilities
- Vehicle Refueling/Recharging Station
- Veterinary clinic/grooming
- Warehousing
- Wholesale sales
- Drive-through services in conjunction with an allowed principal use
- Outside storage of materials, equipment & products in conjunction with an allowed principal use
- Retail sales of items manufactured on the premises
- Accessory buildings and structures
- Electric Vehicle Charging Stations
- Off-street parking accessory to a permitted use
- Signs

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- Signs

RR and SR Uses:

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RR and SR Minimum Frontage: 150' CB and IB Setbacks and Height: Proposed Mixed Use District East Setbacks and	CB and IB Minimum Frontage:	Proposed Mixed Use District East Frontage:
150' CB and IB Setbacks and Height: Proposed Mixed Use District East Setbacks and	275'	200'
CB and IB Setbacks and Height: Proposed Mixed Use District East Setbacks and	RR and SR Minimum Frontage:	
	150'	
Height:	CB and IB Setbacks and Height:	Proposed Mixed Use District East Setbacks and
		Height:

Commented [sw2]: Can we envision a development that might include some duplex units?

Commented [sw3]: Should these be allowed by CUP as well?

50' front setback (and an averaging provision)	40' front setback
30' / 35' side and rear setbacks	20' other setbacks
55' maximum height	55' Height maximum
RR and SR Setbacks and Height:	
25' front setback (and an averaging provision)	
15' side and rear setbacks	
35'/ 55' maximum height	
Lot Coverage (1.07 General Requirements)	Proposed Lot Coverage
60% with engineering for treatment and recharge	Up to 80% lot coverage, and will require engineering for treatment and recharge

Commented [sw4]: Is there interest in reducing the front setback in the Mixed Use Zones to make them look/feel different from the rest of the corridor?

Table 2					
Former CB	Proposed Mixed Use District West				
District Purpose:	District Purpose:				
COMMERCIAL BUSINESS DISTRICT (CB) The purpose of the Commercial Business District shall be to provide areas for retail and commercial uses that serve the community from readily accessible locations and which define entrances to the downtown and to accommodate well-planned, high-quality Office and Service uses either individually or in as business park environment.	This smaller mixed use district is currently served by municipal water and sewer, and already contains a variety of commercial and residential uses. Given its prominent location on Route 11 and proximity to the Village it lends itself to accommodating a denser, pedestrian friendly development pattern over time. Serving as a new gateway to Farmington for vehicles travelling south on Route 11, a village scale development pattern is envisioned on both sides of Route 11. Safety improvements to the major intersections in this District will help slow vehicles as they pass through Farmington, and will facilitate safe vehicular and pedestrian crossings.				
CB Uses:	Proposed Mixed Use District West Permitted Uses:				
Agricultural	• Agricultural				
Mixed-use	Mixed-use				
 Congregate Living facilities 	 Congregate Living facilities 				
 Home Businesses 	 Home Businesses 				
 Home Occupations 	 Home Occupations 				
 Accessory Apartments 	Accessory Apartments				
 Child day care, Family 	Child day care, Family				
 Child day care, Family Group 	 Child day care, Family Group 				
Renting of rooms and furnishing of boardAdult day care – out of home	 Renting of rooms and furnishing of board Adult day care – out of home 				

Commented [sw5]: Do these make sense in this mixed use district if people are generally living in multi-family structures?

- Daycare centers or nursery school (with 12 or more children)
- Daycare centers or nursery school (with less than 12 children)
- · Health Service Facility
- Hospitals and Psychiatric Hospitals
- Libraries
- Museums
- Nursing Home
- Schools and colleges
- Amusement arcade
- · Amusement park
- Indoor recreation
- Movie theaters; drive-ins
- Outdoor recreation (low impact)
- Parks and outdoor recreation
- Essential services
- Public utilities facilities
- Public utilities, not including facilities
- Telecommunications Tower
- Barber Shop/Beauty Salon
- Bed and Breakfast
- Car Wash
- Contractors (Specialized)
- Financial Institutions
- Funeral Homes
- Grocery Store
- Health/Fitness Club
- Health Service Facilities
- Heavy Equipment Sales and Service
- Hotels and Motels
- Laboratories
- Laundry Services
- Manufacturing, major
- Manufacturing, minor
- Lounges/nightclubs/bars
- Lumber yards (including the milling and distribution of wood products and the Wholesale and Retail sales of building materials)
- Mineral Exploration and Extraction
- Motor Vehicle Repair, Services, and Sales Facility
- Professional/Business Office
- Repair Service not involving motor vehicles
- Research and Development Facility
- Restaurant
- Retail stores: < 7,500 SF

- Daycare centers or nursery school (with 12 or more children)
- Daycare centers or nursery school (with less than 12 children)
- Health Service Facility
- Hospitals and Psychiatric Hospitals
- Libraries
- Museums
- Nursing Home
- Schools and colleges
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- Health Service Facilities
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- Hotels and Motels
- Laboratories
- Laundry Services
- Manufacturing, major
- Manufacturing, minor
- Lounges/nightclubs/bars
- Lumber yards (including the milling and distribution of wood products and the Wholesale and Retail sales of building materials)
- Mineral Exploration and Extraction
 Motor Vehicle Repair, Services, and Sales
- Facility
 Professional/Business Office
- Repair Service not involving motor vehicles
- · Research and Development Facility
- Restaurant
- Retail stores: < 7,500 SF
- Retail stores: > 7,500 SF
- Self-service storage facility warehouse
- Site Preparation Contractors

 Retail stores: > 7,500 SF Self-service storage facility warehouse Site Preparation Contractors Small equipment repair Small-scale retail store: < 2,500 Trucking and distribution facilities Vehicle Refueling/Recharging Station Veterinary clinic/grooming Warehousing Wholesale sales Drive-through services in conjunction with an allowed principal use Outside storage of materials, equipment & products in conjunction with an allowed principal use Retail sales of items manufactured on the premises Accessory buildings and structures Electric Vehicle Charging Stations Off-street parking accessory to a permitted use Signs 	Small equipment repair Small-scale retail store: < 2,500 Trucking and distribution facilities Vehicle Refueling/Recharging Station Veterinary clinic/grooming Warehousing Wholesale sales Drive-through services in conjunction with an allowed principal use Outside storage of materials, equipment & products in conjunction with an allowed principal use Retail sales of items manufactured on the premises Accessory buildings and structures Electric Vehicle Charging Stations Off-street parking accessory to a permitted use
Note – A number of Special Exception Uses are also identified for this Zone	Proposed Conditional Uses: Multi-family Housing Duplexes?
	• Duplexes?
CB Minimum Lot Size: 2 acres	Proposed Mixed Use Gateway District West Minimum Lot Size: 1.5 acres
2 40103	1.5 46165
CB Minimum Frontage:	Proposed Mixed Use Gateway District West Frontage:
275'	150'
CB Setbacks and Height:	Proposed Mixed Use Gateway District West Setbacks and Height:
50' front setback (and an averaging provision)	40' front setback

20' other setbacks

55' Height maximum

Proposed Lot Coverage

Up to 80% lot coverage, and will require engineering for treatment and recharge

Commented [sw6]: Should these be allowed by CUP as well?

Commented [sw7]: Is there interest in reducing the front setback in the Mixed Use Zones to make them look/feel different from the rest of the corridor?

Lot Coverage (1.07 General Requirements)

60% with engineering for treatment and recharge

30' side and rear setbacks

55' maximum height

Table 3					
Former CB	Proposed Suburban Residential District				
District Purpose:	District Purpose:				
COMMERCIAL BUSINESS DISTRICT (CB) The purpose of the Commercial Business District shall be to provide areas for retail and commercial uses that serve the community from readily accessible locations and which define entrances to the downtown and to accommodate well-planned, high-quality Office and Service uses either individually or in as business park environment.	In Business District tail and Example 1 Business District is to provide areas in the Town of Farmington for high quality, residential development containing medium overall density in areas where public water and sew may be extended in a compact and cost-effective manner.				
CB Uses:	Proposed Suburban Residential Zone Permitted Uses:				
 Agricultural Mixed-use Congregate Living facilities Home Businesses Home Occupations Accessory Apartments Child day care, Family Child day care, Family Group Renting of rooms and furnishing of board Adult day care – out of home Daycare centers or nursery school (with 12 or more children) Daycare centers or nursery school (with less than 12 children) Health Service Facility Hospitals and Psychiatric Hospitals Libraries (In CB) Museums (In CB) Nursing Home Schools and colleges Amusement arcade (In CB) Amusement park (In CB) 	 Agricultural Single family detached dwellings Two family dwellings Multi-family dwellings Manufactured housing not in a park Congregate Living facilities Home Businesses Home Occupations Accessory Apartments Child day care, Family Child day care, Family Group Renting of rooms and furnishing of board Adult day care – out of home Cemeteries Daycare – less than 12 children Museums Nursing Home Campground Golf course Outdoor recreation (low impact) Parks and outdoor recreation Essential services 				
 Indoor recreation Movie theaters; drive-ins Outdoor recreation (low impact) Parks and outdoor recreation Essential services 	 Public utilities, not including facilities Telecommunications Tower Mineral Exploration and Extraction Small-scale retail store: < 2,500 Veterinary clinic/grooming 				

Public utilities facilities

- Public utilities, not including facilities
- Telecommunications Tower
- Barber Shop/Beauty Salon
- Bed and Breakfast
- Car Wash
- Contractors (Specialized)
- Financial Institutions
- Funeral Homes
- Grocery Store
- Health/Fitness Club
- Health Service Facilities
- Heavy Equipment Sales and Service
- Hotels and Motels
- Laboratories
- Laundry Services
- Manufacturing, major
- Manufacturing, minor
- Lounges/nightclubs/bars
- Lumber yards (including the milling and distribution of wood products and the Wholesale and Retail sales of building materials)
- Mineral Exploration and Extraction
- Motor Vehicle Repair, Services, and Sales Facility
- Professional/Business Office
- Repair Service not involving motor vehicles
- · Research and Development Facility
- Restaurant
- Retail stores: < 7,500 SF
- Retail stores: > 7,500 SF
- Self-service storage facility warehouse
- Site Preparation Contractors
- Small equipment repair
- Small-scale retail store: < 2,500
- Trucking and distribution facilities
- Vehicle Refueling/Recharging Station
- Veterinary clinic/grooming
- Warehousing
- Wholesale sales
- Drive-through services in conjunction with an allowed principal use
- Outside storage of materials, equipment & products in conjunction with an allowed principal use
- Retail sales of items manufactured on the premises
- Accessory buildings and structures

- Outside storage of materials, equipment & products in conjunction with an allowed principal use
- Retail sales of items manufactured on the premises
- Accessory buildings and structures
- Electric Vehicle Charging Stations
- Off-street parking accessory to a permitted use
- Signs

 Electric Vehicle Charging Stations 	
 Off-street parking accessory to a 	
permitted use	
• Signs	
Note – A number of Special Exception Uses are	
also identified for this Zone	
CB Minimum Lot Size:	Proposed Suburban Residential Zone Minimum
	Lot Size:
2 acres	1 acre
CB Minimum Frontage:	Proposed Suburban Residential Zone District
	Frontage:
275'	150'
CB Setbacks and Height:	Suburban Residential Zone Setbacks and Height:
50' front setback (and an averaging provision)	25' front setback
30' side and rear setbacks	15' other setbacks
55' maximum height	35' Height maximum (Residential Building)
	55' Height Maximum (Non-residential Building)
Lot Coverage (1.07 General Requirements)	Proposed Lot Coverage
60% with engineering for treatment and recharge	Up to 80% lot coverage, and will require
	engineering for treatment and recharge

Remaining Commercial and Industrial Districts

- Combine the Commercial and Industrial Districts.
- Remove mixed-use to focus mixed-use activity in the two new districts where infrastructure is available or being planned for.

Farmington Multi-family

Conditional Use Permit Criteria

GENERAL

Conditional Use Permits, as herein provided, shall be deemed to be permitted uses in their respective zones, subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements and standards of this Ordinance. All such cases are hereby declared to possess characteristics of such unique and special form that each specific use shall be considered as an individual case. The applicant shall bear the burden of persuasion, through the introduction of sufficient evidence that the development, if completed as proposed, will comply with this Article and will satisfy the specific requirements for the use contained in the Ordinance.

PLANNING BOARD TO ADMINISTER

Wherever a conditional use permit is authorized by this Ordinance, the authority to administer or grant conditional use permits shall be vested in the Planning Board.

STANDARDS APPLICABLE TO ALL CONDITIONAL USE PERMITS

A. Conditions for Conditional Use Permits

Before the Planning Board considers the approval of an application for a Conditional Use Permit, the applicant shall prove to the satisfaction of the Planning Board that all the following conditions have been met:

- 1. That there will be no significant adverse impacts resulting from the proposed use upon the public health, safety and general welfare of the neighborhood and the Town of Farmington.
- 2. That the proposed use will not adversely affect the ground water resource of the community, in particular the Wellhead and Groundwater Protection Areas as well as the Aquifer Protection District Ordinance as applicable.
- 3. The applicant has demonstrated that the proposed use shall meet reasonable standards or conditions of approval related to environmental protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection.
- 4. The parcel will also be able to accommodate permitted non-residential uses along the frontage with Route 11 or 153 as envisioned in this Mixed Use District.
- 5. There will be no nuisance or serious hazards created for vehicles or pedestrians.
- 6. The specific site is an appropriate location and of adequate size for this use.

- B. The applicant shall follow the requirements for specific uses as laid out in this Ordinance and submit an application in accordance with the Site Plan regulations.
- C. Conditions of Approval
- 1. The Planning Board may attach such conditions to its approval as are reasonably necessary and appropriate.
- 2. All Conditional Use Permit uses are hereby declared to have special characteristics that shall be considered on a case-by-case basis.
- D. Limits on a Conditional Use Permit
- 1. Substantial construction must commence within two (2) year of the Planning Board approval of the Conditional Use Permit.
- 2. If construction is not commenced within this period, prior to expiration, the applicant may apply at a regular Planning Board meeting for a six-month extension to allow time to commence construction. The approval of this extension shall be at the Board's discretion.

Farmington, NH - Route 11 Corridor - Proposed Zoning Changes

Overview of the Proposed Zoning Changes

- Two new mixed-use zoning districts and an expansion of the existing Suburban Residential District are being proposed.
- All remaining frontage along Route 11 will be zoned for Commercial and Industrial Uses, and combined into one zoning district.
- The suggested district boundaries can be found on the *Proposed Zoning Districts Map*.
- The suggested zoning standards (uses and dimensional requirements) can be found in the *Draft Zoning Standards Document*.

Why adopt these changes?

- Farmington has been actively updating its land use regulations to support the development of additional housing units.
- The Route 11 Corridor has been identified as a location to encourage mixed use development activity.
- Mixed-use development is a stated goal of the Town, and the market would support the intermingling housing and other uses.
- The Route 11 Corridor has the potential to support this new multi-family housing as part of future mixed-use developments and to help Farmington comply with State requirements for Workforce Housing.

How much strictly commercial and industrial zoned land will remain?

• If these changes are adopted, 75% of the land along the south side of Route 11 and 26% of the land along the north side of Route 11 will remain strictly for commercial and industrial development.

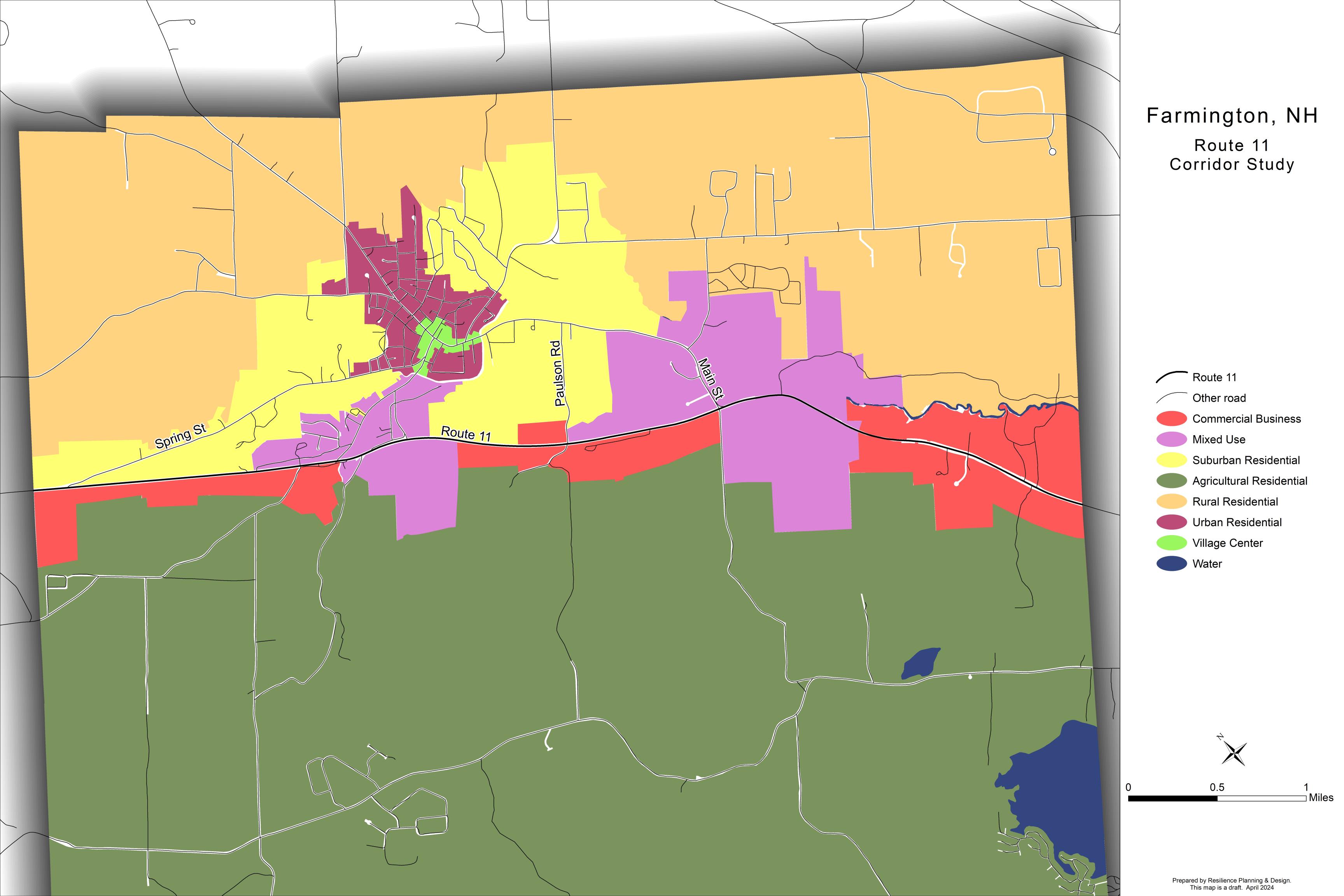
	Brea	kdown	of Frontage	Parcel	s within Proposed Zon	ing Distr	icts
North Side of Route 11					Sou	ıth Side o	f Rout
Zone	Feet	Miles	Percent of Route 11		Zone	Feet	Mile
Commercial/Industrial Business	8,523	1.61	26%		Commercial/Industrial Business	24,132	4.
Mixed Use (west)	5,349	1.01	17%	45%	Mixed Use (west)	3,561	0.
Mixed Use (east)	9,068	1.72	28%	4370	Mixed Use (east)	4,441	0.
Suburban Residential	9,394	1.74	29%				
Total		6.08	100%	1	Total		6.

Zone	Feet	Miles	Percent of Route 11	
Commercial/Industrial Business	24,132	4.57	75%	
Mixed Use (west)	3,561	0.67	11%	25%
Mixed Use (east)	4,441	0.84	14%	2370
Total		6.08	100%	

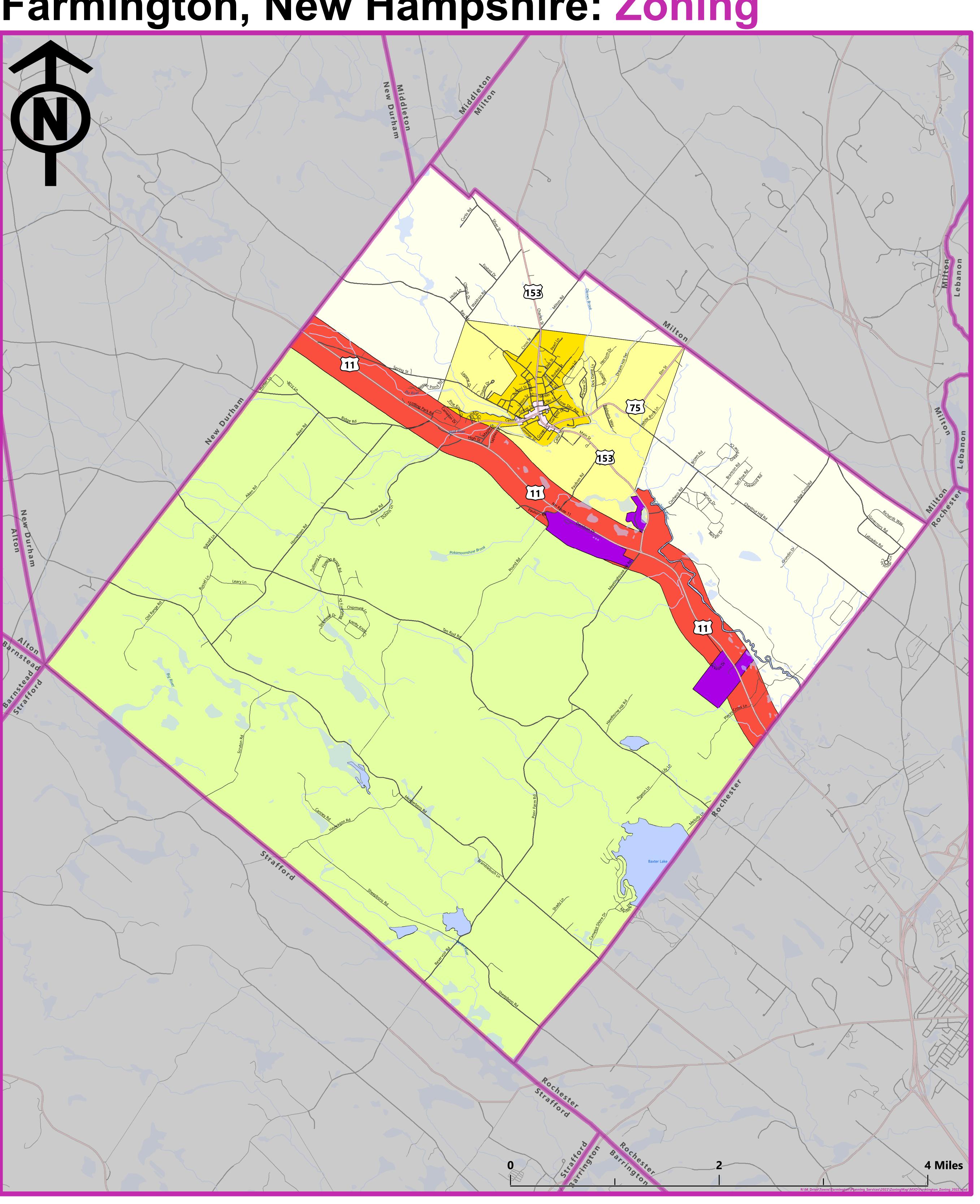
What are the uses in these areas today?

- The tables below show the current land uses in each of the four proposed zoning district areas.
 - o Suburban Residential this area is primarily residential today based on unit counts and total acreage.
 - o Commercial /Industrial this area has a similar number of commercial/industrial and residential uses, but greater acreage supporting commercial/industrial businesses.
 - o <u>Mixed Use West</u> is largely residential in nature today.
 - o <u>Mixed Use East</u> has slightly more commercial/industrial uses.

		Proposed	Zoning Districts	with Land Use Bre	akdown		
Proposed Zoning District	Land Use	Total Parcels	Total Parcel Acreage	Proposed Zoning District	Land Use	Total Parcels	Total Parcel Acreage
	1F Res	451	965		1F Res	38	212
	2F Res	8	36		2F Res	2	3
Suburban Residential (1,364 acres)	3F Res	1	2	THE RESIDENCE OF THE PERSON NAMED IN	3F Res	2.00	-
	4F Res	4	9	Commercial	4F Res	120	-
	Comm/Ind	15	243	Business	Comm/Ind	49	700
	Exempt	15	1		Exempt	7	78
	Unknown	93	33		Unknown	7	59
	1000	587	1,289			103	1,052
Proposed Zoning District	Land Use	Total Parcels	Total Parcel Acreage	Proposed Zoning District	Land Use	Total Parcels	Total Parcel Acreage
	1F Res	165	250		1F Res	25	296
	2F Res	8	5	Mixed Use east (823 acres)	2F Res	1	13
	3F Res	3	3		3F Res	0.00	-
Mixed Use west (303 acres)	4F Res	3	2		4F Res	1 12	2
	Comm/Ind	14	31		Comm/Ind	51	366
	Exempt	4	8		Exempt	6	146
	Unknown	1	2		Unknown	1	3
		198	301			84	824



Farmington, New Hampshire: Zoning





Prepared by **Strafford Regional Planning Commission**

150 Wakefield Street #12 Rochester, NH 03867 603-994-3500

> Author: Jackson Rand Date: 4/11/2024

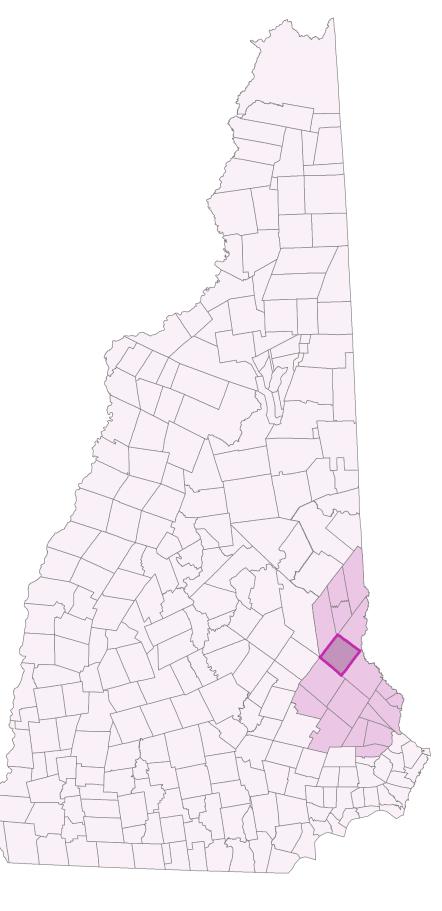
Legend

Roads

- State Roadways
- Local
- Private or Not-Maintained

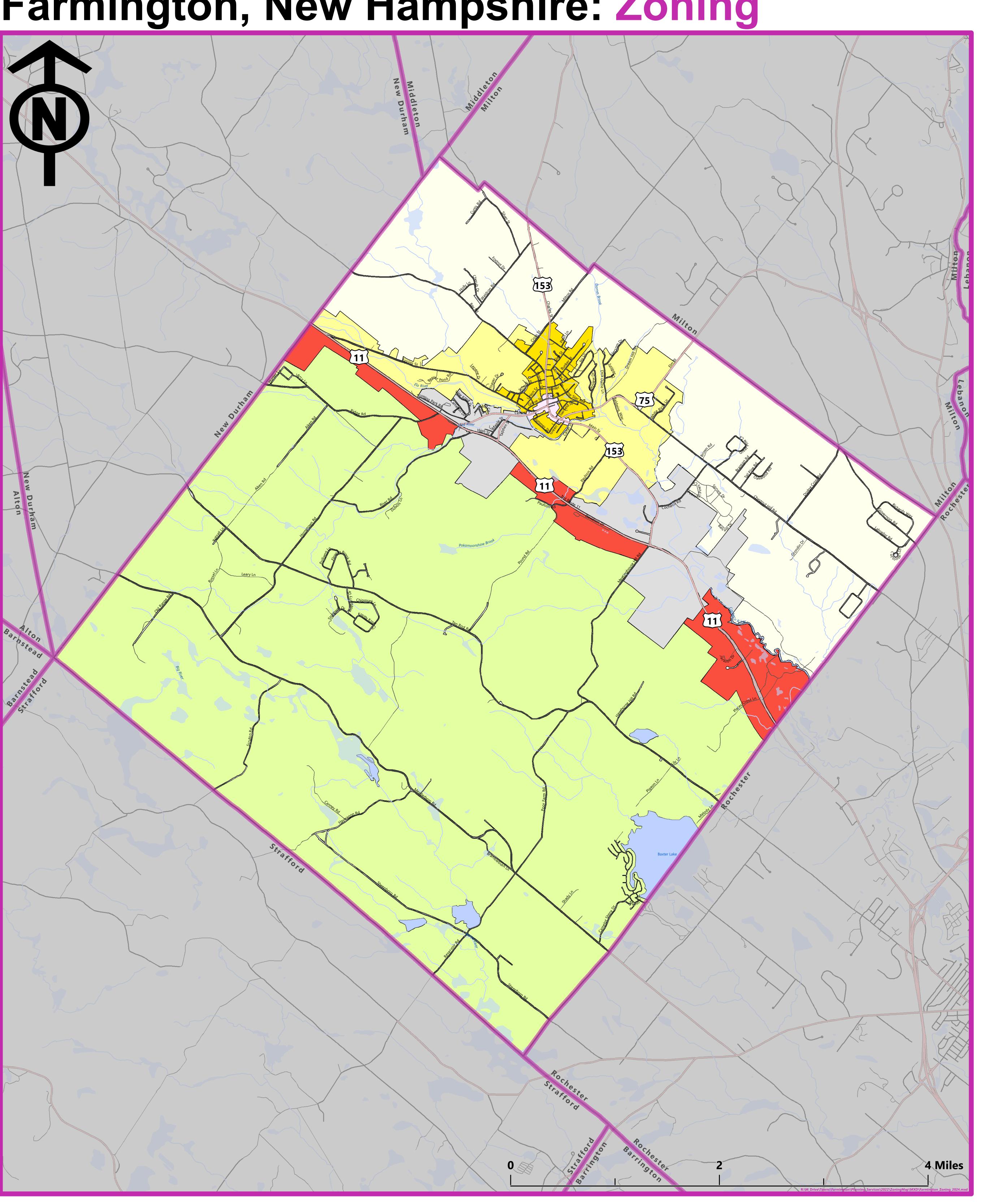
Local Zoning Districts

Agricultural Residential Urban Residential Suburban Residential Rural Residential Commercial Business Industrial Business Village Center Water



Base features from NH GRANIT database. Digital data in NH GRANIT represent the efforts of the contributing agencies to record information from the cited source materials. Earth Systems Research Center (ESRC), under contract to the Office of Energy and Planning (OEP), and in consultation with cooperating agencies, maintains a continuing program to identify and correct errors in these data. Neither OEP nor ESRC make any claim as to the validity or reliability or to any implied uses of these data. Data should be used for planning purposes only. Data were derived from various sources and were updated at different timeframes, with varying levels of accuracy. Please notify SRPC of any errors or omissions. Base imagery from Bing and ESRI.

STR FFORD Regional Planning Commission Farmington, New Hampshire: Zoning





Prepared by **Strafford Regional Planning Commission**

150 Wakefield Street #12 Rochester, NH 03867 603-994-3500

> Author: Jackson Rand Date: 4/11/2024

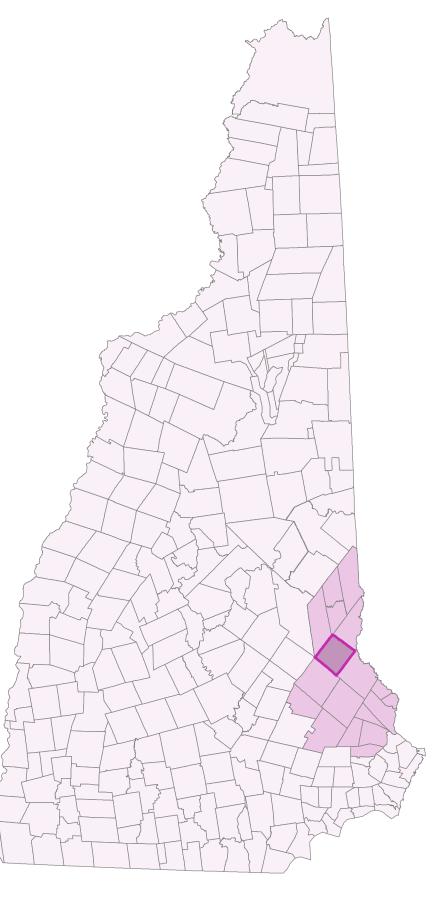
Legend

Roads

- State Roadways
- Local
- Private or Not-Maintained

Local Zoning Districts

Zoning_District
Agricultural Residential Urban Residential Suburban Residential Rural Residential Commercial Business Industrial Business Village Center
Water Mixed Use



Base features from NH GRANIT database. Digital data in NH GRANIT represent the efforts of the contributing agencies to record information from the cited source materials. Earth Systems Research Center (ESRC), under contract to the Office of Energy and Planning (OEP), and in consultation with cooperating agencies, maintains a continuing program to identify and correct errors in these data. Neither OEP nor ESRC make any claim as to the validity or reliability or to any implied uses of these data. Data should be used for planning purposes only. Data were derived from various sources and were updated at different timeframes, with varying levels of accuracy. Please notify SRPC of any errors or omissions. Base imagery from Bing and ESRI.

STR FFORD Regional Planning Commission



TOWN OF FARMINGTON PLANNING BOARD

356 Main Street, Farmington, NH 03835 603-755-2774

CHANGE OF USE APPLICATION

A Change of Use or Expansion of Use that does not require Site Plan Review by the Planning Board can be reviewed and approved by staff in the Planning and Community Development Department with the following conditions:

(1) The new or expanded use should remain in compliance with the relevant conditions of

approval of original site plan

- (2) A letter shall be sent to all abutters notifying them of the proposed changed and/or expansion, at which the abutters have seven (7) business days to provide comments or request a public hearing. Based on input received, staff will determine if a public hearing is needed.
- (3) Any waiver request cannot be issued by staff and shall be approved by the Planning Board.
- (4) Any variance request cannot be issued by staff and shall be approved by the Zoning Board of Adjustments.
- (5) The applicant may request a formal process through the Planning Board if they choose.

Property Information:
Property Address 679 RTII Farming for nH 03835
Property Owner Author Cardinal
Mailing Address 372 Huntown Ed Familie fin nt 03835
Home PhoneCell Phone 603-833-1749 Email
Business Owner Information:
Business Owner/Applicant Dillom Blanchow &
Name of Business Dewersports Junction LLC
Mailing Address 40e Sayour Jule Halls Hall Kd Attan ntt 03809
Home Phone Cell Phone 605-387-910-1 Email Dillon. powersports swiction @quad. a

Existing Business Information:	
Existing/Previous Use \textstyle Appa	
Existing Number of Units in Building	Square Feet of Existing Use
Proposed Use Returt 3 powersput senuice	3sales_
Proposed Number of Units for Use	Square Feet of Proposed Use
The number of years and other location(s) where the business	is located (if applicable) 2 years
Detailed description of the business activities. If a retail business activities.	
Hours of operation 40 hours Num Plan for exterior lighting, if any extended Proposed signage 4 x 4 hours San on both San on b	muldire
If necessary, please attach additional information.	

Certification and Agreement: To the best of my knowledge, all information submitted on this Application is true and correct. All proposed development will be in conformance with the information contained on the Application as well as the provisions of Town Ordinances and Regulations.

The owner/agent, by filing an application, hereby gives permission for the Code Enforcement Officer or other Planning Board designee to enter the property which is the subject of the application with twenty-four (24) hours' notice for the purpose of inspection as may be appropriate.

Applicant Signature Mount	Date 2/19/94
Owner Signature Cul	Date Hold
OPEIGE USE ON V***************	******

Staff Comments:	
Planning Department staff have reviewed the applicant's change of use application	and made the
determination that all criteria referenced in Section 1.02 (4) have been met, thus al	
Planning and Community Development Department to approve the proposed cha	•
plan review at the Planning Board. The applicant shall obtain all necessary permits	
conjunction with the Code Enforcement Officer and ensure all conditions as part of	of the approved NHDOT
driveway permit #06-155-225 are met prior to final certificate of occupancy.	
Sign Application Submitted: Yes No No Approved Denied Denied	
Permits Required: Building Permit	1
remits required. Building Fermit Blectifical Fermite Framework	4
V. 1 D:L 0	
Application Approved X Denied Denied Dengartment	3/26/24 Date





William Cass, P.E. Commissioner

To: Arthur Cardinal S. Cardinal & Sons 372 Hornetown Road Farmington, NH 03835

THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 6 Office, PO Box 740, Durham, NH 03824



DRIVEWAY PERMIT

City/Town:

Permit #: Farmington

06-155-225

Route/Road:

NH 11 (S0000011)

District: 06

Permit Date 3/10/2024

Patrol Section: 601 Tax Map: **R35**

Lot:

2

Development: Commercial

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 11 (\$0000011), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

Drive 1

Location:

Approximately 0.13 miles west of Paulson Road on the north side of NH 11 (\$0000011).

GPS: 43.377169 N 71.063324 W.

Specifications: This permit authorizes a paved access to be used as a Commercial drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

> The right-of-way line is located 50 feet from and parallel to the center line of the highway. The driveway shall not exceed 50 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

Drive 2

Location:

Approximately 0.17 miles west of Paulson Road on the north side of NH 11 (S0000011).

GPS: 43.377403 N 71.063813 W.

Specifications: This permit authorizes a paved access to be used as a Commercial drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

> The right-of-way line is located 50 feet from and parallel to the center line of the highway. The driveway shall not exceed 50 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

Other Conditions:

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

Page 1

All excavated topsoil, or in the absence of topsoil the top 6 inches of soil, within the limits of state ROW shall be properly re-used within the limits of the state ROW. All temporary stockpiles of the re-use material shall be located within the state ROW, or as otherwise approved by the District Engineer.

The Contractor shall be solely responsible for the handling, transport and disposal of any surplus material generated by their project and shall comply with all federal, state and local laws, ordinances and rules in doing so.

I/We, the contractor/Owner, certify that the property will not have any illicit unauthorized drainage connections to the NHDOT storm water drainage system. An illicit discharge is any direct or indirect discharge to the NHDOT drainage system that is not composed entirely of storm water. Illicit discharges include, without limitation, sewage, process wastewater, or wash water and any connections from floor drains, sinks, or toilets.

- 1. This permit is for access to an Existing Construction Contractor Facility, an Existing Equipment Repair Facility and a proposed Power Sports Dealership (formerly a NAPA Store). Any further development or subdivision will require re-application for a driveway permit.
- 2. The Change in Use and narrowing to fifty feet wide of two previously permitted, existing, commercial driveway entrances is permissible. Construct per Figure V.
- 3. Other access to the highway from the premises is to be prevented. No part of the right-of way may be used for any purpose other than travel.
- 4. The drainage along NH Route 11 shall be maintained.
- 5. All season safe sight distance shall be maintained by the landowner as per RSA 236:13.
- 6. This permit requires there be no change in the profile of either drive 1or drive 2.
- 7. This permit supersedes permit 06-155-44-D dated June 15, 1967.
- 8. Interruptions to traffic shall be kept to a minimum and be maintained in accordance with the most current edition of the Manual on Uniform Traffic Control Devices (M.U.T.C.D.). When conditions warrant, flaggers and or uniformed officers shall be utilized and be of a competent nature.
- 9. The applicant will be responsible for mitigation should the future use of this driveway unfavorably impact the highway.

Approved

Copies: District, Town, Patrolman

Date: 3/11/2024

Assistant District Engineer
For Director of Administration

Page 2

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584

District 2, 8 Eastman Hill Road, Enfield, NH 03748

District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446 District 5, 16 East Point Drive, Bedford, NH 03101 District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

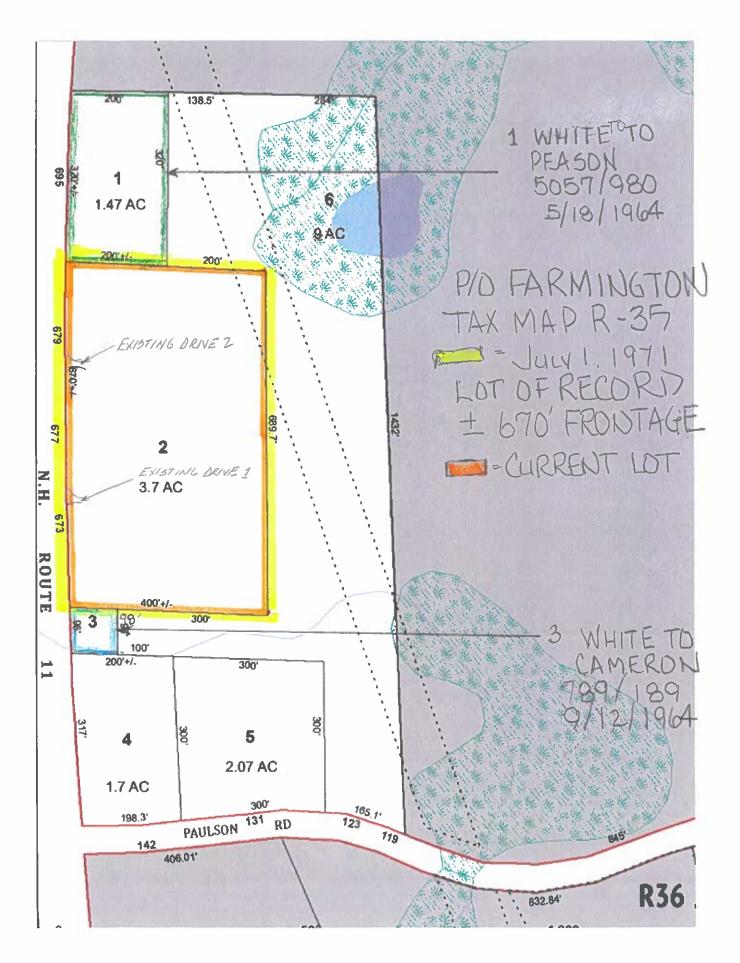
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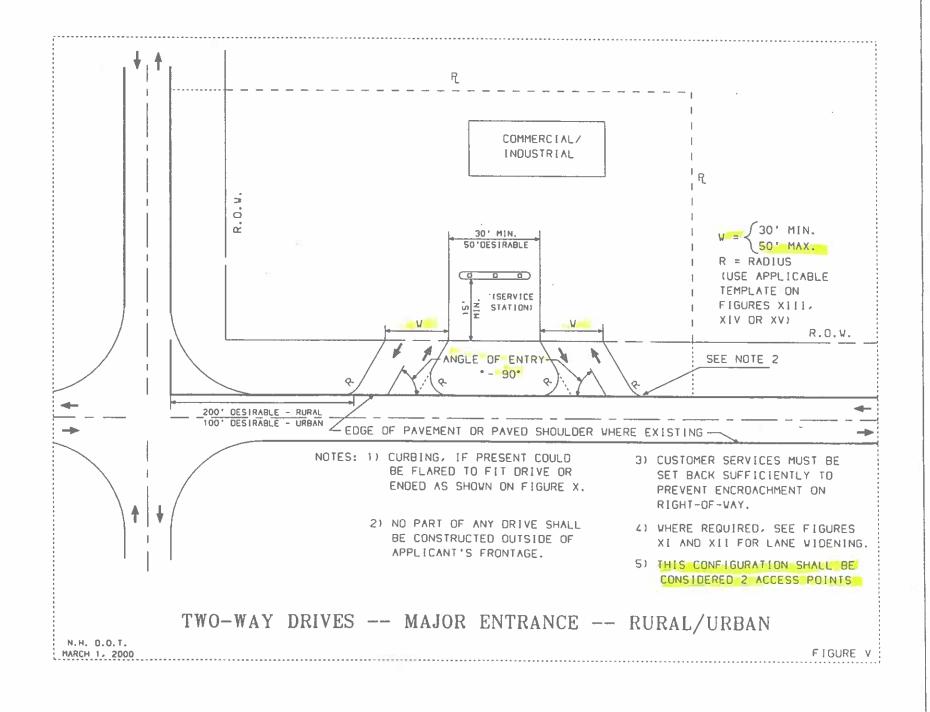
amendment (<i>Indicate qu</i> NH Route	s thereto, and Declaratory antity of) driveway of	intrance(s) to my pi	roperty on the	(select): (North I-S	outh / East / West side of	
	or Stre	a location which wi	II ramina	tin 17 03835	In the Town of y specified in said statutes.	
			The the te	quirements for safet	y specified in said statutes.	
The drivewa	ay entrance(s) requested is (are) for access to:	RAPAN K	722		
Describe na	ture and size of industry, bu	siness or subdivision	n Residence	e, Industry, Busines	s, Subdivision, Other Ogft buldung	
TJ Feet	(select): North & South)/ E:	ist / West of Utility	v Pole Numbe	THE PERSON REPORTED	13/17/17/0	
Sub Feet	(select Feet or Miles): Nor	th / South / East /	West) of Road	or Junction Pauls	on Rd BECEIVE	ED
Fown Tax N	lan# Ma 225 0	with All.	and Lot #	2		-0
			9-11	- 4	FEB 0 7 202	3
As the	landowner (or designated app	ficant) I agree to the f	following:			
	the highway right-of-wa	ry is used for no purp	ose other than	pose or securing acce	NADOT DISTR	CT6
	 To construct driveway (intrance(s) at permitt	ed location(s).			
	 To construct driveway e specifications as issued 	intrance(s) in accorda	ance with statut	es, rules, standard dra	wings, and permit	
	 To defend, indemnify a. 	nd hold harmless the	New Hampshir	e Department of Tran	sportation and its duly	
	appointed agents and er reason of the exercise o	iployees against any	action for pers	mal injury and/or pro	perty damage sustained by	
	5. To furnish and install dr	ainage structures tha	t are necessary	to maintain existing h	ighway drainage and	
	adequately handle incre	ised runoff resulting	from the land of	levelopment and obtain	n all easements thereto.	
	 I am the owner or a duly constructed. I have prove 	duthorized agent of ided accurate and co-	the owner of the	e parcel upon which t	he driveway will be ion concerning the parcel to	
	the Department, Lunder	stand that the Departi	ment is relying	on this information in	considering this application ments about title or access	
•	For new driveway(s), incl 1, 1971 of the parcel. If the complete subdivision plan	its parcel is part of	a larger tract	subdivided after Juli	us deed dated prior to July y 1, 1971, then provide L	
•	Attach sketch or plan show	ving existing and p	roposed drive	way(s) and the adjac	cent highway indicating	
	distance to town road, tow utility pole (including pole	n line, or other read	dily identifiab	le feature or landma	rk and also to the nearest	
,		(numbers)				
XDE	Se (372	tontrun Ro	1	
Signati	ire of Landowner (Applicar	t)	Mailing Add	ress		
	Name of Landowner	The Park State State and Associated State	towning	tun, ntt 03839	North pro-processes in the factors for the contraction of the contract	
	Olo Loil			tate. Zip Code	600)-10	
Date:	217134	The second section of the second seco	Telephone N	umber(s) 603	855-17401	e redució
Contact	Agent, if not Landowner:	Dillon Hand	mu2 100	3-387-9104		
	-	Dilkin F	A LIVE ON	+ (Ogmailean		- Ans. 6
	FOR OFFICE USE ONLY	1 100	mes spoi	· Cogwaco Con	V (]
	GPS N=		75 11 =			
	Section.	Width.		Speed		
	Right of Way:	Drainage		SED		
	Permit Mumber Accionals			1		

- § 236:13 Driveways and Other Accesses to the Public Way. I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.
- II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:
- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public,
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter,
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.

 RECEIVED
- (d) Include any other terms and specifications necessary for the safety of the traveling public.
- III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:
- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.
- IV. No construction permit shall allow:
- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.
- V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner's agent aftering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).
- VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embank ments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.
- § 236:14 Penalty. Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.

4/6







Town of Farmington356 Main Street

Farmington, NH 03835

Phone: (603) 755-2208 • Fax: (603) 755-9934

March 18, 2024

Dear [INSERT PROPERTY OWNER(S) NAME]:

It has come to our attention that specific requirements not met as part of a prior approved subdivision plan have led to several issues that need attention involving your property.

In 2005, a two-lot subdivision off Ten Rod Road was approved by the Planning Board that showed a proposed roadway that would service the two newly created lots (see attached). The roadway, which was named Abbey Lane, was required because the parent parcel did not have adequate frontage for the proposed subdivision; however, this roadway was never built, resulting in a concern that these properties, possibly unbeknownst to the owners, technically have two addresses, an E911 address and a mailing address, as follows:

Tax Map R5, Lot 9-2
E911: 20 Abbey Lane
Tax Map R5, Lot 9-0
E-911: 11 Abbey Lane

Mailing Address: 152 Ten Rod Road Mailing Address: 154 Ten Rod Road

E911 addresses are used by Fire, Police, and other Emergency Services personnel to respond when a 911 call is placed. It is a requirement to provide an accurate address to ensure a timely response in case of an emergency. Since Abbey Lane was never built, the Board of Selectmen recently voted to authorize staff to eliminate the Abbey Lane addresses and use the existing mailing addresses of both properties for E911 purposes, thus alleviating the public safety concern.

Additionally, the Planning Board, in their effort to explore a course of action to rectify the 2005 approved subdivision plan, requests that both property owners work together to submit an amended subdivision plan that reflects existing conditions. This will also offer an opportunity to develop an approach on how best to resolve the language in both deeds that refer to the respective ownership and maintenance of the proposed road (see attached), which affects your title and could affect your ability to sell your property to a future buyer that seeks financing for the purchase.

The Planning Board recognizes that this situation is not your fault, as the applicant for the 2005 subdivision should not have been able to obtain the necessary building permits and certificates of occupancy prior to the roadway being built and inspected by staff. As such, if both property owners come forward voluntarily to obtain an approved amended subdivision plan, the Board will waive Town fees and as many regulatory requirements as possible to make the process easier.

If you have questions or would like to discuss options in greater detail, please reach out to the Planning and Community Development Department at the Municipal Offices Building at 356 Main Street.

Respectively submitted by,

Kyla Pitel

Kyle Pimental, Director of Planning and Community Development



Town of Farmington Planning and Community Development Department

356 Main Street Farmington, NH 03835

March 27, 2024

Milton Planning Board 55 Industrial Way Milton, NH 03851

Re: Amended Subdivision Plan for the Town of Farmington

It has come to the attention of the Farmington Board of Selectmen that an amended subdivision plan must be approved by the Milton Planning Board to address an issue with a Farmington-owned property prior to any future sale. The parcel in question is Tax Map R61, Lot 48-1. This parcel was part of a subdivision in 1984 that split the parent parcel into six lots (see attachments). As referenced on the subdivision plan, Lot 6 was bisected by the municipal boundary between the Town of Farmington and the Town of Milton. For tax purposes, the parcel, in 1984, was labeled Lot 6 (Milton) and Lot 6A (Farmington); however, the intent was that any future conveyance would include both and that neither property should be construed as a separate lot. According to current tax maps, those parcels are now labeled as Tax Map 034, Lot 001 (Milton) and Tax Map R61, Lot 48-1.

Despite this condition, at some point, the Town of Milton sold Lot 6 separately using the municipal boundary as the metes and bounds, which essentially acted as a de facto subdivision and split the two lots. As a result, Lot 6A (Tax Map R61, Lot 48-1) is now a non-conforming, landlocked parcel with no frontage in Farmington. Additionally, it has created title issues for any future buyer.

To resolve this issue, we are requesting that the Milton Planning Board vote to revise the 1984 subdivision approval to remove the plan restriction that states Lot A can never be conveyed separately. Once this decision is recorded, we believe it will resolve all title issues and be satisfactory to move forward with a future sale of the property.

Respectively submitted by,

Ma Pitel

-Kyle Pimental, Director of Planning and Community Development

TOWN OF MILTON APPLICATION FOR MINOR SUBDIVISION

1. Name of Applicant (S): Town of Farmington, NH						
Address of Applicant: 356 Main Street						
Phone Number:603-755-2208 Cell Number:						
2. Name of Owner of Record: Town of Farmington						
Address of Owner of Record: 356 Main Street						
Phone Number of Owner of Record: 603-755-2208						
3. Name of Surveyor: Randy R. Orvis						
Address of Surveyor:						
Phone Number of Surveyor:						
4. Location of proposed Minor Subdivision:						
Street: NH Route 153	Street: NH Route 153					
Tax Map Number: 034 Lot Number: 001						
Number of Total Acres in parcel: 5.92						
5. Number of new lots to be created: 2 Acres in each: 3.50 & 2.42						
6. Intended use (Check one): Residential						
7. Attached List of names and addresses of abutters to be completed (page 2) (Also show on plat))					
8. Statement of intent: This is not a new proposed subdivision. The purpose of this application is to amen remove the restriction that states Lot A can never be conveyed separately. See atta	<u> •</u>					
9. Payment to the Town of Milton for the following: Application Fees:						
 Application Fee Lot Creation Fee (\$100.00 per new lot) Abutters Notice: Contact Land Use office for current postage cost Recording Fee 	\$ <u>200.00</u> (to be waived) \$ \$ \$					
(\$30.00 per drawing & \$18.00 per page written documents) (\$25.00 fee for LCHIP)						
5. Town Engineer review, if required (3 rd party engineering review)	\$					
Total of all Application Fees	\$					

The applicant and/or owner certifies that this application is correctly completed with all required attachments and requirements and that any additional costs for engineering or professional services incurred by the Planning Board or the Town of Milton in the approval process of this application shall be borne by the applicant and/or KD

Owner: Kenneth Dickie, Town Administrator

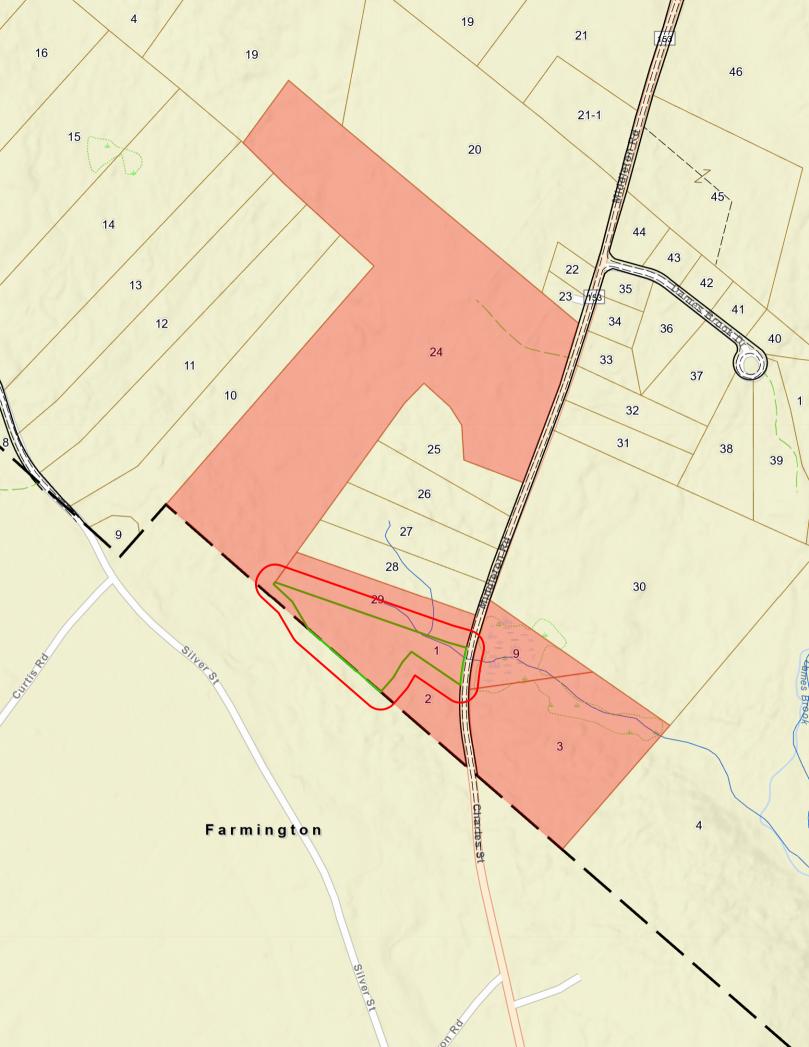
"I hereby authorize the Milton Planning Board and its agents to access my land for the purpose of reviewing this plan or any other inspections deemed necessary by the board or its agents to ensure conformance of the site improvements with the approved plan and all Town of Milton ordinances and regulations."

Signature of

Owner: Leuneth Deiden Date: 3/27/24

ABUTTERS LIST

Name:		Name:		Name:	
Address:		Address:		Address:	
Map	Lot#	Map	Lot#	Map	Lot#
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Map	Lot#		Lot#	 Map	Lot#





Subject Property:

Parcel Number: 000039-000001-000000 Mailing Address: GENTILE, LAUREN GENTILE, MARK

 CAMA Number:
 000039-000001-000000
 PO BOX 1413

 Property Address:
 23 MIDDLETON ROAD
 MILTON, NH 03851

Abutters:			
Parcel Number:	000034-000024-000000	Mailing Address:	JOLLY, ROBERT L
CAMA Number:	000034-000024-000000		71 PINE KNOLL DRIVE
Property Address:	103 MIDDLETON ROAD		FARMINGTON, NH 03835
Parcel Number:	000034-000029-000000	Mailing Address:	ROBINSON BONNIE
CAMA Number:	000034-000029-000000		7 OLD FARM RD
Property Address:	31 MIDDLETON ROAD		KITTERY, ME 03904
Parcel Number:	000039-000002-000000	Mailing Address:	MILTON TOWN OF
CAMA Number:	000039-000002-000000		55 INDUSTRIAL WAY
Property Address:	MIDDLETON ROAD		MILTON, NH 03851
Parcel Number:	000039-000003-000000	Mailing Address:	ELLINGWOOD CLAUDE
CAMA Number:	000039-000003-000000		6 MIDDLETON RD
Property Address:	6 MIDDLETON ROAD		MILTON, NH 03851
Parcel Number:	000039-000009-000000	Mailing Address:	THERRIEN, DENNIS THERRIEN, KELLE
CAMA Number:	000039-000009-000000		PO BOX 958
Property Address:	MIDDLETON ROAD		MILTON, NH 03851

ELLINGWOOD CLAUDE 6 MIDDLETON RD MILTON, NH 03851

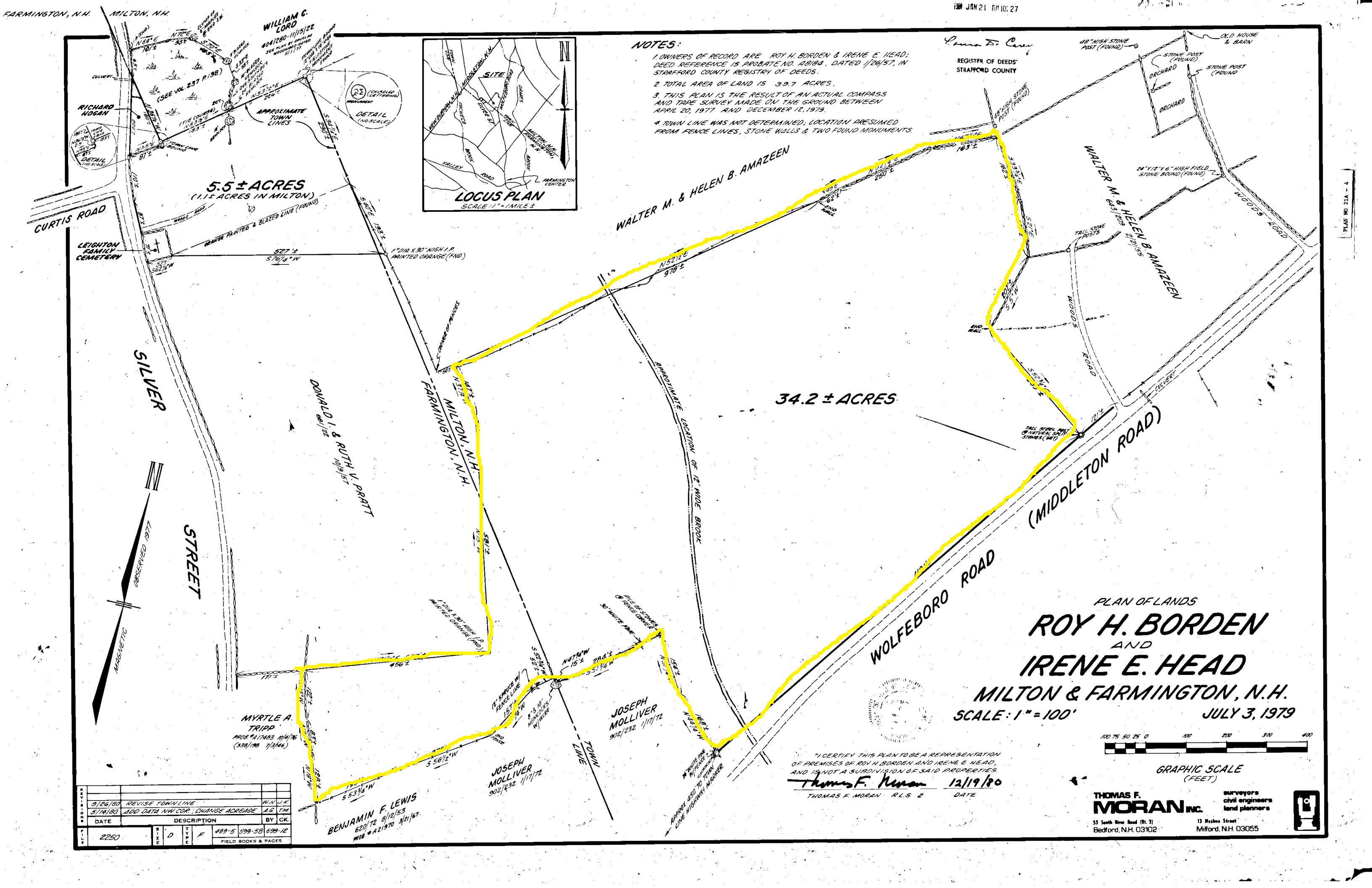
GENTILE, LAUREN GENTILE, MARK PO BOX 1413 MILTON, NH 03851

JOLLY, ROBERT L 71 PINE KNOLL DRIVE FARMINGTON, NH 03835

MILTON TOWN OF 55 INDUSTRIAL WAY MILTON, NH 03851

ROBINSON BONNIE 7 OLD FARM RD KITTERY, ME 03904

THERRIEN, DENNIS THERRIEN, KELLE PO BOX 958 MILTON, NH 03851



LOCATION MAP SCALE 1"= 5208' LOT 6A (found) 3.93 ACRES LOT 6A MUST BE CONVEYED WITH LOT 6 OR TO AN ABBUTING PROPERTY AND IS NOT TO BE CONSTRUED AS A SEPARATE LOT. LOT 6 LOT 5 / LOT 4 LOT 3 LOT 2 5.16 ACRES 5.05 ACRES 5.00 ACRES LOT / 5.00 ACRES 5.00 ACRES 5.00 ACRES /3.90 N 57°03'22*W MILTON PLANNING BOARD PLAN OF LAND IN MILTON & FARMINGTON, N.H. PREPARED FOR ROOBIAN CHARLES 1608 HANCOCK ST QUINCY, MA. SCALE: |" = 100' AUGUST 30, 1984 RANDY R. ORVIS , SURVEYOR , FARMINGTON, N.H. ROUTE Error of closure is I part in 13875 See plan no. 21A - 4 recorded at Stratford County Registry of Deeds Lillian A. Astbury & Everett R. Hatch Sr. Thomas M. & Kathleen R. Manning

