

**PLANNING BOARD MEETING
TUESDAY, MARCH 26, 2002
37 N. MAIN STREET**

Members Present: Jim Horgan, Hiram Watson, Troy Robidas, Kelly Parlman, Norman Russell
Selectmen's Rep: John Fitch
Staff Present: Fran Osborne, Paul Charron (new Code Enforcement Officer)
Public Present: John & Jane Wingate, Walter Ratcliffe, Margaret Russell (ZBA), Gerald & Joyce White, David Berry (Engineer), Erin & Ross Weaver, Matthew (Fosters), Jim Shannon & Packy Campbell, Ron Howard, Gwen Weisgarber, Kris Hotchkiss, Jerry Gullison, Bill Vachn, Gay Rogers, James Spaulding, Derrick Hill & Brian Donovan (Pike Industries), Mitchell Green & Timothy Rath (Green Mt Explosives), Craig & Kathy Lancey, Mark & Cindi Paulin, Karon Place, R. Smith, M. Hoage, Clark Hackett (Road Supt.), Stephanie Nachez, Thomas Rout Jr., Suzette & Dean Richards, Sue Ducharme, Victor Lapierre, Heather Pike

- Acting Chairman Norm Russell brought the meeting to order at 7:00 p.m. Minutes of February 26, 2002 were reviewed. Hiram asked to amend the minutes on page 1 - paragraph 2 - after Walter Ratcliffe asked about water flow - remove "**Brian explained water flows from Cocheco River into the pond that will be created.**" Jim motioned to accept the minutes as amended, Hiram 2nd, Norman Russell abstained - all in favor - motion carried.
- **Election of Officers -**
 - Chairman** - Troy nominated Norm for Chairman, Kelly 2nd (no other nominations), Norm stated he would accept the position - all in favor - motion carried.
 - Vice Chairman** - Hiram nominated Troy, Troy nominated Jim Horgan (he declined). Troy didn't decline but felt Kelly had been here longer and would do a good job and then nominated Kelly. No discussion. Jim and Hiram voted for Troy. John Fitch, Troy, Norm and Kelly voted for Kelly Parlman. Kelly received the vote as Vice Chairman.
 - Secretary** - Kelly nominated Troy - he accepted - all in favor - motion carried.
- **Introduction of new Code Enforcement Officer -**

Town Administrator Ernest Creveling introduced Paul Charron as the new Code Enforcement Officer. Paul briefed the board on his background and prior experience.
- **Mail** - Norm read mail from N. H. DES on a survey to be completed by the Planning Board.
- **Proposed Earth Removal Regulations** - Chairman Russell stated the Earth Removal Regulations needed to be completed and made motion to continue to April 23, 2002, Kelly 2nd, all in favor - motion carried. John Fitch made motion to adjourn meeting until public hearing at 7:30, Kelly 2nd - motion carried.

Public Hearing 7:30 p.m.

- **Site Review Application by Craig Lancey, 53 Glen St. continuation** - to construct 2 buildings housing a 4-unit and 3-unit on existing open space on lot. Chairman said a site walk was conducted at 6:00 p.m. before this meeting. Norm asked for comments from the board. John Fitch - asked for clarification of wetlands from a licensed wetlands scientist. Norm read from the Conservation Commission (attached) regarding wetlands on this property. Craig Lancey responded that he would like Randy to clarify after actually looking at plans and the file in the Code Enforcement Office and actual site inspection as Randy stated he did a drive by only, no test pit or actually going in to the site for inspection. Randy Orvis - stated according to the National Wetlands map this is a Class 2 wetland, look to procedure on this - does he need a

50' buffer - have the Planning Board give him direction as to how to proceed. Craig - points were addressed on the flooding issue and storm water on file with the Planning Board and the wetlands were delineated on his plans submitted. Craig did impose a setback, but not 50'. Randy Orvis - there doesn't seem to be any storm water treatment except wetland which isn't on his property. If you raise the flooding area on neighboring property it tries to flow into other nearby areas. Also he hasn't had an engineer review it. Craig - approach Soil Scientist - the only option would be to have another Soil Scientist evaluate it. Troy - referred to page 57 of Zoning Ordinance regarding wetlands. Craig - test pit was done by 2nd Soil Scientist and soils concur with Army Corps of Engineers on type of soil from test pit and up to the apple tree as not wetlands. Troy - need determination. Craig - resolve other issues before going ahead to see that the project can go ahead. John Fitch - Randy looked at the National Inventory of Wetlands which was contiguous and adjacent and therefore part of the wetlands on the back corner of the property. Craig - mentioned the Baud property's adjacent field, "a wet meadow adjacent to this." Norm - page 58 of the Zoning Ordinance - classification of wetlands - issue is if it is indeed a Class 2 wetland, then you are limited to what you can do with the property. Class 2 wetland permitted uses - forestry, grazing, outdoor recreation/parks, single-family dwellings, etc. only on pre-existing lots of record. If the plan stands as is, it is not permitted from what our ordinance says if it is contiguous to the adjacent wetland. Craig - Class I, II, & III are Farmington Regulations. Randy - your wetland according to the Zoning Ordinance is a Class 2 wetland. Norm - this is a hurdle. I would suggest your wetland scientist familiarize himself with our ordinance and wetland delineation. I would also say Gelinas is a designer of subsurface systems - not a soils scientist. We need documentation. Based on this information how would you like the board to proceed. Craig - I will re-investigate myself. What is the definition of contiguous wetland going to be - into adjacent? Does runoff area count as contiguous? Norm - if the soil scientist does not agree with the PB, Conservation Comm., then an independent soil scientist would look at it and familiarize himself with our ordinance and concur or disagree. Craig will look at it. John Fitch made motion to resubmit his type of wetland results for the 4/9/02 PB meeting, Jim Horgan 2nd, all in favor - motion carried.

- **Site Review Application by Craig Lancey for Bunker St. (Tax Map U10, Lot 37)**, to add nine (9) residential housing units to existing one (1) unit residence. This will be postponed until the April 9, 2002 meeting.
- **Subdivision Review Application by Troy M. Robidas, Governors Rd. (2 lots) Tax Map R16, Lot 2.** Troy excused himself from the board as this is his subdivision. The board reviewed the subdivision checklist. Hiram made motion to accept the checklist as complete, John Fitch 2nd, all in favor - motion carried. Troy explained this is a 20-acre piece of land with his home on the far right of the property. He is going to sell off 5 acres with 300' frontage. Don Voltz of Linden Design did the subdivision plan. There is 40,000+ square feet of contiguous upland area. Troy said he is just selling one lot to a friend of his. There were no public comments and Norm closed the public portion of the meeting. The board reviewed the plans and Jim Horgan made motion to accept the plan as submitted, Hiram 2nd, no discussion. Norm said all requirements are met, all in agreement - motion carried.
- **Cluster Subdivision Review by Packy Campbell/RSA Development for Elm St./Dick Dame Lane, Tax Map R34, Lot 1-8 & U9 lot 9 to create 60 units on one lot.** Packy - I'm here with my engineer for a properly noticed public hearing. I had to go through a no notice meeting process, so I'm here to see if my plan can be accepted with new entrance and new road design - have the PB look at it and see what is different and have me leave with a punch list of what I have to do. I'd like to have the plan accepted as complete. There is confusion on the process of cluster subdivision vs. subdivision regs. Two letters from Packy dated 3/26/02 were received as a matter of record (attached). Norm asked for comments from the PB. John Fitch said there have been questions from residents of Elm St. coming in - egress one way in - why delete the other? Packy - because of wetlands and traffic issue on Dick Dame Lane - I propose to clean up

the French drain bridge crossing. John Fitch - what about fire apparatus? Packy - I am asking for a waiver on the new plan for entrance (Sky View Drive) for Cluster Subdivision for the length of the dead-end street (attached). The impact letter also should be addressed. Packy - no vote to accept application as complete. I think it's fair to let me know what it is you need. I feel I need to meet the criteria for a Cluster Subdivision - if it is not complete - what do I need? Clark Hackett - a canal was dredged from Lone Star Ave. with a bulldozer - are you going to have an engineer say there is substantial firm land to verify the road area - packing for subsurface as complete? Kicking Horse Brook - ? impacting less than 1,000' of wetland. Packy - wetlands are delineated, house lots - no filling. Clark brought up the peat moss bog - how far will you go in depth - you need an engineer to state it will not be a failure - we need a road that will stand up, especially if a fire truck needs to enter that road. Clark - core samples should be completed for sub-grade. Packy - the field is where Clark is concerned. We dug test pits 6 to 7' and hit the water table. I have data I can bring in. I believe I have data to show it will stand up. I Would like this road eventually accepted as a town road and it will be substantiated. The meeting is open to the public. James Spaulding - does this conform to a cluster development - how close to the river - will any trees be left? Packy - it is all stated in the plans that have been in the office for 30 days. Regarding Dick Dame Brook - I am looking for a positive letter from the Conservation Comm. to DES that I am trying to put the river bed back into good condition. Gwen Weisberger - concerns about drainage area next to wetlands, even if it percs it will flow to wetlands and fertilizer and asphalt runoff may be a problem. Also, Elm St. cannot sustain traffic. Substantial foot traffic is also a concern - someone is going to get hurt. Statistics in your letter were not right. Impact on schools is questioned. Packy - regarding drainage - he suggested reading letter of 3/26/02 regarding same done by his engineer. Drainage will go into a retention pond. Impact of foot traffic on Elm St. - maybe a foot path to Dick Dame Lane with walking paths behind houses. Regarding increase in foot traffic - I do not know what that would be. Something utilized between Lone Star Ave. into the back of the development I may be agreeable to. Chris Hotchkiss - we have people going through our yard now and people walking on Elm St. You would have to come across some property to do this. Also concerned about unauthorized use of property and access - people already abuse the area. Concerned about anything that will come close. Packy - the Town and PB need to make decision on walking paths. Sue Ducharme - there is 30 MHP speed limit on Elm St. The traffic is out of control and inadequate now - will there be expansion on width of Rte. 75 to accommodate this additional traffic? Packy - there is a letter from Don Rhodes addressing Elm St. & Dick Dame Lane traffic which was addressed previously. Jerry Gullison - wetlands concern out back area, if footpath goes in next to it, they'll drive out ducks and geese we've enjoyed. Don't put walking path near wetland. Packy - it's up to the PB what I do either way. Karen Place, Elm St. - are you putting in 60 units or 65? Packy - we are putting in 65 units because we can now have more area if we come in off Elm St., we have made 5 more to offset the initial road cost with 5 additional units which is well under the amount allowed. The time span for development - there are several accidents coming out of Cameron's house. According to the plan submitted, the road will be closer. The police stop cars all the time and accidents are frequent. Packy - we will probably be in and out (30 or 40 a year) and complete in 2 years. Jim Horgan - will houses be 1,000 to 1,400 s. f.? Packy - the market will dictate size. John Wingate - regarding impact letter and residents moving from one area of Farmington to another area in Farmington. Packy said he used Census data that showed 28% of households have school-age children according to the 2000 census data. Jane the impact statement is flawed. Packy - the market for growth in Farmington is here. Randy Orvis - I have complete confidence in the engineers Packy has hired. This is an area that we want to see developed. Randy - the impact statement should be professionally prepared and offsite impact preparations should be included in that study (sidewalks, etc.). Packy - Norway Plains has done some of that. Heather Pike - I agree with Randy's suggestion. I don't see peak times - what % that road is at currently which is needed for capacity. Sewer, water, schools, etc. and impact needs to be addressed. She told Packy he broke the law doing test pits, etc. and questioned the truth on his part. Will you do what is promised? I would like to see on-site inspectors paid for by Mr. Campbell. Norm - we are not here to attack Packy's integrity. Heather what about slow-down lanes 100' long to the project, widening of Dick Dame Lane bridge - this came from the Division 6 State Road agent. Norm - mentioned the statement on the plan to remove the existing

crossing and the area remediated before work takes place, Rte. 75 needs widening. Foot traffic was discussed and that kids walk in that area now. Fencing and barriers on existing properties was discussed. Packy (1) cleanup on river - make part of the plan. No more than 15 Certificates of Occupancy will be issued before this is done. (2) widening of Rte. 75 - turn lanes off - will talk with the state. This would further impact wetlands. This is a State issue. (3) integrity - test pits had to be done - I only went in and did test pits. Heather Pike's comments demeaning my integrity - I will do what I say, (4) fencing - this development should improve the situation with kids and others going in there. I would do this if the PB requires it. Heather Pike - I didn't mean to demean Packy's character. I think on-site inspectors should be accomplished. Packy - Mr. Hackett comes and inspects my work. The new Building Inspector will probably monitor this project also. Bill Vachon - impact on school, taxes and sewer. Packy - I talked with Dale Sprague - he doesn't feel it pushes the Town over the top. The Town will be upgraded no matter what. Impact fees will bring in dollars with taxes generated. Discussion followed on that. Margaret Russell - re-evaluation next year was discussed as well as impact study and the developer is going to do favorably. Packy - I am interested in improving and creating a need for housing in this town. Jane Wingate - residential homes don't pay their way. She discussed costs for K-3, elementary & high school kids as well as special kids education. Taxes will not cover education of kids. The number of kids you project is a low figure. Fiscal impact studies can be done. Packy - impact study is difficult at best. I can't discriminate against kids - Federal Housing Authority prohibits it. Cyndi Poulin - I use Lone Star to go to Chestnut Hill Rd. and this is scary. Will the hill be removed for gravel? Derek Place - what about maintenance? Are we going to have to buy another town truck to take care of this project. Clark - a truck at \$100,000, employee at \$28,000 would be needed for a development of this size. Walter Ratcliffe - bridge needs to be widened - it has a weak spot. Randy Orvis - suggests having engineer attend next meeting. Norm closed the public portion. Norm opened to the PB members. Jim - **a completed plan is needed for a complete application to be approved, water & sewer requirements on plan, phasing of units, quantity and quality of road, impact analysis, waiver exceeding the 900' limit roadway (1,300'), timetable for phasing of construction, homes, roads, deceleration lane.** Hiram - expressed that Packy is being cooperative. He has provided what we asked - where is it going to stop? I think he has provided what we have asked. Troy - the road egress is an issue - think about a fire gate alternative that could be opened for entrance, then the length of the road might not be an issue. Kelly - need completed application, impact study, more cold hard facts. We would like to see what we're getting into. Norm - the PB does have responsibility "that this has a benefit to the town." Regarding the impact statement - applications in general that have a major impact to the town need a reliable impact study with all areas addressed. Norm (this is not professionally developed & should be done by a professional planner). The road, emergency exit and this project is in the limited development zone which is impractical for this location. Norm - you are upgrading your bridge - not replacing it. Refer to the letter from the Conservation Commission requiring a Special Use Permit and variance to cross the bridge. Norm - you need to join the lots eventually. The Cluster Regs do not require a complete plan. No sidewalks are shown, no State driveway application - how many units? Packy - 65 units. Norm made motion to require an impact study by a professional planner. The Town will select a group with the help of the Code Enforcement Officer, Jim 2nd - all in favor - motion carried. Norm said "I do not want to speak on the waiver letter tonight" - we need time to review. Packy - I did impact study to the best of my ability. Packy - we are under Cluster subdivision not Subdivision Regs. Chairman continued this to April 23, 2002 to give Packy time to get things requested for this meeting done.

- **Site Review Application by Lilac City Parks & Sales (Tax Map R19, Lots 1 & 6), relocation plan.** The applicant's representative, Norway Plains called and asked that be continued to the April 9, 2002 meeting.
- **Earth Removal Permit Application by Pike Industries for R. Howard property (Tax Map R15, Lot 6).** The Earth Removal Permit application was reviewed and Hiram made motion to accept the application as complete, Norm 2nd - all in favor - motion carried. Derrick Hill, Regional Coordinator for Eastern N. H. and Brian Donovan Corp. Environmental Safety Mgr. As well as Ron Howard the landowner are present.

Derrick said an agreement was enclosed between the landowner and Pike Industries. A boundary line agreement has been entered into, taxes are current. The wetlands have been flagged and will be avoided - noted on plans. This property is in an area where the 6-acre pond is that was recently approved and existing haul road to town well, and the area will be clear cut prior to ownership. Buffer space is provided. We will continue mining sand and gravel into the Howard property, upgrade the road, provide a storm water basin, an earthen berm for use in the reclamation process and the area will be internally graded. Gravel on 8.27 acres and sand on 6.27 acre area (135,000 cu. yds.) and 266 cu. yd. quarried for road base aggregate. Green Mtn. Explosives will be doing the blasting - the volume of blasting will go up within limits and distances from private homes are extraordinary. The area has Lincoln formation and there will be vertical faces during mining - we will fold excavation materials back onto the face. Pre-blast survey and sizemographing will be accomplished. If blasting caused a crack in a foundation we would address. Pre-survey results will be available to the town. Abutters, Fire Dept. and Police will also be notified through formal notification. Norm - regarding the bond issuance - check with the Code Enforcement Officer on a figure. Pike said they have a chart of industry standards (about \$1,500 x 15 acres). Jim made motion to approve this application contingent on Pike Industries submitting a bond for reclamation and all State of N. H. permits received in the Code Enforcement Office, Hiram 2nd, all in favor - motion carried.

- With no further business to discuss, Kelly made motion to adjourn at 10:15 p.m., John Fitch 2nd - all in favor - motion carried. Minutes recorded by Fran Osborne. Taped transcript available in the Code Enforcement Office.

APPROVED

Norman Russell, Chairman
Planning Board
Town of Farmington

Date