

**PLANNING BOARD MEETING**  
**TUESDAY, JUNE 11, 2002**  
**37 NORTH MAIN STREET**

**Members Present:** Norman Russell, Kelly Parliman, Brad Anderson, Marty Chagnon, Troy Robidas, Bill Tsiros (Hiram Watson on vacation and Jim Horgan call in sick)  
**Selectmen's Rep:** John Fitch  
**Staff Present:** Paul Charron (CEO) and Fran Osborne (Secretary)  
**Public Present:** John & Jane Wingate, Walter Ratcliffe, Craig Lancey, Margaret Russell (ZBA)

- Chairman Russell called the meeting to order at 7:00 p.m. Brad Anderson was seated for empty seat, Marty Chagnon seated for Hiram Watson and Bill Tsiros for Jim Horgan. Minutes of May 28, 2002 were motioned for approval by Marty Chagnon, Kelly 2<sup>nd</sup>, John Fitch abstained - motion carried by show of hands.
- Chairman Rusell said the Multi-Committee Workshop on May 30, 2002 was attended by Troy Robidas, Brad Anderson, Paul Charron and himself. Several members of the public also attended. Discussion on the Planning Board's responsibilities and role as well as problem areas we see seemed productive and positive. Brad said it would be good to identify areas of concern and get boards to meet together. Bill Tsiros said the chairman of the School Board came in to talk to the Town Administrator as a result of this meeting to try and work together. Troy said meetings can be publicized via cable. John Fitch instructed Fran/Paul to let E. Creveling know who to contact (Marilyn Berry or Steve Lewis at Metrocast - there is no charge for this service.) Brad asked about having minutes put on web site. Fran said at the moment the CEO office is not hooked to the town website. John Fitch said they are working on this. Availability of minutes ASAP is a concern.
- CIP Subcommittee update - Norm attended this meeting and explained Hiram is on vacation. The School Board will come back with information needed for the July 11<sup>th</sup> meeting. The meeting of June 20, 2002 will not be held. No members of the public were present. Matt Scruton, Hiram Watson, Norm Russell, Sylvia Howard, Ernest Creveling (Town Administrator), and Tod Lefebvre attended the first meeting.
- Brad Anderson let the Planning Board know as a member of the Conservation Commission Packy Campbell came before them for his Special Use Permit to cross Kicking Horse Brook. As part of the CC report to DES, we let them know a variance was in process. Is it proper for the CC to give information before the Variance Request is brought before the ZBA? John Fitch suggested Brad call the N. H. Municipal Association for legal advice.
- Chairman Russell brought to the board a letter he had drafted and would like the board to consider regarding the Tom Demers ZBA meeting decision (Tax Map R31, Lot 25). He would like to see reconsideration to include written findings on each component of which a variance is to be considered, and in particular, how the granting of this variance meets the spirit and intent of the town's ordinance. Discussion followed on how the CC zone in particular was designed with "nodes" in mind, not strip malls - thus they were delineated where proposed. Traffic was considered as well as less intensive traffic areas with turning areas off major highways. Norm feels the ZBA has done some "unexplaining and feels it does not meet the spirit and intent of the Zoning Ordinance. Bill Tsiros said there are 3 different uses on one lot (machine shop, glass shop and residence) in the IB (Industrial Business) area. The ZBA could have included Two Greeks Restaurant but didn't. This was an incremental change and was done for a purpose. Also the Rte.11 Corridor Study seeks to eliminate extra access ways off Rte. 11 and looks favorably on shared driveways. I would like them to reconsider this. Kelly said there was no criteria in the Zoning Ordinance. Bill asked if this lot could support 4 businesses? Troy - this could set a precedent for the future. Everyone will be coming in for a variance request. Norm asked for a motion to write this letter to the ZBA . John Fitch made

motion to contact the ZBA Chairman by letter and request they review the decision made at the ZBA Meeting on June 6, 2002 regarding Tom Demers, Troy 2<sup>nd</sup>, (Kelly and Bill Tsiros abstained), motion carried.

- Site Review Application by William "Pete" Harvey** for proposed retail store (antiques, classic cars, guns and boats) on Rte. 11 (Map R64, Lot 9). Steve & Julie Coates are here to represent William Harvey as he is stuck in Colorado amidst the fires out of control there and trying to get back home. Steve said he is working for Mr. Harvey and running this operation as well as getting things in order. He explained there are 2 boundary markers on Rte. 11 (each side). He doesn't know where the back markers are (the old railroad bed is likely the rear of the property). John Fitch - make sure you get the property surveyed. Norm Russell read a letter from Guilford Transportation (for Boston & Maine Railroad) dated June 5, 2002 (Steve Coates would like a copy of this letter). Chairman Russell read the narrative presented - this property is in the Commercial zone (copy of narrative attached). Bill Tsiros asked about repairs - Mr. Coates said there will be no repairs on site. This will not be a repair shop for boats or automobiles and that these repairs if needed will be done in Auburn, Maine. Mr. Harvey doesn't sell junk (he sells vintage Chris Craft, Cadillacs, Lincolns, etc.) Bill said there is no site review plan with dimensional requirements. Mr. Coates said at the most there might be 10 vehicles/boats at one time. Bill said a site plan has to be completed. Mr. Colbath the previous owner ran a rental business and after the SAU office was there it was an antique shop. Mr. Harvey and Julie Coates came and talked with Paul Charron (CEO) and he said the plan drawing was O.K. John Fitch - what about paving? Mr. Coates said 1/2 is done, though not well, and we will complete the process by bringing the lot up to what it should be. Kelly - questioned the septic system. Mr. Coates said the last tenants (SAU) said it was in working order. Mr. Santoro a plumber will be in to check it out. An environmental study has been done and it was a clean bill of health. Norm asked for comments. Paul Charron thought Mr. Harvey met the requirements for a minor site review vs. a major site review. The PB is not available when I make my decision and I did what I thought was appropriate. Better planning between the PB and CEO is needed. John Fitch - the property has not been used in over 1 year. I would like to see a plan showing delineated parking and landscaping as per page 3 of the Site Review Regulations procedures. Mr. Coates - I find it hard to believe you are concerned about shrubbery. Brad referred to section 6.01 of the Site Review Regs - I think the applicant is requesting waiver of engineering plans and surveyor stamp. I feel we should encourage businesses to come to Farmington. Bill Tsiros - intent is to meet requirements of the Site Review Regulations. Discussion among board members with Paul Charron, CEO. Norm - this applicant is in a highly visible area. There is a large expanse of egress and we need to hold to the higher standards. This is at the intersection of Spring St. Norm - I'm also concerned about the water table there and question it being high. We need more detail. Mrs. Coates stated she was upset that Mr. Harvey submitted all the information they were required to and that they were doing something better for the town. Bill Tsiros - the PB present is here to help your business for the next 5 - 10 years. You need to have it right for the future. This board needs specific information to act on a decision. Mr. Coates - can you explain to us what you need. I can draw a grid for the parking areas. Mrs. Coates said Mr. Harvey's main part of the business will be firearms. Kelly - would it be prudent for the PB to waive the engineering stamp? It's existing property. Mr. Coates - we will use the 1<sup>st</sup> 150 - 200 feet off Rte. 11. We do not intend to use the rear of the property as it is ledge and we will leave it as it is. Marty Chagnon - tell him what we want him to do. Kelly - accept the application as complete with provisions of conditions to be determined, Marty 2<sup>nd</sup> and withdrew (motion withdrawn by Kelly). Brad - if they can't complete this Site Review within 60 days the clock is ticking. We aren't doing them any favors. Bill Tsiros - accept the application but deny waiver only for the engineering stamp and instruct them to do a waiver of survey/engineer plan (motion withdrawn). Kelly - I'm not sure we need the stamped engineer's plan. Troy - to delineate parking areas we need criteria. John Fitch - this place has been closed 4 years. You need a plan in place. We need to be going by the regulations standards. We need a more detailed plan. Bill Tsiros - a professional will meet the town requirements. John Fitch - entrance - the state may deny the entrance that is there - he needs to get in touch with the State DOT. Brad - need to see a plan that relates to everything around the building as it

exists. Steve Coates doesn't understand the surveying stamp. I provided a copy of the map upstairs (Tax Map) and you are saying it is not acceptable - it isn't totally reliable and accurate.. A professional engineer or architect can draw up the plan. Discussion. Bill Tsiros - we need a plan with dimensional requirements (showing distances). Troy - do we need a more detailed plan by a land surveyor or architect? John Fitch - they do not need an engineer's stamp - we can waive that but he can have an engineer, architect, or land surveyor do the drawing. Brad - motion to deny request of waiver of N. H. Surveyor Stamp (withdrew motion). Kelly - we are recommending you get a detailed Site Plan in order and come back with information to accept the application as complete. This allows you time to complete it. Give Mr. Coates a copy of Site Review Regulations. **Kelly made motion to deny Site Review Application as complete - amended with motion to continue to June 25, 2002 by Bill Tsiros, Troy 2<sup>nd</sup>, motion carried.** Mr. Coates - question test borings - do we need? Norm - you need ground water elevation and soil profile. Bill Tsiros - show the areas of use (storage, parking, addition, landscaping and that you meet setback requirements. Norm read Site Review Application Regs Article VI, Site Design & Development Criteria Section 6.01 -

A. nonsignificant

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|----|---------------------------|--|
| B. | 1. yes - need to complete | 8. yes - need to complete                            |
|    | 2. yes - " " "            | 9. yes - " " "                                       |
|    | 3. yes - " " "            | 10. yes - " " "                                      |
|    | 4. yes - " " "            | 11. yes - parking layout section 6.04 & 6.05         |
|    | 5. no - don't need to do  | 12. yes - need to complete                           |
|    | 6. yes - need to complete | 13. your choice (architect or professional engineer) |
|    | 7. yes - " " "            |  |

Troy - Section 6.03b - septic system - test or approve it is operational as it exists. Also, as in the Subdivision Regs. he needs approval by State DOT. Brad - there is a landscaping appendix at the end of the Zoning Ordinance - he needs to read this as it provides details for what you need on the plan. Norm - show location of test pit and existing leach field. Also need groundwater and soil profile information - someone who can evaluate septic systems. Give details of what exists on property and what is proposed, show dumpster location on plan and screen it. Kelly - screening of parking area - if it isn't done, it's O.K. - the building is existing. Troy - test hole for groundwater/water table & soil profile is separate from test boring tests. Norm - this will tell us if the system fails what will be needed for replacement system which may be required. Bill Tsiros - state approval plans - the man who owned this property originally died and it is not available.

- **Subdivision Review Application by Earth Tenders (Eva Christensen)** for owner Pike Industries, 3-lot subdivision at Rte. 11/Paulson Rd. (Tax Map R346, Lot 1 & R32, Lot 30-1 (lot line revision). Chairman Russell informed the board that Mrs. Christensen had telephoned the office to request this be continued. Chairman Russell said we will continue this to the next meeting scheduled June 25, 2002.
- **Site Review Application by Craig Lancey continuation** for 55 Bunker St. (Tax Map U10, Lot 37), to add (9) residential housing units to existing (1) unit residence. Craig presented new plans with changes. He has added lighting so noted on plan (on eaves at back of building) to address Jim Horgan's concern about lights for tenants coming in to building in the dark.. I have also reduced the overall building by 2 units (now 7 units). Parking is elongated in line with the 7 units. John Fitch - how is the existing building in line with what is required for square footage of units per the Zoning Ordinance. Craig said he has allowed 2 parking spaces per unit. Open space is designated (6,000 s.f.). One small building will be removed. Screening/vegetation will stay. There is a difference of 28 feet in the new building from the previous one which was 123.7 feet. Fencing is shown going to the old chicken barn to address Beauregard's concern. John Fitch - the metal building - what is it to be used for - Craig said equipment. Building one (1) is relocated. The Quonset hut will be used for my Bobcat used to do the plowing and maintenance. Norman - Craig cannot use this building to maintain other equipment for excavation, etc. (Bobcat, truck, pickup).

Craig said my truck will be going to a Milton site. I don't do maintenance - I don't have the expertise. Norm - do you have anything written that details the use of building one (1) and the Quonset hut. Norm - it has to be an accessory to the primary use - commercial residential use. I am not going to be servicing vehicles here. No business will be conducted out of the Quonset hut - it is for personal use. Norm - explained personal vehicles should in fact be done at your own property. Norm - we are trying to discern your intent of this building. Brad - if you sell this property, then what will be done with this building. Are you storing equipment here for all your other sites? It all doesn't seem to add up (size of building). I don't see how you can make this an accessory use - it's out of character. Craig - I may offer storage use to renters in this building because of clientele who are transitioning from one property to another. Marty Chagnon - what happens to vehicles stored if the building is used for storage? Craig - someone would have to give up a parking space for my Bobcat. Walter Ratcliffe - Mr. Lancey is building several other rental properties. I think his intent is to use this as a property management site as well as maintenance. Craig - the truck isn't even registered. Margaret Russell - what about sidewalks? Are they shown on the plan? Norm - in the impact study the sidewalk issue is addressed. Troy - who did the impact study? Norm - Craig did. The existing sidewalk is rudimentary. Craig questions the need for sidewalks as it does not extend from Bunker St. to Main St. (pictures provided). The portion of the sidewalk from the proposed complex to another sidewalk would be about 3%. Fewer people would use this. Norm - I see pedestrian safety an issue - there is an increase in traffic flow - will right-of-way accommodate a sidewalk. Craig - there is enough room as shown on the plan. Norm - do you have right-of-way width on Bunker St.? The town requirement is 5 feet for a sidewalk. John - from the pole out front - there is 10 feet. Discussion. Craig said surveying was done by Berry Surveying & Engineering. Craig would give a letter stating he would allow a sidewalk. Norm - the right-of-widths vary. Norm - concern about what actual right-of-way width is. Surveyor can determine this. Craig - this is not a 70-unit building, but a 7-unit building. To have a piece of sidewalk sitting there waiting for the town to get to is questionable. The police didn't say there was a traffic issue here. Norm - there were abutters here with traffic concerns. When is one car too many? Brad - I've given thought as the Planning Board being responsible for what happens to this town. The downtown area is the area for sidewalks to service the downtown area. Craig - the mobile home park is there and doesn't address sidewalks. Craig - there is a sidewalk program ongoing to install each year more sidewalks. Brad - yes, at the tax payers expense - it should be shared by the developer. Craig - I don't feel it is feasible here. Marty Chagnon - I travel roads with less traffic and see considerably more traffic. I would like to see something official on the traffic. Jane Wingate - asked how many bedrooms, kids, tax revenue to the town and Norm said this is addressed in Craig's impact study. Craig said 3.6 children will be added to the school system in classes K-12. Information is derived from the Office of State Planning. There will be up to three bedrooms per unit, but this doesn't specifically discern the number of kids. This is from the census studies (mean averages are taken which is 2.75 people per household with 5-17 year old school children being addressed in the study). This coincides with market studies I have done. This is an accumulation of studies and is reliable. These units will start out as 3 bedroom units for planning board purposes. If we have a need for the 3<sup>rd</sup> bedroom or additional living space that will be taken into consideration. The Employment Office statistics are also used. Norm - he's proposed seven 3-unit bedroom units (limit the number of people - a total of 21 or 3 people per dwelling unit). Margaret - wasn't the original plan 2 bedroom 9 units planned? Norm - he's committing to 21 persons maximum for this project. Marty - what if a woman gets pregnant? Craig - you can't lump me together with all the other landlords you don't like. John Fitch - there is no plan of the building construction itself. Norm said this was provided earlier. Does it meet the State requirement for each bedroom? He's willing to give us a letter of 5' for sidewalks. I think this is as far as we can go. Norm - the size of bedrooms has not changed - he's showing an additional bedroom in the basement. Would the water storage tanks cut into the 3<sup>rd</sup> bedrooms? Would this take away from the number of bedrooms per unit? Entry to the water storage tanks is an outside door. A 3<sup>rd</sup> bedroom or additional living space will be off the back. We will have to go for an additional building permit for this if we do it. We have a history of long-term tenants (not apartment hoppers). Norm - is it possible to get 3 bedrooms of sufficient size? There is 400 s.f. per level - including 400 s.f. in the basement. Margaret - what about trash? Norm - it is shown

on the plan and will be fenced. Jane Wingate - can you guarantee 3.6 children in this building? Norm & John Fitch - we can't discriminate - this is based on water pressure and Dale Sprague feels the system will work with guidelines. Everything is included in the impact study. John Fitch - said Craig must go by the N.H. Rental Board regulations and Craig said I would have to relocate tenants at my expense if I do not follow their rules. Snow load was discussed. Walter Ratcliffe - office should be in the basement of building. This would solve liability issue as he would have control over it. Margaret - what about Quonset hut being used for storage - people might steal things, this is ridiculous. Norm - we want to be comfortable on the use of these buildings. It has to be an accessory use to the main building. I would like the sidewalk shown on plan. Kelly - my gut feeling is an easement should be required. Troy - I think a sidewalk going no where is crazy. Norm - Subdivision Regs say if there is insufficient right-of-way he has to give enough land to show it will fit here. Walter Ratcliffe made a good suggestion of office space in the basement. We need assurances that this is an accessory to the building. Show dotted line for recreation area of 6,000 s.f. on the plan. Troy - lights being shown at doors. Fence dumpster - show on plan. John Fitch - check with PSNH on light requirements - they will help with what is needed. They have people who design these things. Craig will call PSNH and consult with his electrician on this also (this should be subject to CEO, Paul Charron for adequate lighting and that the parking area will be adequately lit for safety and occupancy certificate). The number of occupants per unit - 3 occupants or 2 per bedroom (total of 21 occupants for the building). We will continue you to June 25, 2002. Brad - accessory building is a credibility issue - what about use in the future? Craig - one of my considerations is to add back one (1) rental unit for a rental or office space. If this is that much of a concern I'll add back one 3 bedroom unit. If you clarify what buildings are to be used for - state use and it must be an accessory to the primary use. John - if he's going to change the plan, we'll rehash it. Norm - if you add another unit there are more cars. Norm - the planning board will continue to June 25, 2002. John - plans should be received in the CEO office sooner for review. Margaret - read By-laws - one meeting should be used for planning and one for workshop session. Discussion on making a better process.

- **Earth Removal Regulations** - Kelly made motion to continue the final draft for Earth Removal Regulations to the June 25, 2002 planning board meeting, Brad 2<sup>nd</sup> - motion carried.
- John Fitch made motion to adjourn at 10:30 p.m., Brad 2<sup>nd</sup> - all in favor - motion carried. A taped transcript is available in the Code Enforcement office. Minutes recorded by Fran Osborne.

**APPROVED**

Norman Russell, Chairman  
 Planning Board  
 Town of Farmington