

**PLANNING BOARD MEETING  
TUESDAY, JULY 9, 2002  
37 NORTH MAIN STREET**

**Members Present:** Norman Russell, Kelly Parlman, Christine Purdum, Hiram Watson, Brad Anderson, Jim Horgan, Troy Robidas, Marty Chagnon  
**Selectmen's Rep:** John Fitch  
**Staff Present:** Paul Charron and Fran Osborne  
**Public Present:** Packy Campbell, Don Rhodes (Norway Plains Surveying), Joyce & Gary White, Tony Alcorn, Richard Maloon, Pal Cardinal, Robert Place & Catherine Place, Jane & John Wingate, Margaret Russell, J. Spaulding, Eva Christensen, 500 Boys & Girls Club

- Chairman Russell called meeting to order at 7:00 p.m. and seated Brad Anderson as regular member. He will remove himself from Eva Christensen hearing per John Fitch request. Minutes of June 25, 2002 were reviewed. Hiram made motion to accept minutes amended as follows, Kelly 2<sup>nd</sup> - all in agreement - motion carried.
  - Page 3 - 9<sup>th</sup> line from bottom - Maybe we need to **utilize subcommittees** to start doing some planning
  - Page 3 - 4<sup>th</sup> line from top - are we going to **burden** the developer to insure that it is done right.
  - Page 5 - 16<sup>th</sup> line from bottom - Even **though** there are some growth control ordinances in existence
  - Page 6 - 9<sup>th</sup> line from bottom - individuals who are going to be **burdened** by this.
  - Page 7 - 1<sup>st</sup> line at top - **Norm said** Bill mentioned it would be more practical to possibly
  
- Chairman Russell introduced Jim Hicks and Darren Mochrie of RKG Associates, Inc. in Durham. They are here to make a presentation of the "Fiscal Impact Analysis of a Proposed 60 unit Residential Development in Farmington. This is a revised draft and is presented for review by the board and others concerned. Packy asked if the board was voting to accept this. Chairman Russell explained this was a presentation of a draft only, not a vote. Expenditures that revised this draft were explained. Jim explained the process of gathering statistics and figures (methodology, population, building permits, school budget, site analysis and sensitivity analysis). He stressed most residential developments have a negative impact. Being Farmington is a "receiver community" the figures tend to balance out. Homes will be single-story ranch homes \$140-\$160,000. Three realtors were used (Hourihane & Cormier, Re-Max in Barrington & R-W Real Estate here in Farmington) and they felt our product for entry-level homes, was in the ball park (\$150,000) of the figure we came up with - these would be homes for 1<sup>st</sup> time buyers or empty nesters. Obviously you can do further sensitivity analysis - a little lower or higher but it gives us a range we are talking about. In the next decade Farmington is at the cutting edge of the housing development market. It is lower than the rest of Strafford County. Jim said we have tried to be conservative in our per capita multiplier - interviewing project Dept. heads, operating costs, impact - long term costs and revenues related to it. We overestimate expenses and underestimate revenues. The technique is based on everything coming on line at once. Expenditures you pay as tax payers are going to be county. We don't count State money used for education purposes - is not part of local costs. Local taxes are used for compilation - not County or State. The fiscal impact study shows the financial cost to the town if this proposed development goes on line today. Jim Spaulding 2.5 people per unit question. Chairman asked him to hold this question. Population trends and growth - possibly understated by the Census. We tried to look at factors which indicated about a 6,000 people figure. Records show a shift from mobile homes to stick-built homes. A lot of people are moving to northern Strafford County as it is more affordable than the southern part of the state. Municipal expenditure shows a slight increase over a period of 5-6 years as well as schools. School enrollment has stayed stable during that time but State funding for education has kicked in for Farmington. We are spending approximately \$6,000 per student for education. There are 3 elements to education revenues - (1) local property tax (2) amount of state property tax - because we are a receiver town we keep that money; (3) grant from the state donor costs 40-45% local contribution and donor towns in the state. We sat down with Town Administrator and in 2001 there were changes which are reflected in this revision. Municipal revenues come from local property taxes, car registrations, dog tags, fines, selling of tags, plates, fees and this shows a lot of revenue - \$2,000,000

increase in non-tax revenue since 1997. About 85% of the tax base is residential land and buildings, so the point is, the largest contributor of residential use also tends to have cost side thus why residential developments come out negative. We looked at some site development impacts. We looked at residential increase based on Census data that looks at communities in this case northern N.E., we also looked at school-age children (not all children) the cost element in cost education purposes. We used the figure of .739 students per household. What you find is statistically more expensive housing shows less kids. This is a realistic method used. Looking at these impacts we projected revenue to the town of \$175,000; municipal school expenditures \$225,000 this comes down to a negative of \$900 more in expenditures than income. I don't know of anybody who has been able to reject a development based on negative fiscal impact. We come up with a ball park figure of negative \$822.00 or round off to \$900. Variables are adjusted with 3 alternatives (1) 1,000 s. f., 3-BR homes (24 kids); (2) sale price increase to \$165,000; (3) increase in tax rate to \$28.00 per thousand of assessed valuation. If you cut the number of children down, the analysis will actually end up positive (around \$300). For all practical purposes, essentially it is break even. Increase in tax rate shows a negative of \$70.00. Additional school-age children increases the negative. Special Ed costs with the School Dept. - we couldn't come up with anything here. The school has the ability to basically handle these kids at each grade level, but the difficulty is the unexpected, when they have special out of district needs for greater disabled kids - this is when the figure becomes distorted and we are not comfortable giving you a figure on this. The School Dept. has budgeted each year based on the year before hoping the situation doesn't get worse. The chairman explained we will not allow questions that cause an argument to go on from the public. Walter Ratcliff asked impact on sewer treatment plant. Jim said he talked with Dale Sprague who indicated this 60-unit development could be handled as the system capacity presently exists. Municipal water & sewer is done in steps - storage capacity can be expanded in 20, 30, or 40% stages - proportional capital costs at some date may be necessary. Jim gave examples with roads. He recommended putting an impact fee system in place. Jim Spaulding - this development with Farmington Ridge - will the sewer be able to handle this with this 60-unit also coming on line? Chairman - they have already checked with the Water & Sewer Dept. and they say they can accommodate this development as well. Jim Hicks - people have rights to develop their property - we should start thinking of ways to deal with this and consider impact fees being put in. Bernie Nason - did you ask Mr. Sprague - if industry comes in tomorrow, would we use up capacity and turn down a wanted industry? Darren - that's a very valid concern. Mr. Sprague indicated there was enough capacity right now but we didn't get much input about what's coming down the road. We don't know and don't think Mr. Sprague knows either. We should look into facilities planning. Under state statutes and court decisions, you can't turn to just one land user - he has a right to develop his land. Brad - I don't think we're trying to stop the developer at all - that isn't the tone of this at all - it's more about what information do we need to evaluate the impact of this development. Jim Hicks apologized. Bob Place - roadway impact analysis - we were not asked about road impact for this project. I talked with Clark Hackett but it did not necessarily come into the analysis. DOT will be reviewing roads. Packy Campbell - there is a \$1,000 each water & sewer impact fee on new units. This development will contribute \$120,000 to a water & sewer fund that is going to sit in an account and earn interest until needed. About 1000 + 60 homes will now be on town water & sewer. Jane Wingate - questioned formula for starter homes and young families pricier with fewer kids is confusing. History shows Farmington attracts larger families so it's a mystery to me how can you go from 47 to 24 kids in one draft to the next draft? Special Ed kids - 27% needs to be figured in to sensitivity figure - that's whopping. What about pre-schoolers coming into these starter homes - what happens to them? Why isn't this in the sensitivity figures - it shouldn't be ignored? Jim Hicks - that's one of the variables we changed - because we look at range of possibilities, this is one we chose to change. Regarding Special Ed - the past is the future - what we saw and got from the School Dept. is they have capacity - what they don't know is outside costs of sending a student outside the regular school system (out of district). Kelly - school costs for Special Ed is included with the exception of outside of district - extraordinary costs which are unknown. Jim explained the school figure includes what you have right now for costs of Special Ed - the average cost per pupil

except those out of district. Kathy Place - in your sensitivity why didn't you include the expansion of home costs. You also asked about increase in children. Jim Hicks said we may do a range in the final analysis. Karen Place - if the price of a house is lower, this would decrease and cause more of a negative. Realistically housing prices are going higher and higher. Jim Hicks - we looked at comparisons to come up with our figures and we do real estate market consulting every month and they let us know what was doable. Jim Spaulding - kids figures are low and can the town afford more kids - 60 homes with 2 kids per household would mean 120 more kids and can our school system afford this? Chairman - I don't really think that needs comment. Bernie Nason - DOT will look at the roads - what about sidewalks? Chairman - it is addressed in here but I also have questions on that. I'm an abutter and they will go through my back yard. Packy Campbell - this is a good report at \$642 a page - its excellent. There are 238 homes with 50 kids increase in the schools - that is a fact in the last 5 years - will my project of 60 units create far fewer kids. In Farmington you need to look at the way you look at ratios in households and number of kids generated. Chairman - I don't think this needs comment either. Norm - why did you say 2' sidewalk? Jim Hicks - we got different input and once we have clear instructions and guidance we can calculate this. We will give you the width. Kelly - when you did your sensitivity on the \$28.00 tax figure, is it comparable - that's a \$7.00 increase. Troy Robidas - 85% of revenue for school kids comes from property taxpayers. More business would reduce the burden on tax payers. As a donor town if the state didn't pay, you'd be paying a lot more. Troy - Farmington set the money aside that was received for the school system. We didn't deal with how you dealt with it (grants, tax dollars, State tax per capita). John Fitch addressed Packy Campbell regarding impact fee - we don't have an impact fee at this time - it is \$1,000 each water and sewer. Hiram - asked about Special Ed kids cost. Jim Hicks explained nobody could give us figures to use statistically. It is expensive. We can put the figure in as it exists. **We can increase sensitivity using pre-school and school age students, homes, 5' sidewalks, Special Ed costs (recent costs out-of-town, increase the number of students).** Hiram discussed revenues of \$175,000 based on this year's tax rate a year received on this project and non-tax revenues. The water & sewer is not general fees - it is designated enterprise funds. Brad - sensitivity - the figure of \$165,00 for homes is reasonable - possibly even \$170,000. We used general funds only, not enterprise funds. Norm - Mrs. Place asked if interest rates go up tomorrow, prices of houses go down. Brad - concerned about targeting (empty nesters, young couples). Their sensitivity analysis included if you sold to older couples, how would that affect the impact. Population figures were also discussed as to how many people were in the community. Chairman interrupted and stated we need to go to public hearing. Chairman discussed with the board that the CEO is sitting with us at PB meetings - is there a problem with that? Jim Horgan - he's right where he should be. Kelly - yes, it's helpful to have access to him particularly a night like this when there's lots of people here. Paul - they might think I'm part of the Planning Board or part of the planning process and I'm not. It's easier to have me be up here but it could give wrong signals to the deliberations. Packy - he's charged with making interpretations of the Zoning Ordinance and other regulations. Brad - CEO is here to provide technical assistance to the board. John Fitch - he's on the payroll - make him sit here with us. Chairman - I don't have any strong feelings so he can sit here. Public hearing started at 8:10 p.m.

- **Subdivision Review Application by Wiliam & Joyce King (Tax Map R25, Lot 5),** to subdivide 1 lot from approximately 160-acre lot, 391 Meaderboro Rd. Dave Berry of Berry Surveying & Engineering is here to make presentation. Hiram is off the board and Christina Purdum is seated for this portion. Mr. Berry explained there was restrictive frontage with a great deal of backland. He is subdividing 3 acres off the whole portion. This has a rather natural configuration having 3 natural stone walls on 3 sides. It has been perc tested and test holes done successfully. The Subdivision request has been sent to the State DES. The land subdivided shows good terrain with good logical places for a well. This piece of land will be received by his daughter and son-in-law Jason Ramsey. Chairman Russell asked if application were complete. This plan could leave several lots without road frontage and do we want to consider this as a minor subdivision. I feel it would be prudent to do this. Kelly made motion to accept as complete, Jim Horgan 2<sup>nd</sup> - all in favor except Brad Anderson who abstained. We would like a note on the plan that if

further subdivision is considered it would be considered a major subdivision. Mr. Berry explained it is more of a family situation than any further subdivision. Any further development would have to come before the PB. Jim - 2 lots is a minor subdivision with no potential for re-subdivision. Mr. Berry stated there is no intent by Mr. King to do further subdivision. Chairman explained to John Fitch if they do anything else it is a major subdivision. Kelly - asked about remaining frontage - Dave Berry said almost 300'. Frontage on the 3-acre lot is 600'. Chairman explained if it were to be further subdivided it would have to come before the PB. Nelson Hutchins an abutter has no objections and Mr. Berry showed him where his land was in relation to the subdivided lot. Brad - board members who have recused themselves have spoken to applications. Hiram Watson - just a comment - do you need to put major subdivision note on there anyway? Chairman - he could leave an easement and still divide off another lot (he has 250' frontage + 50' easement on Meaderboro Rd. to back land). He has potential for further re-subdivision. No other discussion from public. **Jim Horgan made a motion to accept the subdivision pending State Subdivision approval; NOTE: show 40,000 s. f. of contiguous uplands.** Also add "NOTE: Any future subdivisions will be considered major subdivisions and must come back before the PB for any alterations to be approved." All in favor except Brad who abstained, Kelly 2<sup>nd</sup> - all in favor - motion carried. Discussion followed on major subdivisions. Norm - on the remaining parcel, the stream and wetlands are not shown on the remaining parcel left - on this parcel to the backland, can access be made without impacting wetlands. Dave Berry - I can't tell you that. Chairman - we wouldn't be very responsible if we approved filling wetlands - if we grant maybe shifting lot lines for subdivision rather than filling wetlands, this would help. Dave Berry - according to contours the flow should not be affected so you wouldn't broaden any wetlands. Kelly - we need to see 40,000 s. f. of contiguous uplands on plan (Dave Berry said there are no wetlands on the lot to be subdivided). Add to the approval motion.

- **Subdivision Review Application by Eva Christensen (Earth Tenders) for owner Pike Industries (Tax Map R36, Lot 1 & Tax Map R32, Lot 30-1), Paulson Rd./Rte.11** - Brad excused himself from the board. Christina Purdum asked not to be seated as she was not familiar with this application. Marty Chagnon is seated for Brad. Hiram is back on. Chairman asked board members if they had reviewed application and Kelly made motion to accept application as complete, Hiram 2<sup>nd</sup>, no opposition, discussion. Eva said one piece of property is proposed to be 3 different lots, (1) The 500 Boys & Girls Clubs of Farmington for recreation ball fields, (2) Eva Christensen will operate "Earthtenders" composting facility, (3) Moose Mtn. Regional Greenways will create a buffer in the form of a permanent conservation easement on their portion of the property. Moose Mtn. Regional Greenways will be purchasing property and Eva Christensen will be buying her lot direct from Moose Mtn. Chairman Russell and Kelly both said she represented the project well in her narrative and it is pretty much as she said. Eva read narrative. John Fitch asked it to be read for the public benefit (attached). No public discussion - closed public portion. John Fitch said it is a wonderful thing and an asset to the town. John Fitch made motion to accept subdivision as submitted, Kelly 2<sup>nd</sup>, all in favor - motion carried. No discussion. Chairman said it appears to meet the requirements. Chairman signed mylar and Bob Talon was asked to provide 3 copies for CEO.
- **Cluster Subdivision Review Application by RSA Development, LLC for Elm St./Dick Dame Lane (Tax Map R34, Lot 1-8 & U9, Lots 18 & 19)** to create 60 units on one lot. Marty Chagnon excused himself from the board. Brad Anderson is seated for Marty. Christina is not seated as a regular member. Chairman stated the last time he talked with Packy he was on to the Special Use aspects of this application - that's what he wanted to discuss tonight. Packy - I believe I can get a Special Use Permit and have discussed this with the CEO and I believe I can proceed for this but need a variance in the process and these are in motion at the same time. My engineer Don Rhodes is here to explain drainage, crossings, details, etc. - we have plans showing all items requested and the Special Use Permit addressing criteria is on file and has been for some time. Discussion followed. Packy presented the Preliminary Checklist for Subdivision as complete and I'm coming in that hat. Chairman asked about Preliminary Application and that we would take our time to review - Packy said I do not have a preliminary application for the record. I have given you

more information in line with cluster subdivision requirements that models your specific requests to give you all the information in the regular subdivision regulations. I also can present the Special Use Permit. John Fitch - on your original application did you put cluster application - Chairman said originally - but now they are giving us new information. The application was for the cluster subdivision. Chairman said, yes it was. Kelly said we were receiving all necessary information to process his completed application. John - I don't care what the board does, is it complete. Packy - the board has not voted to accept my application as complete. I'm coming forward with a cluster subdivision application - the board has wanted more information. I think I've answered all the criteria under the cluster subdivision and that alone is enough information for a vote and I've provided more information that the board has authority for asking additional information, per Article 6 of the Cluster Subdivision Regulations. You asked for an impact statement - this is a continued hearing and I am trying to get my application being received as complete. Chairman - In order to have your application received as complete you were required to provide the data 15 days prior to this public hearing and I have yet to see any plan that shows proposed and finished contours which is part of the Cluster Subdivision Regs. Chairman - I want to make clear that you are saying you have a completed application to give us. Don Rhodes - we have detailed information you are requiring for approval of this application according to your regulations. I realize you need time to look at all information and review it. Chairman - if all information is here, we will have the public hearing for final application. Don Rhodes - we hoped you would vote on the completeness of the material provided. We understand you will not be voting tonight. We have addressed all issues. Chairman - we did express some dissatisfaction with the impact statement and we know that RKG was hired to address it. Have you addressed issues not fiscally related - the other impact statements that were made at the Firehouse. Don Rhodes - we have update to the traffic study and copies, detailed drainage report and analysis submitted. Packy - by the cluster regs - you should have all information requested in this review process referencing RSA 676:4. By the Cluster Subdivision Regs and requested information on checklist, I would expect in 2 weeks a continuance and a vote on a completed application. Brad - brought up Packy's comment on a conflict of interest with him. Packy - Brad and I have had several conversations on this project prior to this coming to the PB and I have issues in Brad's performance in relation to his being Chairman on the Conservation Commission and on the Planning Board. I'm not complaining about Brad. I think he has a positive view of this cluster subdivision which I want abutters to know. I feel Brad has played a significant role in some of the delays I've experience because he has overstepped his authority in trying to define the ordinance, specifically the issue we were just talking about - about where I am at in the application process and defining the interpretation of the Zoning Ordinance. When he 1<sup>st</sup> was appointed to the PB he asked if I thought he should sit on my project and I said I would leave it up to him. We do other things together and I don't want it perceived I'm trying to solicit his vote. Chairman - you don't have a concern with Brad but the public may. Packy - that's part of it. Chairman - we have a specific rule on conflict. Brad - I either have a conflict of interest which requires me to excuse myself from the board or if I think there may be a potential conflict of interest I may put it to a board vote. I do not think I have any conflict of interest whatsoever. Chairman - Brad asked Packy if he had a conflict and he didn't. Discussion. Jim Horgan made motion and Troy Robidas 2<sup>nd</sup> to retain Mr. Anderson on the Planning Board, all in favor but John Fitch. Brad stays on the board. Packy - for the record, Brad hasn't made up his mind on this project. Bernie Nason - will there be another public hearing? Chairman said yes, this will likely be continued. Don Rhodes presented 18 pages of new plans. Sheet 1 - shows location - title sheet what's included; Sheet 2 - overview boundary of 44 acres; Sheet 3 - topo of development as it exists; Sheet 4 - cluster subdivision open space, 60 lots represent only about 1/3 of the total property with remaining as permanent open space (perimeter); Sheet 5 - individual information on 60 lots; Sheet 6 - survey plot plan - typically recorded at registry; Sheet 7 & 8 - proposed road, drainage system, grading, contours, retention pond (3) - minor adjustments in lots to better accommodate detention ponds. We have tried to get one detention pond as far down the hill as possible (there are 3 in all), 2 lot adjustments are affected; Sheets 9 & 10 show profile and cross section of subdivision road, 900' coming off Elm St. and 5' sidewalk around loop and closed storm drain system; Sheets 11 & 12 - utility plans for

storm drains system, utility system, sewer manholes, hydrant locations, pump station location moved further away from Kicking Horse Brook; Sheets 13 & 14 - details on Elm St. intersection (one for DOT to be revised and submitted), Sheet 14 - details of crossing, culverts, etc; Sheet 15 - 18 - shows miscellaneous curbing and other necessary things for contractor to complete. We believe we have provided all requested information. Sheet 4 also shows the wetland area, details of upland areas for the 47.63 acres are included (34 acres of upland and 13.34 acres of wetland), and 1/2 acre per unit x 60 units and existing house. Your regulations require 25% open space for a cluster subdivision and this plan provides 67.6% designated open space. There are no minimum lot dimensions in a cluster subdivision, there is a 50' requirement for a perimeter buffer which has been provided. No further subdivisions will be done (so noted on plan), soil types (so noted on plan), water overlay protection district (so noted on plan), it was noted that the location of existing & proposed easements, deed restrictions, building setback lines, open space, water courses, utilities, etc. now included as part of the plan set - proposed telephone and other utilities NOTE: will be located per feedback from utility companies, condition of land suitability for development (statement in drainage report) and street design to meet minimum standards (statement in drainage study). Statement of contours in sufficient detail to indicate clearly method of storm water drainage, sewage disposal and water supply (presented in drainage report or plan - existing elevations, particularly Elm St. culvert). State approvals are not received at this point but have been filed for processing and approval will be conditional on receipt of these approvals. Don Rhodes presented 4 copies of the drainage and traffic reports to the board. Chairman - we are going to be continuing this hearing. James Spaulding - regarding questions on proposal from the ZBA on Variance not received - is it proper to act to accept the application as complete without the variance accepted. Chairman explained we would not be acting on this project tonight as we have just received a lot of information to review before we can act on it. If we find it complete we may accept it as complete or we may find it inaccurate and may have to make those notations. Bernie Nason - wetlands have changed since they started to do a lot of this work, beavers have put in dam - what used to be dry areas are now wetlands - I don't think the Wetlands Bureau is aware of this? The Kicking Horse at a point a slight difference above where the proposed bridge is to go in is now overflowing by a foot of water out to the area where the big knoll is. The CC said they would address that. What about keeping beavers out? The town has had a problem with the beavers before. Some of the areas where houses are towards the lower end, water is closer there - what is amount of acreage available - there is probably 2 acres of wetlands there that wasn't there 2 months ago. Water table is higher, could affect the aquifer, and the town well is down in that area and should be a concern of the PB. Don Rhodes - the beaver dam has raised the water level and our position is that the beaver dam cannot stay there and we'll deal with it through the appropriate sources (this is at the end of Kicking Horse Brook). There is no effect on anything designed so far - it would affect the proposed recreation playing field. Paul Charron - the Wetlands Bureau did get in touch with Ed Mullen and myself and we walked this property twice in the past week (the Dick Dame) and didn't see any flooding. Don Rhodes - it's very wet out there. Karen Place - what about the updated traffic study, is it here? Don Rhodes - it has been turned in (an updated version) - they did an actual count. Bernie Nason - every time I come here they are not prepared. We don't know how they are going to address the beavers - they don't have a plan. Packy - we are going to call Fish & Game. Mr. Nason - the bridge is an issue, they are saying this water doesn't affect that culvert - right now it doesn't but the water is running around and into where the culvert is going in - that floods. They moved the pumping station to an area where if the water goes around this beaver dam that's all going to be affected even more so than before. Our quality of life has changed and we have rights too. They knew when they came in to build this it would affect our properties. What about sidewalks? I don't think this project should be considered - it should be tabled until they have all the answers. Chairman - this is the idea of meetings, to get information and communicate it and its arduous and the issues you have brought up are yet to be discussed. Discussion. We are looking to do it thoroughly and right. Chairman - Packy has the motivation to bring this along quickly. We want to do what's right and this is not fun. Mr. Gullison - 3 detention basins are in the open - Don Rhodes explained there will be a maximum of 2' of water which will drain out and it is not proposed to fence these detention basins. Bob Place - the fiscal impact by RKG? Chairman explained what has been

presented is only the fiscal impact. There are other impacts that have to be addressed which will be reviewed by the PB and it is not complete as it is in draft form now. We will accept when the calculations are complete - hopefully soon. There will be people who have issues with it because of its highly subjective nature. RKG is a professional firm. No further public discussion. **John Fitch made a motion to continue this hearing to July 23, 2002, Kelly 2<sup>nd</sup>, all in favor, motion carried.** Chairman mentioned a **Site Walk ZBA July 10, 2002** - Chairman stated there would be a site walk by the ZBA tomorrow night at 7:00 at the Packy Campbell project site and the Planning Board members could also meet at the site as the Planning Board. Packy - we will meet across the bridge at the inlet on Elm St., there is plenty of parking. The public is also welcome. **Kelly made a motion for the PB to participate in this site walk July 10, 2002 at 7:00 p.m. at the Packy Campbell project, off Elm St., Brad 2<sup>nd</sup>, all in favor - motion carried.** John Fitch asked about the pumping station for sewer and if it would have auxiliary power. Don Rhodes - yes it would. Brad Anderson asked to show existing 50' boundary buffer around the Class 2 wetlands. Don Rhodes said they are shown. Norm - if it's on the National Inventory it makes it a Class 2 wetlands (sheet 4 - Note: Waterfront Overlay District correction). Paul Charron - in the Zoning Ordinance it does say that the Conservation Commission may designate a 50' buffer zone around a Class I or II. Is that to be interpreted that there already is a 50' buffer? Someone would have to designate - the CC may designate a buffer zone, either 100' for Class I or 50' for Class II. Maybe that word isn't supposed to be in there. Brad - historically what we've been doing - if an applicant wanted relief from the 50' buffer he would come before the CC. Paul Charron - that's not what the Zoning Ordinance says. The Zoning Ordinance says someone has to designate it - it says the Commission which I would say would be the CC and unless the CC has indicated somehow that there is indeed a 50' buffer around a Class II wetlands on this property, then the applicant can assume that there are no buffers. Brad - nobody has asked us if there is a 50' buffer or not around that wetland. Chairman - I think the line on those designated as Class II - if the PB wishes more information on this, they can ask for it. Don Rhodes - we can show it, but the point is the zoning doesn't say there is a buffer. It says if the Conservation Commission hasn't designated a 50' buffer, then it is the property owner's option. Brad - I don't know what the answer to this issue is - you can show the buffer on there - that is a question for later I suppose. If the PB needs more information, we can request it. It hasn't been designated. Brad - I would recommend the applicant show the buffer. Packy - the CC hasn't asked us before for this. John Fitch - I would like to ask the CC to make recommendation/ruling on this. Should we establish this. Brad - rather than creating a roadblock. Paul Charron - the point is Brad if it says "may" you can't say that's a roadblock, you can't say it's incomplete. As a board we don't know - that's an issue that can be decided by the Conservation Commission and changed or revised by the applicant, but at this point there is nothing that I know that has been determined as being complete. We're talking about a completed application in Special Districts. Brad - maybe just show it as a possible wetlands buffer to make the plan complete. Chairman - show location of houses on plan. I don't see a problem with showing a 50' setback on the plan. Paul Charron - but that is in addition to being complete. We're talking about a completed application. Discussion by chairman regarding what detention ponds are for - Packy they are to reduce the rate of runoff on site and provide treatment of storm water - state says we can't increase the rate of water runoff. Will it treat water other than off the road? Don Rhodes - yes, some water off some lots. Chairman - they are intended and designed to do that. The reason - because you are asking for a Special Use Permit as it relates to a variance for construction of a road and some of these detention ponds are located within 50' of wetlands or the Kicking Horse Brook? Page 7 - is this within 50' of the Kicking Horse? Don Rhodes - it's very close, about 50'. Discussion on need for variance within 50'. Paul Charron - explained setbacks for UR and SR zoning districts - the plan shows a 100' buffer for the Kicking Horse - there should be a 50' buffer in the UR zone - it changes at the outer boundary of the Kicking Horse Brook. The Dames Brook also has a 50' buffer at the confluence with the Kicking Horse Brook. Discussion followed. Kelly asked if a Special Use Permit was on file as it will be needed for next meeting. Paul Charron - yes it is on file.

- Because meetings have been addressed to be over at 10:00 p. m. **John Fitch made motion a to adjourn, Kelly second, all in favor - motion carried.** Minutes recorded by Fran Osborne. Taped transcript available in Code Enforcement Office.

**APPROVED**

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Norman Russell, Chairman  
Planning Board  
Town of Farmington

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Date