

**PLANNING BOARD MEETING  
TUESDAY, NOVEMBER 12, 2002  
37 North Main Street**

**Members Present:** Norman Russell, Brad Anderson, Hiram Watson, Gerald White, Charlie King, Jim Horgan, Marty Chagnon (Troy Robidas called in absent)

**Selectmen's Rep:** John Fitch

**Staff Present:** Paul Charron, Fran Osborne

**Public Present:** John Huckins, Uel Gardner, Paul Parker & Margaret Russell (ZBA), Robert & Cathy Place, Barry Elliott, David DeJager, Michael DelSesto, Denise Roy Palmer (WEDCO), Nate Fogg (Land Tech), Fred Maher, Chuck & Frances Brown, Mel Paulin, John & Jane Wingate, Heidi McGuigan, Ray Hamel, Sue Hamel, Kelly Parliman, Joyce White

- Chairman Russell called the meeting to order at 7:00 p. m. and introduced the board to the public. Marty was seated for Troy Robidas, Brad Anderson for Kelly's vacant seat and Gerry White as regular seated member. Both Gerry White and Charlie King were introduced as new alternate board members. Chairman explained minutes of 10/8/02 which were amended by Fran to include Attorney Jim Shannon's remark on the October 22, 2002 minutes which were read, Jim made motion to approve minutes of 10/8/02 as amended, Brad 2<sup>nd</sup>, all in agreement - motion carried. Minutes of 10/22/02 were reviewed. Brad and John Fitch abstained from voting. Hiram made motion to accept as presented, Jim 2<sup>nd</sup>, motion carried.
- Chairman Russell stated he wanted to recognize and present former board member Kelly Parliman with a plaque and letter of recognition from both the PB and ZBA chairmen who were both present. Letter was read and plaque was given to Kelly which Fran had made by Tut's in Rochester.
- Chairman said next item on agenda was "Review of Cluster Development Regulations." John Fitch - there is still 1/2 acre requirement. Norm Russell - area is not specified in any way, shape or form. This is one of the many shortcomings of this document. The Cluster Regulations are intended to preserve open space and allow more compact residential use than is allowed. Brad suggested we repeal the Cluster Regs and this did not receive favorable vote. Brad - the motivation of my motion the present regs do not address. The present applicant has found them inadequate and made the process more difficult. It could cause just the opposite. It is complicated to write. We're bound to get sued eventually for not having an ordinance suitable. There's no "open space" definition, no natural or geographic features. Hiram - at least the one we have is something. Brad - we should avoid sprawl by making a new ordinance. This will ultimately cost the town. John - could we get a copy of other town's cluster ordinances. Norm - we need to tailor to Farmington. A guide was given to Hiram and Jim. A procedure was outlined in this. There are compelling reasons to vote for cluster ordinance. Brad - wetlands are included in the density requirements. Discussion on wetlands being included in density calculations. Norm - in theory 80 units could be put in. We need a better regulation. Brad - it's not fair to applicants and to us. John - if they meet all the criteria, then they can build, right? Norm - hopefully we will have a planner to help us. Hiram - can we tell them what size (minimum lot size). Norm - maximum lot size. Hiram - what about house size? Norm - after we study the proposal, we can recommend. Jim Horgan - I will give you a new regulation in a couple of weeks to start a revised Cluster Development Regulation. At that point you can decide what you want to do. Motion by Brad, 2<sup>nd</sup> by John to . Brad - whatever you can do is welcome, but we need to avoid getting bogged down. Marty - is Jim suggesting waiting 2 weeks to see what he comes up with? Norm - I'm sure he will bring something to the table. Discussion. Brad - I don't think anyone on this table in 2 weeks can come back with something we can post for the public hearing. John Huckins - the PB could use discretion and say it was not suitable for cluster development in the meantime. Brad - what if I meet regulation requirements? All in favor to rescind Cluster Development Regulations until a new Cluster Development Regulation is completed, Hiram abstained, Jim voted no - motion carried.

- Marty Chagnon asked about papers he was served by the sheriff on the ZBA/PB suit. Discussion followed. It was decided not to discuss this at this time. Marty said he was not present on the PB and should not have been served. John - table to later.

### **Public Hearing 7:40 p. m.**

- **Subdivision Review Application continuation by David DeJager d/b/a/ D. J. Trust** for 6-lot subdivision on Garfield St. (Tax Map U6, Lot 62). David DeMott is representing Mr. DeJager. He presented new plans with areas highlighted for open space and tree protection area. Changes on lot lines have been shifted to be more perpendicular to the street, proposed water and sewer lines are shown, driveways, abutter lines are also shown better. One issue was to protect the hillside and trees as well as open space. These are shown with 290' contour line so existing trees would be protected (49% being protected against future development - note #6). Note #7 is open space designation. Marty Chagnon asked is open space was open to individual lot owners. Brad - yes. Dave DeMott - legend at bottom was asked for at last meeting - this is there with symbols to explain areas. John Fitch - are you going to excavate gravel out of there? Dave DeMott - on the 2<sup>nd</sup> page the topography and contour - grading for home sites will be done. Not much excavation is expected, just grading. John Fitch - we don't want our town stripped out of gravel. Dave DeMott - the client will protect the hillside existing. Lot development is outside this boundary. Chairman Russell opened to the public. Abutters - Barry Elliott is not necessarily against open area near my property but some trees are diseased and need to be taken down. Once you establish these protection zones you've created a problem because it's a protected zone. Dave Mott - if the PB accepts this plan, I'm sure the owner can work out easement language for this project. Barry Elliott - what about someone wanting a small piece of land (abutters)? I think you are setting up for some problems. Some trees may need to be cleaned out. Dave Mott - we have gone beyond the 15% requirement for open space requirement. Heidi McGuigan of Gray Ave. asked what is the goal and request of the applicant - lots or homes on these subdivided areas. Chairman Russell - they didn't commit to this. Dave Mott - Mr. DeJager is going to let the market drive what will be here. There are 6 lots here. The barn with its own lot and house with its own lot will be retained, the rest will be for sale (4 lots) with individual driveways. There are For Sale signs on the lot - how can that be? Chris Jacobs - a realtor can advertise as long as it is a non-binding agreement contingent on subdivision approval. Public portion closed. Chairman opened up to board comments - John Fitch - what kind of homes? This issue has not been decided. John asked about sidewalk. Dave Mott - no discussion on this. John would like to see sidewalk continued. Brad - how is sidewalk to continue? Topography is a concern (cutting and grading). What about steep slopes (part of our ordinance), the slope is over 15% or 10' bank. If lots are approved so small, we'll create slopes with higher banks (Section 3.12 of