

**TOWN OF FARMINGTON
PLANNING BOARD MEETING
Tuesday, April 3, 2012
356 Main Street, Farmington, NH**

Board Members Present: Paul Parker, David Kestner, Charles Doke, Glen Demers

Selectmen's Representative: Charlie King

Board Members Absent: Cindy Snowdon

Town Staff Present: Director of Planning and Community Development Kathy Menici,
Department Secretary Bette Anne Gallagher

Public Present: None

At 6:03 pm Chairman Parker called the meeting to order and all present stood for the Pledge of Allegiance.

BUSINESS BEFORE THE BOARD:

- **Pledge of Allegiance**
- **Review and approve Meeting Minutes of March 20, 2012**

Charles Doke motioned to approve the minutes of March 6, 2012 as amended; 2nd David Kestner. Motion carried with all in favor.

- **Election of Officers**

Charles Doke nominated Paul Parker to be reinstated as the Chairman stating that Paul has been doing a good job. Paul Parker accepted the nomination. Nomination seconded by Charlie King and unanimously approved.

Charlie King nominated David Kestner as Vice Chairman. David Kestner accepted the nomination. Nomination seconded by Glen Demers and unanimously approved.

Paul Parker nominated Charles Doke as Secretary. Charles Doke accepted the nomination. Nomination seconded by Charlie King and unanimously approved.

Charles Doke thanked his fellow members for the work they have done for the Town. He said he would like to see residents come forward to serve on the Planning Board as the Board needs a couple more members as alternates. Paul Parker also thanked the other Board members and added that one regular member and three alternates are needed. He said if anyone has an interest in serving to call Planner Kathy Menici who can answer questions and help with the application. Chairman Parker said all are welcome.

Charlie King suggested the alternate position as a good place to start for anyone new to the Board.

David Kestner asked if the Board could get some of the other chairs back and said only eight of the chairs would be needed. Chairman Parker made a formal request to Selectmen's Representative King to bring back eight of the old chairs from the Fire Department. Charlie King said the request was duly noted.

- **Review of Subdivision Regulations 1st Draft**

Chairman Parker complimented Planner Menici on the good job she had done with this first draft. He suggested they go section by section. The Planner asked to present a brief overview before the Board began the discussion.

Planner Menici said she took the existing subdivision regulation and compared it to both the 2004 draft by the interim Town planner and the State model. She researched other towns of similar size and environmental characteristics to Farmington as well as Dover and Rochester because of their business development. The Planner said she took elements of each that are beneficial to Farmington and incorporated them into the draft. She said her concentration was on the content and asked that the Board ignore the inconsistent formatting in this first discussion.

The Chairman said larger communities such as Rochester have more staff to "sell" the communities to businesses. Planner Menici said additional professional staff also facilitates the exchange of ideas but because she is the only professional staff member in Farmington the regulations of other towns provide other points of view.

David Kestner commented that both Rochester and Dover have a location advantage with major highway infrastructure in all directions. Glen Demers said Farmington is right at the border where Massachusetts residents are willing to commute.

After discussion the word environs in Section 2, second bulleted point was changed to read: the harmonious development of the Town of Farmington including natural and man made environments.

Under Section 4 – Definitions, the Board discussed the need to define terms such as steep slopes, buildable area, well radius so that a homeowner can understand them. These terms are already defined under the zoning ordinances and it was suggested that something should be included to direct an applicant to the zoning ordinances for additional information.

It was questioned whether well radius should be included in the setback definitions both in the subdivision regulations and the zoning ordinances. Glen Demers was asked to check the State regulations regarding building within the well radius and if stricter requirements are allowed on the local level.

David Kestner asked about requiring a right of way for utilities. Charlie King thought an easement would probably be used for utilities. The Planner explained that a right of way gives the right to pass and repass, allowing crossing of one property to access another property and an easement is typically used for utilities. The Board discussed whether additional language was necessary, but after the Planner directed them to page 17, where this is currently addressed, no changes were made.

Sections 5 and 6 were reviewed with some redundancies corrected.

Charlie King asked how other towns deal with condominiums. Planner Menici said Farmington's regulations are better than many other towns. Condo development is governed by RSA 356:B with the site plan being filed with the Attorney General's office. Subdivision application is also part of a condo development although some developers feel it is not required. The Planner said that condos are a form of ownership and developers are not exempt from subdivision requirements such as density.

Charlie King commented that a multi family can become a condominium. Planner Menici agreed because the multi family would be pre-existing, non-conforming and only the form of ownership would be changing. Charlie King suggested that new multi family construction should have a restriction against changing to condos because otherwise a way to circumvent the regulations exists. The Planner said the multi family requirements and the zoning ordinances could be looked at in discussing this issue.

Section 6H – Fire Protection – will reference an Appendix so applicants know there are requirements but they do not apply to every application.

Sections 6E through 6H are new and taken from both the State model and a 2004 draft by the Town Planner at that time.

Glen Demers addressed 6H – Monumentation – with suggestions for both language and the type of monumentation used. After Board discussion, it was decided to use iron rods with surveyor's caps at all lot corners and stone or concrete at all right of way control corners. The five paragraphs in this section were condensed to four and the paragraph addressing the requirements for all monumentation to be set prior to plan recording was modified to provide an exception if an affidavit is provided by the surveyor, for instance during the winter months, as to when the monumentation would be set.

At 7:53 David Kestner motioned for a five minute recess; 2nd Charlie King. Motion carried with all in favor. At 7:57 the Board reconvened.

Chairman Parker asked if the Board wanted to continue reviewing the subdivision regulations.

David Kestner motion to continue the subdivision regulation review to the May 1, 2012 Workshop Meeting; 2nd Glen Demers. Motion carried with all in favor.

- **Any other business to come before the Board**

The Chairman asked Planner Menici for her comments on low impact development. The Planner said that in February she had provided chapters from the Innovative Land Use Handbook covering newer land use planning techniques. One topic discussed was low impact development.

Planner Menici told the Board that she recently attended a water resources workshop at which one presentation was by the City Planner from Somersworth which recently adopted LID into their site plan regulations. They have been very pleased with the developments created and LID is now also in their subdivision regulations. In one commercial development of a professional office park that incorporated LID, the developable area was increased by one third. Planner Menici said if the Board was interested, she would schedule a time for the members to visit UNH to see their Stormwater Management Center. She also proposed asking the Somersworth City Planner to attend one of the Board's workshop meetings

to speak about his experience in Somersworth.

Planner Menici said there is more up front cost to the developer but more buildable land is achieved on the back end. She said Somersworth's experience could be unique or could be typical but was certainly worth looking into. The Board was in favor of checking into this. The Town's contract engineer, FST, has had experience with this type of development and the Planner suggested they might also participate. Chairman Parker said the meeting could be opened to other communities as well. The Planner will contact the parties and report back to the Board.

Planner Menici said she spoke with Town Counsel regarding the Robidas application. Town Counsel said it was not necessary to deny the application, but in view of the change from a five lot major subdivision to a four lot minor subdivision the abutters should be noticed again, but first class mail is sufficient. Charlie King asked if Town Counsel had said this was a requirement or a recommendation. The Planner said it was stated that this "should" be done because of the change in the plans from what was noticed. Mr. King asked for clarification of the point so all applications could be handled consistently; if a requirement, ask what the threshold is that triggers renoticing abutters; and if it should apply to both site plan and subdivision. Mr. King also said that if this applicant agrees to the additional abutter notice then to go ahead for this application.

Chairman Parker asked the Board members to think about the projects they want to undertake in 2012 and to share their ideas at the next meeting. He said that both the subdivision and site plan regulations are under review. Charles Doke suggested the Master Plan be looked at for amendments.

There was no other business to come before the Board.

At 8:16 pm Charles Doke motioned to adjourn; 2nd David Kestner. Motion carried with all in favor.

Respectfully submitted,

Bette Anne Gallagher, Department Secretary

Chairman, Paul Parker