

**TOWN OF FARMINGTON  
PLANNING BOARD MEETING  
Tuesday, September 17, 2013  
356 Main Street, Farmington, NH**

**Board Members Present:** David Kestner, Glen Demers, Joshua Carlsen, Martin Laferte

**Selectmen's Representative:**

**Board Members Absent/Excused:** Paul Parker, Charles Doke, Charlie King

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

**Public Present:** Neil Johnson, Jack Mettee

**BUSINESS BEFORE THE BOARD:**

- **Pledge of Allegiance**

At 6:06 pm Vice-Chairman Kestner called the meeting to order and all present stood for the Pledge of Allegiance.

The Vice Chairman explained that the Chairman was not in attendance tonight due to a personal matter.

- **Review and approve Meeting Minutes of September 3, 2013**

*Martin Laferte motioned to approve the minutes of September 3, 2013 as written; 2<sup>nd</sup> David Kestner. Motion carried with 3 in favor and 1 abstaining.*

- **Further discussion with Mettee Planning Consultants regarding TIF and 79-e Districts**

Jack Mettee reviewed that the spreadsheet for community engagement included various individuals and organizations to be contacted. The activities for the last month included:

- Met with the Economic Development Committee
- Made contact with the Goodwin Library and there will be a meeting with the Board of Trustees in the future
- Met with Doug Tappan from Grace Place and several other business owners
- Mr. Mettee spoke with John Scruton from the Meaderboro Church about a presentation but Mr. Scruton said 95 percent of his congregation comes from Rochester. He will still be meeting with Mr. Scruton personally to discuss his own ideas
- There are still some to reach out to and the efforts are ongoing

Mr. Mettee said that he had a good meeting last week with the department heads. He filled them in on the background of the project, the schedule and engagement and then held a round table for their vision for Route 11 and downtown. Mr. Mettee said many of the ideas were similar to those the Board members brought up a few meetings ago. One new idea suggested was a multi-story tech village on Route 11. The impediments discussed were funding and the need for the Board and elected officials to come up with a clear vision so residents know what to expect.

Some suggestions were to improve the street scapes and facades as well as parking. Mr. Mettee said the current fabric downtown is historic and the consensus was to build on that. The group also brought up the importance of marketing because of the stigma associated with the downtown area from years past.

Mr. Mettee said he is putting together a diary of all the activities that will end up as a booklet of memos to highlight/summarize the meetings with each group.

Fifty plus surveys were received at Hay Day and another thirty from the first Saturday at the transfer station. Mr. Mettee said they have begun to tabulate them but will wait for all to be in before completing the analysis.

The map showing the finalized boundary for Route 11 with the “tail” removed was reviewed. Mr. Mettee said they took a look at the current zoning on Route 11 in conjunction with what can be expected in terms of the concentrated business node at Routes 153/11 and Meetinghouse Hill Road. He said the draft audit focused on the zones that are currently there. He did not add a lot of comments on other zoning sections although there are some suggestions for future consideration.

There are four current zoning districts in the area under consideration for the new commercial district. On the top is suburban residential; then commercial business; then industrial business where Collins-Aiken was; commercial business by Route 153 and the river and commercial industrial business overlay between Collins-Aiken and residential on Route 153. Mr. Mettee said the Board should consider these areas when making their decision and take into account how the suburban residential area is affected. He added that the Town must be sure this is a change that will be acceptable to residents.

Vice-Chairman Kestner asked the Planner if she and Mr. Mettee had discussed this and if she could share her thoughts. Planner Menici said that these were the proposed boundaries from the discussion two meetings ago when the additional properties on Route 153 were added.

The Planner said that this needs further Board discussion and that it might not make sense to include the residential parcels in a high density commercial district unless there is the intention of rezoning those properties. Otherwise there could be a series of conflicts with which to deal. She reminded the Board that one of the members made the proposal and after discussion the Board agreed to the boundaries. The Planner said the area is reasonable and has a good breaking point but there should be more discussion about rezoning. After consideration it was decided to touch on everything in the draft tonight but to have the discussion on rezoning when more Board members were present.

Mr. Mettee went through each section of the Draft Zoning Audit he had prepared for the Board. He said each section is noted with any comments and/or suggestions.

#### Section 1.00 - Administrative Provisions

Business Use Certificates in Section 1.02 were briefly discussed. Mr. Mettee suggested that in 1.06 language from the applicable RSA be added for clarity. Section 1.07 contains a number of environmental standards for the Coheco River Watershed and he suggested they be given a specific title and put into the Site Plan Review Standards. Although Mr. Mettee said Section 1.08 containing the Housing Maintenance and Occupancy Code was fine he asked the reason for it being in the Zoning Ordinance. The Planner said it was added on recommendation of Town Counsel because as a stand

alone document it made enforcement more challenging than it needed to be and this way it could be enforced just like any other part of the Zoning Ordinance.

## Section 2.0 Base Zoning Districts

Mr. Mettee explained that there are two ways to establish zoning districts – one is to obliterate what is there and create new districts or keep what is there and put an overlay district on top. He said each option has pros and cons and the decision would depend on the Board's comfort level and expectations.

An overlay district gives landowners a choice to go with uses from the underlying district or the overlay. The overlay makes it easier in that existing zoning is kept with no changes. However, the overlay can be more restrictive as to standards such as architecture and incentives such as density or more parking should be offered. If new zoning districts are created the commercial areas would be clearly delineated and there would be no need for incentives but there could be backlash from residents who don't want to see their zoning district changed.

Mr. Mettee said he likes to use overlay districts but the incentives must be established. Vice-Chairman Kestner said the Board had a big decision to make adding this can be a touchy issue and they would need to consider the impact created.

Under Sections 2.07 and 2.08 Mr. Mettee explained that there are two different purposes and raised the question of whether the Board wanted to retain both or change the language for the Business Node Overlay. He said mixing industrial and business will be a challenge and suggested drafting a new purpose to emphasize business and retail and allow industrial but not as a primary use. He also suggested incorporating language about gateway beautification for all properties fronting on Route 11.

Mr. Mettee said the standards are statements directing one to the associated tables. He suggested that the standards should be called dimensional standards for differentiation from other types and the tables should be titled dimensional standards.

He asked why there is a five foot difference between the side and rear setbacks for the commercial business and industrial business districts and suggested that both have common dimensional standards.

He said that when Sarah Greenfield was established there was a set of covenants/standards to which each applicant or property owner had to adhere and if they are still a requirement. Planner Menici said that the requirements for Sarah Greenfield were made deed restrictions and are not a separate document. She said the Selectmen's secretary should be able to supply the Board with a copy of the requirements.

Mr. Mettee said the Board should consider reassessing the dimensional standards to be sure they fit the current expectations especially with public water and sewer. He added that road frontages could be reduced but only along with a controlled access management plan.

Vice-Chairman Kestner said he would check his DOT book regarding standards for Class 1 and 2 roads that are based upon speed and site distance and this can be discussed at the October 1<sup>st</sup> meeting.

Mr. Mettee said that the procedural language for Special Exceptions should be covered in Administrative Procedures in Section 1.00 and the reference to the ZBA should be corrected so it reads

Section 1.06 not 1.08. He said that in general he felt the Board should use the Conditional Use Permit process as much as possible instead of having an applicant go to the ZBA for a Special Exception.

He suggested that if a Business Nodal District Overlay is adopted the differentiation for the CIBO district might not be necessary and there could be one set of standards with any differentiation handled through a footnote or a Conditional Use Permit.

### Section 3.00 – General Standards

Mr. Mettee said that these standards could be kept or modified for the Business Nodal District with respect to multiple buildings on one lot. Building and landscape standards should be added for compatibility purposes.

He had not yet gone through the sign standards but said he would and will provide the Board with comments and suggestions.

Mr. Mettee said that Section 3.20 was quite specific and detailed with a lot of elements that seemed to be reasonable and provided a good basis for access management. He asked if any project had taken advantage of this. Planner Menici said to her knowledge no one had. When the Irving site was redeveloped they gave up the point of entry on Route 11 that was furthest from the intersection and have a new access from Route 153. Vice Chairman Kestner said that part of this was an exchange with the State for land they had vacated.

The Planner will review this section at Mr. Mettee's request.

The Vice Chairman said the Board will need to discuss these matters at length on October 1<sup>st</sup> and asked if any members had questions. He asked Mr. Mettee if there was anything he needed from the Board tonight or if he could wait for the Board to discuss everything at the next meeting. Mr. Mettee said if the Board was okay with the draft audit then he would move forward to create new zoning language that will become the overlay or new nodal district. He said that could be done whether the suburban residential area is included as a new zoning district or with an overlay. He will work on an outline, fill in the easier pieces but not what needs additional discussion and reminded the Board that the TIF and 79-e still needed to be created.

Because Mr. Mettee would not be available on October 15<sup>th</sup>, the Board discussed alternate dates.

***Martin Laferte motioned to move the October 15<sup>th</sup> meeting to October 22<sup>nd</sup>; motion failed for lack of a second.***

Planner Menici will email the proposed new dates of October 17<sup>th</sup> or October 22<sup>nd</sup> to all Board members for a consensus and then will advise everyone of the new date.

Vice Chairman Kestner said the Board should move on to the public hearing at this time since it was 7:19 pm.

### **PUBLIC HEARING - 6:30 pm**

### **A proposed revision to Section 4. Applicability of the Town of Farmington Site Plan Review Regulations**

The Vice Chairman opened the hearing to public comment and asked if anyone wanted to be heard on the change. There were no public comments and he asked if any of the members would like to comment.

Planner Menici explained for anyone watching from home that this was really just a housekeeping item to identify the change of use as an application of site plan review.

Vice Chairman Kestner closed the public portion of the hearing.

***Martin Laferte motioned to adopt the proposed revision to Section 4 - Applicability of the Town of Farmington Site Plan Review Regulations; 2<sup>nd</sup> David Kestner. Motion carried with all in favor.***

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

None

***At 7:21 pm Martin Laferte motioned to adjourn the meeting; 2<sup>nd</sup> Glen Demers. Motion carried with all in favor.***

Respectfully submitted,  
Bette Anne Gallagher, Department Secretary

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Vice Chairman, David Kestner