

**TOWN OF FARMINGTON
PLANNING BOARD MEETING
Monday, February 3, 2014
356 Main Street, Farmington, NH**

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

Selectmen's Representative: Charlie King

Board Members Absent/Excused: Charles Doke, Martin Laferte

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

Public Present: Jack Mettee

BUSINESS BEFORE THE BOARD:

- **Pledge of Allegiance**

At 6:43 pm Chairman Parker called the meeting to order and all present stood for the Pledge of Allegiance.

- **Review and approve Meeting Minutes of January 14, 2014**

Charlie King motioned to approve the minutes of January 14, 2014 as written; 2nd Glen Demers. Motion carried with all in favor.

- **Review of Zoning Amendment language for Town Warrant**

Planner Menici suggested that the Board continue this discussion to the end of the meeting because Mr. Mettee had been waiting due to the delay in starting the meeting. The members agreed.

- **Discussion with Jack Mettee, Consultant, on Design Guidelines for TIF and Development Plan**

Chairman Parker read Paragraphs A and B (Applicability and Purpose) from the January 10th draft for the Site Plan Regulations. The Planner asked Mr. Mettee if he would summarize the regulations for the members.

Mr. Mettee said in Paragraph A the language will be corrected to read Business Node Overlay District instead of the Route 11 Nodal Development Overlay District.

He pointed out that in Paragraph C-1 this document is linked back to Section 3.20 of the Zoning Ordinance and this is continued throughout to inform an applicant that these regulations are not stand alone but integrated with other regulations in the Town. As an example he referred the members to C-2-b Parking.

Charlie King questioned the language for the number of parking spaces. As written he felt it indicated that an applicant could not exceed the required number and thought it should be clarified. The Planner said it stated that under this section the Board will not require more than what is already in existing regulations but can have less. She said this represents a commitment by the Planning Board not to require more spaces but the applicant can provide more. Mr. King said if it stated a reduction or increase the intent would be clearer.

He said his interpretation is that if a big box store based upon size was required to have 200 spaces but wanted 250 to accommodate winter snow storage and peak summer use this gives the impression the extra spaces would

not be allowed. The Planner explained that no waiver was required to increase the number but was necessary if the developer wanted to provide less than the number that was required.

The Board discussed how to change the language for clarity. Planner Menici said Mr. Mettee was trying to insure that there was no sea of asphalt in a large development. The members wanted an applicant to know that if there is a good reason, an applicant could ask for an increase. The paragraph was changed to read:

“Parking shall be provided in accordance with Section 21 of the Site Plan Regulations.”

Paragraphs 3-e and 3-f will be combined. Paragraph 3-g and 3-h take into account the vegetation on properties within 25 feet of the one being developed to avoid duplication and prevent the site from looking like an island of vegetation.

In Paragraph 3-j Charlie King asked what requirement for a drive-thru business would screen headlights from adjacent properties whether residential or commercial to mitigate the impact. After discussion it was decided to state *“...from public view and minimize impact for adjacent properties.”*

David Kestner mentioned that the use of berms could create an impediment to water flow; however, Mr. Mettee pointed out that it might be an issue on a particular project but the landscaping and drainage must work together and that will be part of the review process.

Charlie King asked for examples of salt tolerant vegetation. Mr. Mettee said a licensed architect would know and NH DOT had a list as well. Since the plants that are considered invasive change, the language was modified to state *“...shall not include any invasive species as identified by the NH Department of Agriculture.”*

Chairman Parker said on the whole he was pleased with the regulations but did have a concern about the parking configurations and used as an example the 10-foot landscaping buffer since some applicants might consider it too aggressive. Mr. Mettee said these standards are not unusual for site plan landscape review. He said the standard could be changed from every 5 parking spaces to every 10. It would say X percent to be landscaped but then it could end up off in one corner. He emphasized that these standards can be waived to suit a particular site but are meant to insure quality. If every applicant were to say they are too restrictive then the Board could change them.

The Board discussed the parking area landscaping requirements. Mr. King said the layout of the landscape islands in Figure 1 presented obstacles for plowing and suggested increasing the green buffer and taking out the intervals. Planner Menici said the Hannaford in Alton took out the verticals and left the horizontals and it is very attractive even in the winter.

It was suggested that it would be better to say if more than 20 parking spaces then landscaped islands must be provided but the arrangement could be left up to the developer. However, it was pointed out that it was important to set standards. Planner Menici said each site is different so the option could be given to use vertical or horizontal islands based upon the characteristics of the site. Mr. Mettee said for clarity Figure D1 should be changed just to islands and Figure D2 should be just strips but wider.

The specified use of clear glass was questioned because an applicant might feel that tinted windows on the sunny side of a building might be desirable. Mr. Mettee said as an example at New England Furniture customers should be able to look in and see the products offered but an applicant could ask to use tinted windows. Shades or awnings could also be used.

Charlie King clarified that the 40 percent glass requirement of the façade was square footage and asked if that was feasible since it could be the entire wall. He also suggested that 35 percent might be more workable.

Planner Menici said she did not think it was excessive and used the Hannaford in Alton as an example as well as the building that Barry Elliott is renovating downtown. She suggested measuring to determine the percentage in downtown buildings. Mr. Elliott’s plans could also be looked at for percentage. The Planner pointed out that

there is a lot of glass at Subway and at Irving. More glass is inviting, gives a view of what the business is doing and draws people in. Mr. Mettee said the requirement could be waived if appropriate.

David Kestner brought up energy efficiency in view of increasing fossil fuel costs and wondered if there was the flexibility to go with 20 percent. Planner Menici said she would hesitate to go in that direction adding that an applicant could ask for a waiver if it was the type of business that was not dependent upon people going by and seeing the products inside. She said examples would be office space for insurance or financial planning.

Mr. Mettee said Paragraph E-3 will be deleted because it is in conflict with the Zoning Ordinance.

Lighting will be “dark sky” compliant meaning that lights should be aimed downward. Chairman Parker said that 15 feet was not very high for street lamps. Mr. Mettee said this was considered “pedestrian” height and could be waived for a particular project. Charlie King said if they are higher they can be further apart than 30 feet.

Planner Menici said the goal was to keep light contained on the site and the taller the street lamps are the more chance there would be of spillage. The Chairman said he wanted to be sure there was proper lighting at night for consumers and employees. Mr. Kestner said that an illumination chart can help determine the necessary lighting.

Mr. Mettee pointed out that a big box store would have different needs and should probably require a lighting study but a smaller lot with smaller buildings would have smaller scale lighting.

The Board members thought with the incorporation of tonight’s changes this is a good document. Planner Menici said the goal is finding what will work for the community. She added that as Jack Mettee had said these regulations could be very restrictive or wide open but as written provide guidelines, state this is what the Town wants to accomplish, and show how we want to get there. Chairman Parker said that Mr. Mettee had made a strong statement for New England character.

The next topic was the TIF district. Mr. Mettee said he had a long phone conversation with Planner Menici regarding the draft of the development plan for the Route 11 TIF district and also the financing plan.

Planner Menici said the two phases for sewer extension that were discussed at the last meeting are shown on the spreadsheet with Phase Two having only sewer and no pumping station. She said the spreadsheet shows the financial impact and identifies financing sources.

She added that the development plan is a narrative and directed the Board to page 6 and the final two paragraphs. She said that it is extremely important to note that these improvements will not be bonded until such time as commitments for the necessary grants have been received and adequate funds have accrued in the TIF account to cover the cost of the annual debt service.

Glen Demers agreed with the importance of the narrative and suggested using bold type for this section.

Planner Menici explained that the purpose of the development plan is to adopt framework to provide a future incentive to high quality development in the key areas on Route 11 and Route 153. However, she did not want residents to panic regarding having too much debt to pay. She said it was very clear that this does not happen until the TIF can take care of itself and grant funding will help to insure this.

Mr. Mettee said this plan is not “pie in the sky”. The details have been checked by the Planner and the result is a realistic plan. He said that last October he went through what this type of program looks like and how it is administered. He said the financing part is at the heart because the TIF can only be a certain size in relation to the size of the Town. In addition because the revenue brought in is put aside to pay off the bond the County and School District must be informed how the funds are used. After approval of the plan by the Planning Board and the Board of Selectmen, Planner Menici and Mr. Mettee will communicate with the School and County so the process is transparent to all that receive benefit from taxes. In his opinion this is a very sound proposal.

Planner Menici said page 2 of the Spreadsheet details the impact on the General Fund, the School District and the County so people have a complete understanding of the impact on other budgets. Chairman Parker commented that it appeared to be self-supporting. Planner Menici said within this budget it was and she had used the 2014 tax rate as the base line.

She explained that the properties in the TIF district will pay the full tax rate but the amount available to the Town, School and County will be fixed at \$21.00 per thousand for the life of the bond and anything over that whether incremental in the property tax rate or new value created on Route 11 will go into the TIF account to pay down the bond when it exists. The revenue however will start accruing right away. Mr. Mettee said page 1 of the Spreadsheet shows that the base revenue stays the same but the total revenue increases.

David Kestner said the additional money will not be available to the municipal budget and the Town has to operate on “X” dollars per year so the amount would have to be made up somewhere else. Charlie King said when the TIF is finished the additional revenue goes back to the general fund. Planner Menici said she discussed the program with the Town Administrator and thinks that could be sooner than 20 years. She explained that her projections are very conservative and are based upon development in the Town over the past 10 years and the tax rates over the last 15 years.

The Planner asked the members to look at the 2nd and 3rd to the last columns on the spreadsheet as those show the payments to pay off the debt with no increase in the tax rate. She said the Town could do a 20-year bond for each Phase. The first would be in 2018 with payout in 2029 and the second in 2027 with payout in 2033.

She pointed out that there is an 83-acre Town owned parcel that has frontage on both Route 11 and Route 153 which gives the Town the opportunity to jump start this program. Sarah Greenfield was subdivided from this parcel and the lessons learned from that project will help in development going forward.

Since the development area works its way up Route 11 to Collins-Aikman, the Planner contacted the State to discuss their timeframe for cleanup because Collins-Aikman is now a superfund site. The State’s timeframe for cleanup and the Town’s for development are essentially the same.

Chairman Parker said that the area is less than 2 percent of the Town’s assessed value (1.6 percent) and under State law up to 2.78 of assessed value is permitted.

The Chairman emphasized how important it is to get the framework in place and that is what the Board is doing so development can take place. He said by starting small and learning as development goes along future expansion beyond the two phases can take place. Planner Menici said for now this concentrates development at the intersection of Route 11 and Route 153 where the Town has already seen interest.

Mr. Mettee will make tonight’s changes to the document and send it to Planner Menici. The next Planning Board meeting is on February 18th. Mr. Mettee will schedule his attendance as tentative pending word from the Planner.

Planner Menici will bring the changes to the BOS for the warrant.

At 8:21 pm David Kestner motioned for a five minute recess; 2nd Charlie King. Motion carried with all in favor. Meeting reconvened at 8:28 pm.

- **Review of Zoning Amendment language for Town Warrant**

Planner Menici said tonight the Board is looking at the final copy of the actual warrant articles from January 7th which must be filed with the Town Clerk tomorrow. She said the articles were sent to Town Counsel for review and she made a few minor changes.

The Planner reviewed that there are five warrant articles of which 3 are housekeeping (1, 3 and 4) that correct references as well as stating “to include all previous and subsequent language.” Section 3.04 is being deleted in

its entirety and reserved for the reason that it is not in compliance with State law. Article 5 adds the Business Node Overlay District that allows for higher density on lots for more intensive use, shared parking, internal driveway or roadway and different development opportunities than are currently allowed under existing zoning.

The Chairman asked what changes were made by Town Counsel. The Planner said Town Counsel cleaned up language and made some grammatical changes. Additionally, she wanted to include the full language of Section 3.04 and show it as stricken in its entirety.

Chairman Parker then asked if the document will be available the day of voting and prior to that on the website. He said he had presented it to some residents and he saw a lot of confusion. Planner Menici said it will be available. The Chairman announced that Mr. Hall will rebroadcast the January 7th meeting on a regular basis since that meeting is a good explanation of what is being presented for Town vote.

The Planner was asked what would happen if the voters did not agree to delete Section 3.04. She said that the Planning Board would not be able to approve anything that came before them and the application would be denied. Mr. Kestner asked if a statement could be put in that the deletion was due to non-compliance with State law. Planner Menici said she would ask Town Counsel keeping in mind that the warrant articles must be filed with the Town Clerk by 5:00 pm tomorrow, February 4th.

Chairman Parker said people struggle with these changes. The Planner said the information will be in the Planning Department, on the website and at old Town Hall on voting day. Mr. King added that any resident can ask questions ahead of time.

Charlie King motioned to forward the Warrants to the Town Clerk for inclusion on the Town Warrant; 2nd Glen Demers. Motion carried with all in favor.

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

None

At 8:43 pm Glen Demers motioned to adjourn the meeting; 2nd Charlie King. Motion carried with all in favor.

Respectfully submitted,
Bette Anne Gallagher, Department Secretary

Chairman, Paul Parker