

**TOWN OF FARMINGTON
PLANNING BOARD MEETING
Tuesday April 15, 2014
356 Main Street, Farmington, NH**

Board Members Present: Paul Parker, David Kestner, Glen Demers, Martin Laferte
Selectmen's Representative: Charlie King
Board Members Absent/Excused: Charles Doke
Town Staff Present: Director of Planning and Community Development Kathy Menici,
Department Secretary Bette Anne Gallagher
Public Present: Levi Myshrall, Peter George, Roger Sargent, David Silvia, Peter Doyle,
Tim Congram, Tobey Reynolds, Jeff Brownell, Martin Gilman

BUSINESS BEFORE THE BOARD:

- **Pledge of Allegiance**

At 6:09 pm Chairman Parker called the meeting to order and all present stood for the Pledge of Allegiance.

- **Review and approve Meeting Minutes of March 18, 2014**

Martin Laferte motioned to approve the minutes of March 18, 2014 as written; 2nd Charlie King. Motion carried with all in favor.

- **Election of Officers**

Chairman Parker said that it was unfortunate that two members were missing and suggested the election of officers be put off until the end of the meeting in case the members were delayed.

Paul Parker motioned to table the election of officers to the end of the meeting; 2nd Charlie King. Motion carried with all in favor.

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

Planner Menici said the members had information in their packets regarding a DOT meeting at Old Town Hall on April 21st at 7:00 pm to discuss the improvements that they are proposing from the Route 153 and Route 11 intersection east on Route 11. David Kestner said the improvements will go all the way to the top of the hill to the red farmhouse on the left hand side.

The Planner said Valley View School is planning their second annual Leadership Day starting at 9:00 am. This is part of the Leader in Me Program and will have student presentations, a guided tour of the classrooms and refreshments. Chairman Parker said he attended last year and if anyone wants to go he found it very impressive to see what the kids have learned and the great methods that are being used. He said he was not sure if he could make it this year.

At 6:15 pm David Kestner motioned to recess until 6:30; 2nd Charlie King. Motion carried with all in favor. Meeting reconvened at 6:30 pm.

PUBLIC HEARING - 6:30 pm

Application for Major Site Plan Approval By: Farmington Country Club (Tax Map R32 Lot 014); To allow for the construction of a 60 ft. by 100 ft. (6,000 sq. ft.) metal structure to be used as a maintenance and storage building. The parcel is located at 181 Main Street in the Suburban Residential Zoning District.
(Continued from March 18, 2014)

Chairman Parker asked who would be speaking on behalf of the Country Club. Jeff Brownell and Tobey Reynolds came forward. The Chairman asked Planner Menici to bring the Board up to date on the application.

Planner Menici said that she had given the members a memo that outlined what had been provided in response to the requests made at the March 18th meeting. These items are:

- Snow Storage area
- Proposed lighting and lighting analysis
- Water line to and sewer line from the proposed structure
- Plantings of arborvitae along the front and side of the building
- Names and addresses of abutting property owners
- Removal of a portion of the existing fence between the subject parcel and the Merrill parcel
- Location of the proposed French drain for storm water management
- An expanded area to show contours with elevations

During design review, the Board specified that contours should be depicted for an area of 250 feet from the proposed structure. The applicant provided the required information for an area about 80 feet from the structure on their property to 250 feet on the abutter's property.

The Planner said the last discussion about the building was that it would be about 20 feet to the peak. The arborvitae trees proposed as screening are 6 to 7 feet at maturity. Mr. Brownell the mature height of the arborvitae will be taller than the building and this is only the size at planting. The side wall height will only be 16 feet.

The applicant has provided a copy of the easement release from PSNH as requested by the Board.

For Section 28 – Utilities: The Plan does not indicate where the underground electricity will be brought in and that needs to be depicted. Planner Menici said under Section 30 the proposed metal building does not satisfy any of the general appearance criteria and the metal building is prohibited but no waiver request has been submitted by the applicant.

In addition to those two items, these are the checklist requirements that have not been provided:

Existing Site Conditions

- Location of Site was not provided and should be added.
- The name, address, stamp and seal of the preparer should be added to the Plan, as well as the stamp and seal of the NH licensed engineer who designed the proposed drainage system.
- Property Survey. A partial survey of the property was completed for the new septic system. That area is represented on the 2nd sheet of the Plan set submitted for this application and includes the proposed building.
- Existing Contours and Grades. If the Board decides that the additional information provided is sufficient then a partial waiver will be required.
- Shape, Size, Height, Location, Use of Existing Structures. The footprints and uses of existing structures are provided but no elevations. The Board could decide to grant a waiver
- Natural Features. None are provided as the submitted Plan was developed from the septic design plan.
- Vicinity Sketch. There are trees of significant size not depicted as well as water features.
- Wetlands and Soil Delineation of Site. Neither is provided and should be for at least that portion of the parcel that is the subject of this application. If there are no wetlands within the project area a note should be added

to the Plan stating that there are none within 250 feet and it should be stamped by a licensed NH wetlands scientist. Soil types should be shown unless that requirement is waived by the Board.

- Location and Description of Existing Easements/Rights-of-Way. None are depicted on the Plan. If there are none, a note should be added to the Plan stating such. As already noted, a release has been obtained from PSNH.

Proposed Site Conditions

- Construction Drawings. These can be provided with the building permit application.
- Type and location of solid waste disposal facilities and screening. A note should be added to the Plan stating that the Clubhouse waste disposal facilities will be the waste disposal site for the proposed structure. A note should also be added to the Plan identifying the method of storage and disposal of used vehicular fluids.

Planner Menici stated her continued concern that the proposed drainage system will alter storm water drainage although the regulations require that the storm water management system accommodate a 50-year storm event. She said the Plan shows a French drain down one side of the building and it dead ends without a detention or retention pond. Given the contours of the land her concern is that the water will run onto the abutting property and one of the requirements of the Site Plan Regulations is that all storm water remains on the site and does not run off onto adjacent properties.

Mr. Brownell said that there is no problem with the storm water staying on the Country Club's parcel.

Chairman Parker said the list of missing items is pretty long but no waivers have been submitted. Planner Menici said she did the checklist for the applicant in order to help them to keep the work in house. She said that when the Board decides what waivers will be required she will prepare a letter for the applicant to sign.

The Board discussed the missing information. Mr. Kestner said the Plan shows the Country Club but the survey shows the adjacent Merrill property and there are no notes referencing the survey. Planner Menici said that is because the Board requested a copy of the Merrill survey from the recent subdivision to be included because of the proximity of this proposed building.

The Chairman commented that the applicant has not prepared a survey. Mr. Brownell said at the last meeting the Board told him he could reference the Merrill plan with a note and he did that. Mr. Kestner said the regulations require that they have their own survey. Mr. King said there should be a waiver for not having a full survey.

The next item addressed was the trees along the property line. Chairman Parker said that under the Merrill subdivision he thought there was removal or trimming of some trees in order to provide access on the new driveway. Mr. Brownell said in the worst case scenario if all the trees had to come down they would be replaced with arborvitae. He added that the first four or five trees are on the Country Club's property and the others are on the boundary line with most of the trunk on the Merrill side. The Planner said since there is no intent to remove the trees they should be added to the plan. Mr. King said it appeared that the applicant would leave the trees and supplement with arborvitae.

Drainage was the next item. Mr. King said that there was only 15 feet to work in and the plan showed a swale on the Country Club property side to within 6 feet of the boundary line. The French drain is 4" perforated pipe with 12 inches of 1 ½ inch stone but there is no outflow just a dead end. He said he was concerned that over time it could not be maintained, would fill with sediment and not be able to drain. He said if this is the system being proposed it must be stamped by a NH licensee to show it would work and stand the test of time otherwise peer review will be required by the Board.

Mr. Brownell said he could speak to the soils as a licensed septic designer and with the excellent drainage on the parcel he doubted the pipe would ever see water. Mr. Reynolds said the Planner had notified him about the requirement to meet a 50-year storm event but he has not yet checked this out so there is the possibility that something will have to be upsized. He will have to look at the requirements before he puts his stamp on the drainage. Mr. King said the outflow must be clearly shown. Mr. Reynolds said that water will drain toward the driving range and could show that it will flow toward the Country Club property. Planner Menici said that Mrs.

Merrill will not always own the abutting property since it is currently up for sale and if the drainage doesn't work then people will come to the Town to make it work.

Mr. King said that he was okay with arborvitae as a bare minimum to dress up the front of the proposed building and based upon use and screening he could accept the metal building. Planner Menici reminded him that at the last meeting the Board wanted to see more but Mr. King said that he was suggesting not requiring more based upon density and size. He said to leave the existing trees and in fill with arborvitae and the applicant might have to add a note stating that the existing trees would be left and arborvitae added.

Chairman Parker said it was a major concern that the applicant is proposing a significant metal building with a 60 foot by 100 foot footprint and 20 feet from footing to peak. There was a brief discussion about how far from the building snow would fall when coming off the metal roof. Mr. King said in his experience even with the size of this building the snow will only extend about four feet from the edge of the roof.

Mr. Kestner said that as discussed at the last meeting the Board is looking for elevations and topography so there is a better idea of what will be viewed from the road. Mr. Reynolds said he is a civil not an architectural engineer. Mr. Kestner said that if the building is going to be built three to four feet into the bank they need to see how the swale will be wrapped around the cut. As presented there is nothing. Mr. Reynolds asked if this could be done in a note on the plan but the Chairman said numbers were needed.

The members further discussed the arborvitae, the drainage, and the building exterior. It was suggested that a second, staggered row of arborvitae might be required for adequate coverage from the time they are planted.

Mr. Kestner said that he would like to see something, such as a retention pond or level spreader, depicted at the end of the French drain that will guarantee that the water stays on the Country Club's side. Also, the Plan is not to scale so the width of the French drain is not shown. A swale profile was requested.

At the previous meeting the Board had asked the applicant to obtain options for the exterior of the building, such as clapboard, from the manufacturer. Mr. Congram said that clapboard is not possible due to the way the building is constructed. Chairman Parker read from Section 30 Paragraph D2: "...corrugated steel is prohibited" and said that is the wording some members are having trouble getting around. Charlie King said the Board can grant a waiver but the Chairman said a reason is needed to grant one. Mr. King said this is a utility building, not a residence or guest quarters.

Vinyl siding was discussed but it was pointed out that a building of this size would not be attractive if covered in vinyl. Mr. Congram said their funds are limited and that is why they chose a metal building rather than a wooden structure. After some further discussion the Board members remained split about granting a waiver but decided to proceed with the list of waivers rather than continue discussing this single item.

Section 28 – Utilities: The Plan does not show the location of power for the structure although it will be underground. The applicant was not sure which pole PSNH would use to run the underground service. Mr. King said it should be added to the Plan and also listed as a condition of approval before the applicant can get a building permit. The Planner said the requirement can be waived for the purpose of acceptance and then can be made a condition of approval.

Charlie King motioned to grant a waiver for location of the underground power line for the purpose of acceptance only; 2nd Glen Demers. Motion carried with all in favor.

Section 30 – General Appearance Criteria: The proposed structure does not satisfy any of the general appearance criteria.

Charlie King motioned to grant a waiver to allow the metal building based upon use of the building and proposed screening; 2nd Glen Demers.

Discussion: Mr. Kestner asked if anyone had ideas for other than metal siding. The applicant repeated that they do not have the funds to put up a wooden structure and there were no options for the exterior surface since this is a 100-percent steel building.

Planner Menici brought up as a procedural point that the Board had not yet accepted the application so they could not take comments from anyone other than the presenters but they could grant the waiver for the purpose of acceptance only and then could have the discussion with other members from the Country Club.

Chairman Parker said the motion would have to be changed and Mr. King said that the Board would then have to hash this out twice and he saw no reason to do that. He said that the Board is either going to approve or not and if not then the applicant would need to step back and regroup.

David Kestner said that the burden of proof was with the applicant and agreed with Mr. King that the Board needed to bring general appearance to the forefront so the applicant would know the direction the Board was taking. Chairman Parker asked for a vote.

Two in favor of the motion and three opposed. Motion fails.

The Chairman asked if the Board should continue with the waivers. Planner Menici said they should since the application had not yet been accepted as complete. She added that the Board was concerned because of the size of the building and it not meeting the general appearance criteria. She said that working in the structure's favor is that it will be set into the bank and if the applicant had brought the building elevations and superimposed the arborvitae with the height of six to seven feet that would have helped the Board visualize the impact.

Mr. Brownell said at the last meeting he asked if it was possible for the Board to approve the metal building and what they could do to ensure that. They were told screening and so the applicant went to the local experts, Camerons, and they suggested the arborvitae and said the Planning Board should be happy with the proposal. Mr. Brownell said the proposal is about \$8,000 worth of trees.

Planner Menici told the applicant that two members were in agreement and they only needed one more and suggested they regroup and come back with additional information for the drainage and exterior and ask for the waiver again or present other choices and address the deficiencies.

The Planner recommended that the Board complete the process on the waiver requests so the applicant knows exactly what they are dealing with. She said that there may be someone who can put together the drawings the Board wants since they are having trouble visualizing how the building will actually appear such as how it fits into the bank and how the arborvitae will look. It is a lot to visualize and some drawings will help the Board to understand. However, she did not want them to spend the time and effort on drawings and photos before they know what other waivers will be granted and which ones will need to be further addressed. She added that the applicant is working with a time issue and these things should not wait until May 20th.

Glen Demers said part of the Board's mandate is to assist an applicant in any way it can and that means the Board needs to continue with the waivers. All members agreed.

Section 18 – Specific Plan Requirements:

- A. Location is on the Plan but it is not noted as locus and that must be added.
- B. The name, address, stamp and seal of the preparer as well as the stamp and seal of the NH licensed engineer who designed the proposed drainage system must be added to the Plan.
- C. The applicant will need a waiver for the property survey.

Mr. King said he was okay with the information submitted as this is a big site and it is not a subdivision. The Chairman agreed that it is the bare minimum but he can accept what has been presented.

Charlie King motioned to grant a waiver for the partial property survey; 2nd Glen Demers. Motion carried with four in favor and one opposed.

D. Existing Contours and Grades

Charlie King motioned to grant a partial waiver for Existing Contours and Grades; 2nd Glen Demers.

Discussion: Outflow for drainage will have to be a condition under drainage

Motion carried with all in favor.

F. Shape, Size, Height, Location, Use of Existing Structures

Planner Menici said the existing structures in the project area are small and she did not think it was necessary to provide elevations.

Martin Laferte motioned to grant a waiver for the elevations of existing structures; 2nd Charlie King. Motion carried with all in favor.

G. Natural Features

Chairman Parker said the Board already had part of this discussion regarding the trees which needed to be added to the Plan. The pond also had to be added and the Planner suggested that the wetlands as shown on the Merrill plan be added as well for a clearer depiction. No waiver required.

J. Vicinity Sketch

This was covered under the locus.

Charlie King motioned to grant a waiver for the vicinity sketch; 2nd Glen Demers. Motion carried with all in favor.

K. Wetlands and Soil Delineation of Site

Planner Menici said the soil types should be put back on the plan as a note.

L. Location and Description of Existing Easements/Rights-of-Way

Chairman Parker asked if there were any other easements. Mr. Brownell said not to his knowledge. The Board asked for a note to that effect on the Plan and also to note the recording information where the Plan says "poles to be removed".

Proposed Site Conditions

D. Construction Drawings

Charlie King motioned to grant a waiver for the construction drawings for the purpose of accepting the application and make a condition of approval; 2nd Glen Demers. Motion carried with all in favor.

L. Type and location of solid waste disposal facilities, screening

Charlie King said the dumpster needs to be screened but Mr. Brownell said it will be put on the back side of the building and that will provide natural screening.

No waiver required.

Chairman Parker said that took care of all the waivers. Charlie King said since the Board is asking the applicant for additional information they may want to mock up a view in vinyl siding, etc., to give a visual comparison to

show the contrast and that without windows vinyl doesn't look good. The Chairman agreed and said that if the applicant addresses the appearance in that way it may be enough to sway the members.

Charlie King motioned to accept the application as substantially complete with deficiencies to address; 2nd Glen Demers. Motion carried with all in favor.

At 7:55 pm Martin Laferte motioned for a 5 minute recess; 2nd Charlie King. Motion carried with all in favor. Meeting reconvened at 8:04 pm.

Chairman Parker opened the meeting to public comment.

Marty Gilman said he could think of three metal buildings constructed in the past few years and asked if waivers were granted for those buildings. One was residential and did not require site plan review; Cardinal and Glidden's garage went through Site Plan Review; and the addition to the Town Highway Building did not require review because by State Statute a municipality does not have to abide by its own regulations.

Chairman Parker said that the Board is being fair and consistent in the treatment of this application and others have had to comply.

Mr. Gilman said they are not looking for anything special, the Country Club has been in Town since 1921, and has been good to the Town.

The Chairman repeated that there was nothing exceptional about the Site Plan Review process for the Country Club. Mr. Gilman said he would be checking on how other applications with metal buildings were handled. He added that it is very hard to put horizontal siding on a steel building and they have no money for it. They are trying to purchase a building that is neat in appearance.

Roger Sargent of Milton formerly from Farmington spoke next. He said it defies logic that the Board argues over someone trying to enhance and improve the tax base and make a more appealing property to serve the public. He stated that it makes no sense to fight with the Board because in 50 years the metal building will look the same as opposed to a wooden structure that will look bad in 10 years.

Mr. Brownell said that the equipment sitting around outside is a detriment to the Country Club because it is exposed to the weather and also can be seen by the public. The reason the proposed building is so big is to hide all the equipment and protect it from weather conditions to save on wear and tear and help with the overall look.

Levi Myshrall said he was confused because he understood that if the Country Club did what was discussed at the last meeting the Board could make a decision. He took from the last meeting that there was the possibility of the Board approving the metal building if the Country Club met the Board in the middle.

Chairman Parker explained that the last meeting was a conceptual design discussion and was non binding on either side. There were a lot of things that needed to be provided by the applicant and many still need to be provided. He said the Board has not given a final no but they do need to be provided with more information as requested. He added that visualization is important to the final decision and Planner Menici said this was brought up during the conceptual discussion and is reflected in the minutes. The applicant should show how the building will be built into the slope and how the arborvitae will screen the building.

Mr. Congram asked why they should waste money doing that if three Board members are opposed to granting the waiver. Mr. King said that is why the Board is requesting the information they need to come to a decision. Mr. Kestner said that a product display might have helped as well as what the applicant is proposing for elevations that have been given as 20 feet to the peak but 16 feet where the building is cut into the slope. He said that he cannot emphasize enough that there are options to soften the appearance of the proposed metal building.

Peter Jordan asked if they could find a way to dress up the gable side facing the road would that work. A suggestion was made about a golf mural and Mr. Jordan said he would look into that.

Martin Laferte said that the Farmington Country Club has to go by the regulations as does the Planning Board. He added that it is hard for all involved but the Board is trying to find a way to make everyone happy and Mr. Jordan brought up a good solution for the side that faces the road. He said they are not trying to be difficult but must follow the regulations.

Peter Doyle introduced himself and said that the Country Club has never had a better group as Board members that care and want to take care of the Country Club and keep up the appearance. Chairman Parker said the Planning Board members are also residents that care and everyone is trying to be fair, helpful and do the right thing. He added that the question is how to get there and Mr. Jordan's suggestion provided an avenue.

The Chairman asked the Board for any additional comments. Mr. King said there are a number of items including drainage and facades that the Board will be expecting to see at the next meeting.

Chairman Parker asked for any more comments from the public. Marty Gilman suggested that windows with blinds could be added to the gable end facing the road as well as regular fascia such as would be found on a wooden building. He said this would also provide light for the interior of the building.

David Kestner said that the applicant has already come up with two workable solutions to present at the next meeting.

Chairman Parker closed the public portion of the hearing and asked if all agreed to a continuance to May 6th. Planner Menici said she would need all submissions from the applicant no later than May 1st and that if they cannot meet the deadline then it can be continued to May 20th but it is worth trying to be ready for the May 6th meeting. She emphasized that all material must be in her hands early on May 1st so she can review it and get it out to the Board members on May 2nd.

Charlie King motioned to continue the Public Hearing to Tuesday, May 6th; 2nd Glen Demers. Motion carried with all in favor.

- **Election of Officers**

Chairman Parker said they could continue the election of officers until the next meeting. Charlie King said he was okay with continue and David Kestner said they should wait until Charles Doke was present because he should have the opportunity to speak to whether he wants to continue as Secretary or not. The Chairman said if Mr. Doke is voted in tonight he could decline and the Board could revoke.

Martin Laferte motioned to nominate Paul Parker as Chairman; 2nd Charlie King.

Discussion: Paul Parker accepted the nomination for one more year. There were no other nominations.

Motion carried with all in favor.

Charlie King motioned to continue the election of the other officers to the next meeting; 2nd Glen Demers. Motion carried with four in favor and one abstaining.

At 8:36 pm Charlie King motioned to adjourn the meeting; 2nd Glen Demers. Motion carried with all in favor.

Respectfully submitted,
Bette Anne Gallagher, Department Secretary

Chairman, Paul Parker