

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

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

Selectmen's Representative: Charlie King – Absent/Excused

Board Members Absent/Excused: Martin Laferte

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

Public Present:

BUSINESS BEFORE THE BOARD:

- **Pledge of Allegiance**

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

- **Review and approve Meeting Minutes of June 17, 2014**

David Kestner motioned to approve the minutes of June 17, 2014 as written; 2nd Charles Doke. Motion carried with all in favor.

- **Technical Advisory Committee Representative for SMPO**

Planner Menici explained that the Technical Advisory Committee does transportation planning for the region and even though the Town is not a dues paying member of the Strafford Regional Planning Commission we are entitled to have a representative on the committee.

The Chairman said the Metropolitan Planning Organization has two parts: the Policy Committee and the Technical Advisory Committee. He read from the letter:

“This letter represents our solicitation for SMPO Technical Advisory Committee appointees. Members will be appointed for two years, in this case, Fiscal Years 2015 and 2016. The TAC meets on the first Friday of every month to give and receive input on regional transportation issues and is a critical component in the decision making process for the MPO.”

Chairman Parker said that he served on this committee in the past and could say that it is a wonderful opportunity and a lot of information could be learned from the meetings and it is also a great way to meet individuals from other communities. He asked if anyone at the meeting was interested. Planner Menici suggested that the members might want to continue the discussion until there was a full Board adding that the position was also open to Farmington residents.

Paul Parker motioned to continue the discussion to appoint a representative to the Technical Advisory Committee of the Strafford Metropolitan Planning Organization until the next meeting on August 5, 2014; 2nd David Kestner. Motion carried with all in favor.

Glen Demers said he would not be in attendance at the August 5th meeting.

- **Review and discussion of 1st Draft of Site Plan Review Regulations**

The Chairman said that as Planner Menici had mentioned the Board was two members short tonight however he asked the Planner to give highlights of her memo. The Planner said she did not believe in reinventing the wheel and so looked at what other communities are doing for site plan review. She said from her research it appears that others are looking at the OEP model regulations and also a second set in Nashua that was done by DES. Both models were distributed to the Board over the last year but if any member needed another copy that can be provided before the next meeting.

Planner Menici explained that she looked at the Town's site plan regulations and compared them to the two models. Rather than trying to adapt Farmington's into the others she decided to go through the models to find the components that are appropriate for a rural community. She pointed out that Nashua is a city and its surrounding towns are suburban not rural and the State model is more general and tries to fit cities, towns and rural communities.

The Planner said it is important to recognize the unique qualities of Farmington that are in the current regulations and understand that given the potential for development there needs to be more in the regulations. Her goal is to incorporate language to provide more guidance to applicants that want to come into the community.

She said the members' packets contained a revision only to the minor site plan portion of the regulations. The information in the Town's current regulations with regard to minor site plan review is very limited and does not provide enough guidance as it is basically only one-third of a page. The Planner looked at the other two documents and put together something that would be more helpful in that it explains what a minor site plan is and what needs to be provided for application. She asked if the members had reviewed the material and if there were any comments.

David Kestner said he would like to hear more about Tier 1 and Tier 2 and wasn't sure how the Planner wanted to differentiate between the two. He asked what Planner Menici wanted to accomplish by using two tiers. Planner Menici said she was trying to provide a better understanding of the process to an applicant before meeting with Code Enforcement Officer Roseberry and herself. She said the suggestion for two levels of review came from the State model.

Planner Menici said that currently the Site Plan Review Committee deals only with applications that involve less than 1,000 square feet or 25% of the building area.

Chairman Parker said at the time this authority was added to the Zoning Ordinance it was a good idea but agreed that some clarifications should be added. He said that he needed more explanation of the two tiers since he was not comfortable with anyone other than the Planning Board granting waivers.

Planner Menici said she was not proposing that the Minor Site Plan Review Committee have that authority. She explained that the changes of use and expansion of existing buildings that do not exceed 1,000 square feet or 25% of the existing structure, whichever is less, account for a very small portion of the applications submitted. A lot of the applicants that submit applications that exceed this standard but not by much feel overwhelmed by the requirements for full Board review. The suggestion is that Tier 1 remains at staff level and Tier 2 would be at Board level but with less extensive requirements than what are required for a major site plan review.

The Chairman agreed. Mr. Kestner said that helped to clarify the tiers and asked how TRC enters into the review process. The Planner said TRC is at staff level for major site plan applications but since this includes anything over 1,000 square feet many applicants that are barely over this threshold feel overwhelmed.

David Kestner said he would like to have this discussion with all Board members but can see that for change of use or minimal redesign within an existing building a major review by the full Board was not necessary. Planner Menici said that she was proposing possibly 2,000 to 6,000 or 7,000 square feet for Tier 2 of minor site plan review. She used past projects from Perillo or Winnisquam Wood Products and possible Farmington Country

Club as examples for Tier 2 but that a significant project such as the Irving Station would remain a major application.

Although the Planner and CEO Roseberry meet with the applicant and explain what is entailed some get very anxious. There needs to be a mid-level review with an application and checklist that isn't so lengthy. She said that people coming in for this level will still need professional help but it won't be as extensive and will include only those site plan regulations that are appropriate for the size of the project.

Planner Menici said that the regulations currently have two standards: the one for 1,000 square feet and the other for the larger project of 10,000 to 20,000 square feet. However, those in the middle, and many will fall into this category, must meet the higher standards. She added that revising the standards will provide more guidance for both the public and the Board.

The Planner said there are requirements that must be met but, citing the Coppola project as an example, the Board can get hung up on current requirements that are not really applicable in a particular situation and spend a lot of time going back and forth before waivers are finally granted and the project moved forward.

Planner Menici referred to the Nashua model under section 3.3.01 (Applicability) and said this would be suggested criteria for the mid-level application that would come before the full Board and not the Site Plan Review Committee.

The Planner said that the Minor Review described in Section 5 of the current regulations only refers to the authority granted in the Zoning Ordinance and that would be less than 1,000 square feet or 25% of the existing building area. As an example she said when Farmers Kitchen applied there was no expansion and no significant change of use but the old restaurant had been closed for a period of time. The proposed changes would have allowed the Code Enforcement Officer and the Planning Director to look at the circumstances and see if it was appropriate to grant a waiver for parking. Because the Committee did not have that authority at the time the applicant was held up for a month for that single waiver. She said the Board should have confidence that the professional staff at this level of review will do the best for the Town's interests.

Farmer's Kitchen was one example of a Tier 1 review. The Planner said Farmington Fitness was also a good example of Tier 1. The Chairman said this type of review was the intention behind the Minor Site Plan Review Committee but if any waivers are necessary than the full Board should decide.

David Kestner said that these revisions would state the process in black and white and in his opinion the Board should have faith in the professionals to handle minor waivers. The Planner assured the Board that if there was any doubt about an application or the granting of a waiver the application would be referred to the full Board. Mr. Kestner said that he agreed with the proposed revision but would like to have another discussion when the entire Board was present. Charles Doke agreed and said this way the Board would not be bogged down with small projects and was a step in the right direction. The Chairman said he agreed with most of the proposal.

Mr. Kestner suggested that for clarity the proposed language should be 1,001 square feet instead of 1,000. Chairman Parker said that the proposed 2,500 to 9,999 square feet of new impervious surface was a lot and should be reduced. The Planner said that size represented less than one-quarter acre and smaller than a 5,000 square foot building with associated parking.

Chairman Parker asked about the restriction of a four year period. Planner Menici said that would prevent a business with a significant expansion plan from breaking it into smaller pieces that are presented every year or in alternate years as a way of avoiding a major site plan review. However, a business that has done a minor expansion and wants to expand further within the four-year time frame can certainly make application to the full Board.

David Kestner said 1,000 square feet is referenced in two places in the proposed language and suggested that these be consistent at 1,001. Planner Menici said it could even be larger if the Board wanted to do that.

Planner Menici said she wanted the Board to understand the process of using the models to fill in and provide tweaks to the Town's regulations. She was looking for input from the members regarding the process to follow and would like any comments on the content provided in tonight's packet.

Glen Demers said it was important to be ready when developers start looking beyond Rochester. The Planner said she was getting calls weekly in that regard.

David Kestner said he would like Planner Menici and CEO Roseberry to make decisions to allow the process to move along on small projects and let individuals jump on an opportunity with minimum intrusion from the Planning Board. He said that will bring better benefits to the Town down the road.

Planner Menici said that at the Planning Board level there needed to be two levels of requirements. The mid-level would have a basic list but there might be a parcel that has unique challenges and the Board can still impose additional requirements. So if a developer has a mid-level project the regulations will state clearly what is required. As an example she used the Natale application that was a mid-level project with new construction under 700 square feet but environmental issues required her to obtain a variance and then meet the requirements of a major project.

Chairman Parker said Tier 1 would be the Minor Site Plan Review Committee, Tier 2 would be full Board but with a reduced number of requirements and then there would be major review.

Glen Demers said this made perfect sense to him and thought the absent members would agree. David Kestner said they need an explanation of Tier 1 that goes to the Committee and then the major review. The Planner said some that are now submitted as major will be brought to the Board as Tier 2 or mid-level with reduced requirements. This would cut down on the amount of time the Board spends on those projects allowing the Board to accept an application earlier and discuss the merits. That is when any unusual environmental issues would be identified and additional information could be requested.

Planner Menici said in Tier 1 staff reaches out to the Departments for comments but on Tier 2 there would be a formal TRC meeting and any unusual environmental issues identified will be known by the applicant at that time and brought to the Board's attention through the minutes and in her memo.

The Planner said she will prepare a list of submission requirements for Tier 2 applications for the next meeting. David Kestner said he would like to see the submission requirements for Tier 2 and then have a discussion with the full Board. The other members agreed.

Planner Menici confirmed with the members that they needed new copies of the Nashua model and that the copies will be mailed to them. She said that tonight she was looking for guidance as far as the approach to take for the revisions. Using the existing regulations and bringing additional information into them made the most sense and it seemed the Board members agreed.

Charles Doke motioned to continue the discussion to August 5th; 2nd David Kestner. Motion carried with all in favor.

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

Chairman Parker said currently he is the regular member to the CIP Committee and Martin Laferte is the alternate member. He would like to ask the Board to allow them to switch positions but if the members preferred it could be discussed when the full Board was present. David Kestner said he was fine with the change. Mr. Doke said he thought this had been discussed before and the Chairman said it was but as something in the future and now was the time to take care of it. He said that Mr. Laferte had attended the last two CIP meetings and had done well.

David Kestner motioned to have Paul Parker and Martin Laferte reverse their membership positions in the CIP Committee; 2nd Charles Doke. Motion carried with all in favor.

Planner Menici reminded the members that this request must go to the Board of Selectmen and that both will need to fill out new appointment forms. The Planner will prepare a memo and provide the minutes.

At 7:09 pm Glen Demers motioned to adjourn the meeting; 2nd Charles Doke. Motion carried with all in favor.

Respectfully submitted,
Bette Anne Gallagher, Department Secretary

Chairman, Paul Parker