

**TOWN OF FARMINGTON  
PLANNING BOARD MEETING  
Tuesday August 19, 2014  
356 Main Street, Farmington, NH**

**Board Members Present:** Paul Parker, Charles Doke, David Kestner, Martin Laferte

**Selectmen's Representative:** Charlie King - Absent/Excused

**Board Members Absent/Excused:** Glen Demers

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

**Public Present:** Robert Clarke, John Tsiros, Joan Funk, Kelly Fitzpatrick, Steve Edwards

**BUSINESS BEFORE THE BOARD:**

- **Pledge of Allegiance**

At 6:13 pm Chairman Parker called the meeting to order and all present stood for the Pledge of Allegiance.

- **Review and approve Meeting Minutes of August 5, 2014**

*Martin Laferte motioned to approve the minutes of August 5, 2014 as written; 2<sup>nd</sup> Charles Doke.*

*Discussion: David Kestner questioned the use of a word. It was explained and he had no corrections.*

*Motion carried with all in favor.*

- **Preliminary Discussion for a proposed 6,120 sq. ft. retail building at 18 Main Street**

Bob Clarke and John Tsiros were present for this discussion.

Planner Menici explained that is a preliminary discussion and State law is very specific about what can be presented and because the plan submitted is on the cusp of design review it cannot be used tonight.

The location was identified as being on the corner of Precinct Road and Main Street opposite the Irving Station. The Planner said that on the corner there is a Cape Cod style home that was previously used as a day care and this project is on the next lot that has a mobile home and shed. She said the private road goes down to a property owned by Cardinal and out of which A-1 Firewood operates. Bob Clarke said that this is a 1.07 acre pre-existing, non-conforming lot in a zone requiring a minimum lot size of 2 acres.

Planner Menici said that tonight the applicant is trying to see what waivers the Board might be willing to grant. She summarized that the frontage along Route 153 is about 440 feet and the existing private road that services a number of properties is owned by the Cardinal family. She said that as presented there are no issues that would require a variance and all fall within site plan review.

The Planner said that one concern is that the 50-foot setback should be a vegetative buffer and not have parking within it. Looking at the directional flow of traffic on the site it appears there should be an entrance off Precinct Road and that is something that will have to be discussed with the Cardinal family. Also, the proposed size of the building – 6,120 square feet – will make it difficult to comply with setback and buffer requirements of 50 feet on the front of the property and 30 feet on the sides and rear.

Mr. Clarke said that parking requirements are one space for every 200 square feet of building so for this size 31 spaces are necessary and they are showing 32 with stalls that are 10 feet wide. He said that if the rear buffer was reduced to 20 feet than the front buffer could be increased adding that working with one acre is difficult.

Planner Menici said that as presented the project will have a 71 percent lot coverage ratio and that exceeds the maximum allowed in the Zoning Ordinance. She said that the lot coverage ratio is typically 10 percent and the Board can grant a waiver up to 60 percent as long as there are innovative measures in place that will allow the appropriate measure of filtration. Anything exceeding 60 percent coverage requires a variance.

The Chairman asked if any innovative measures had been taken into consideration. Mr. Clarke said they are proposing an underground infiltration system to handle the storm water. The Planner asked if they would be using pervious pavement. Mr. Clarke said it would be either that or chambers under the pavement and they would have to do test pits to show that they have the necessary 2-foot separation. Additionally, the pre and post development numbers would have to match.

Chairman Parker asked if they cannot get an entrance off Precinct Road would they do a traffic flow around the building. Mr. Clarke said they would and also two curb cuts on Main Street. The Planner pointed out that the two cuts would complicate traffic especially with the Irving entrance. She suggested moving their entrance further down Main Street since Irving is a retail operation and 3 Phase Line Construction and other businesses are not retail. It would also place the entrance a little further from the Route 11 intersection. Planner Menici said the decision will be made by NH DOT since Route 153/Main Street is a State Route. David Kestner said it is possible that DOT will require a deceleration lane.

Planner Menici said tonight's discussion is a preliminary and the applicant is seeking the Board's guidance regarding what they would be looking for in a formal proposal.

The importance of increasing the buffer along Main Street was emphasized even if that meant losing parking spaces and seeking a waiver.

Under current regulations the building size would be closer to 2,000 square feet to meet all other requirements. Mr. Clarke said his client is trying to maximize the site's potential and a building that small would not be cost effective. A 5,000 square foot building was suggested and Mr. Clarke said that had not been looked at but he would discuss it with his client. It will be a single story building with the potential for one or two businesses.

Planner Menici said that as David Kestner pointed out there will potentially be a long list of waivers and suggested that the applicant look at what he is proposing in comparison to what was approved for Irving including what variances and waivers they needed and how they were justified. She said there appear to be a lot of things being proposed here that are similar to what Irving proposed and said they can look at the concessions given to obtain the waivers.

Mr. Clarke said they will work on modifying the proposal to obtain more green space noting again that the lot size is a challenge.

Chairman Parker asked about dumpster and snow storage. Mr. Clarke said there is an enclosed dumpster and he will make provision for snow storage.

Planner Menici again encouraged the applicant to look at the Irving files.

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

**Application for Minor Site Plan Approval By: Kathleen Merrill (Tax Map U08 Lot 16): To allow use of the premises for a family group childcare facility serving up to 17 children. The parcel is located at 12 Pearson Street in the Suburban Residential Zoning District.**

Planner Menici said this application falls under the authority of the Minor Site Plan Review Committee and it had been scheduled to come before Dennis Roseberry and herself until she was called for jury duty. She said that with her availability uncertain she could not commit to a date in order to notice this properly so it was noticed for tonight. The

Planner said she was not appointed to a jury on Monday although she must return for possible selection on August 25, 2014. The applicant asked for her matter to be continued to a time and date certain at this meeting and they agreed upon August 21, 2014 at 3:00 pm before the Minor Site Plan Review Committee.

*Martin Laferte motioned to continue the application for Minor Site Plan Approval by Kathleen Merrill to the Minor Site Plan Review Committee on August 21, 2014 at 3:00 pm; 2<sup>nd</sup> Charles Doke. Motion carried with all in favor.*

**Application for Minor Site Plan Approval By: Farmington-Strafford, Inc. Norway Plains Associates, Randy Tetreault, as Agent (Tax Map R49 Lot 3): The applicant proposes a 528 sq. ft. kitchen addition to an existing structure to allow expansion to a 36-seat restaurant. The parcel is located at 1063 and 1067 NH Route 11 in the Commercial Business Zoning District.**

Planner Menici said this application is another that is eligible for the Minor Site Plan Review Committee and that is how it was originally scheduled. However, in addition to the uncertainty of her schedule there was an abutter notification error. The agent prepared the abutters' list and asked the assessing clerk to review it which was done. Mailing labels must be submitted by the applicant as part of the application submission and the wrong address was put on one of the mailing labels. We had to renotify that abutter and to meet statutory requirements the earliest date the application can be heard is Tuesday, August 26<sup>th</sup>. After speaking with Randy Tetreault, the applicant's agent, we agreed upon a continued date of August 26, 2014 at 2:00 pm.

*Paul Parker motioned to continue the application for Minor Site Plan Approval by Farmington-Strafford, Inc. to the Minor Site Plan Review Committee on August 26, 2014 at 2:00 pm; 2<sup>nd</sup> Martin Laferte. Motion carried with all in favor.*

Planner Menici addressed the applicant and explained that because she was not selected for a jury on Monday she must return for possible selection on August 25, 2014 and if selected then she will not be available on the 26<sup>th</sup> and the hearing will have to be continued to another date certain at that time. She said that unfortunately jury duty has left her schedule uncertain. The Planner said she is hoping that she is not selected but if she is then CEO Roseberry will convene the hearing on his own and continue to another date. Mr. Edwards said this could go on for some time. The Planner said she will hopefully know on the 25<sup>th</sup> if she has been selected and if chosen the Court will give her an estimate of the length of time required for that case. Unfortunately, municipal employees are not exempt from jury duty.

Planner Menici said the applicant's agent should have notified him of tonight's continuance and she will forward the emails that were exchanged with the agent. The Chairman apologized for the applicant's inconvenience in appearing for tonight's hearing.

The Planner said that the Committee is currently comprised of herself and the Code Enforcement Officer and she is going to propose that there be more than two members so in cases such as this the Committee can carry on.

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

There was no further business to be discussed.

*At 6:54 pm Martin Laferte motioned to adjourn the meeting; 2<sup>nd</sup> Charles Doke. Motion carried with all in favor.*

Respectfully submitted,  
Bette Anne Gallagher, Department Secretary

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Chairman, Paul Parker