

**TOWN OF FARMINGTON
PLANNING BOARD MEETING
Tuesday, June 2, 2015
356 Main Street, Farmington, NH**

Board Members Present: Charles Doke, David Kestner, Glen Demers, Martin Laferte, Anthony Vittorioso

Selectmen's Representative: Jim Horgan

Board Members Absent/Excused:

Town Staff Present: Mike Garrepy, Dennis Roseberry

Public Present: Georgi Shishkov, Scott Belanger, Jeannie Belanger, Deborah Ellis

BUSINESS BEFORE THE BOARD:

- **Pledge of Allegiance**

At 6:00 pm Chairman Doke called the meeting to order and all present stood for the Pledge of Allegiance.

- **Review and approve Meeting Minutes of May 19, 2015**

Jim Horgan motioned to approve the minutes of May 19, 2015 as written; 2nd Glen Demers. The motion passed 6-0.

- **Continued discussion on Goals and Objectives for 2015**

Code Enforcement Officer Dennis Roseberry came before the Board to address the members' questions about improving the Town ordinances regarding storage containers and campers on residential or vacant lots. Mr. Roseberry said he has received complaints from residents that some storage containers don't blend in well on residential sites but said he has no means to address the complaints. He said site plan regulations allow storage containers on manufacturing/commercial sites but the regulations don't address their use on residential or vacant lots. He said that if the Board chose to address the issue they could recommend the use of the storage containers be disallowed, allow their temporary use with a limited time frame or allow permanent use with guidelines for installation.

Mr. Roseberry provided the Board with pictures of storage trailers and containers found on lots in the AR district. Members discussed the types and sizes of containers including Quonset huts that some residents use for storage or as a garage. Mr. Roseberry said other towns have defined those units as a tent if they are made of cloth, canvas or plastic and are exempt from the building code.

Vice-Chairman Kestner suggested the Board consider limiting storage units constructed of steel and designed for commercial use.

Planner Mike Garrepy suggested the Board could expand the definition of self-service storage units or write a new definition. He said the Board should decide what the intent of the ordinance is and determine how it should be applied. Other issues the Board should consider: is the unit an accessory use to the property, does the use meet zoning and site plan regulations, will permanent storage structures be allowed, limiting the size of the containers, limiting the number of containers and requiring the units to be shielded from sight.

Additional discussion included allowing the use of storage containers with prior permission from the Town such as with a building permit, determining conditions of use and setting a time limit for temporary units.

Discussion then turned to campers used on residential/vacant lots. Mr. Roseberry said there is no existing time limit for use of the campers and some of them end up remaining there permanently. The inhabitants start out living in the camper for a day, then for a week and then permanently. Many of the campers do not have proper septic disposal systems or water connections he said. He suggested that any time limit should include the total number of days in a calendar year, such as not more than 30 days in any one year.

Mr. Kestner also suggested the use of a camper on a residential property should be limited to the property owner as he/she is the only one entitled to use of the property. Mr. Roseberry said the Board could do that as two or more campers could be considered a campground. He added that we need to inform the public that we are not going after the campers stored on the owner's property. We are going after those inhabited campers that have been there forever he said.

Mr. Roseberry also provided photos of campers on residential/vacant lots and described situations where the campers have cinder blocks under them and are connected to propane tanks. He added the requirements should be spelled out in an ordinance so he doesn't have to interpret each situation.

Mr. Kestner then suggested the members work on a definition for campers and a time frame for the allowed use, a definition for storage containers and guidelines for their use. He added that he was not sure they should be included as an allowed use, but suggested the Town's attorney could review the ordinances after the Board develops them.

At 6:45 pm David Kestner motioned for a five minute recess; 2nd Glen Demers. The motion passed 6-0. The meeting was reconvened at 6:50 pm.

- **Continued discussion on the next steps for Eben Dorr driveway/road construction and security**

Jim Horgan motioned to continue the Eben Dorr discussion and other business until later in the meeting; 2nd Martin Laferte. The motion passed unanimously.

Public Hearing- 6:50 pm

Application for Minor Site Plan Review By: Georgi Shishkov, applicant, Scott D. Belanger, property owner (Tax Map R53, Lot 15): To allow use of the premises for a home custom welding business. The parcel located at 1063 Meaderboro Road is in the Agricultural Residential Zoning District.

Chairman Doke read the memo from the Planning Board Secretary to the Planning Board regarding the application. The memo stated the applicant has made an offer to purchase the Meaderboro Road property contingent on Minor Site Plan approval for a home business. The applicant initially submitted an application for a home occupation but it was denied as it does not meet the Zoning Ordinance requirements for a home occupation.

Mr. Shishkov proposes to operate a custom welding business in an existing garage on the property. The memo went on to state that the applicant plans to update the electrical service, may have up to two employees at some future point, will have occasional deliveries of materials by truck, has room for off street parking and does not plan to have a dumpster as there is little waste. She suggested the requirements for Section 5.02 of the Zoning Ordinance be met and the conditions of approval should include safety and code inspections prior to operation.

Mr. Shishkov told the Board that it will be very rare that customers will come to the site. He said when the customer order is received the materials for the job are ordered and then delivered to the shop. All manufacturing, welding, cutting and wheel grinding will be done inside the shop. When the item is complete it is delivered to the customer he said.

Board members discussed the location of the closest neighbor, planned hours and days of operation, enough driveway space for deliveries, if a crane or backhoe will be needed to move the steel and the amount of noise created by the business.

The applicant said a crane or backhoe will not be needed as the steel used is for small items such as staircases and railings. He does not plan to conduct sandblasting or large scale painting, but may spray paint some of the items.

Additional discussion included the size of the garage (840 sq. ft. for the shop portion of the garage and 330 sq. ft. for the office portion), any plans for outside storage, proper ventilation, if any hazardous waste materials will be generated, recycling of the metal grinding flakes and shielding the public from possible eye damage from the welding arc.

Glen Demers motioned to accept the application as substantially complete; 2nd Jim Horgan. The motion passed 6-0.

Chairman Doke opened the hearing to public comment at 7:20 pm. He told the Board he received an e-mail comment from abutters Jane and John Wingate of 1000 Meaderboro Road that stated they did not have a problem with the plans for the welding business as long as they do not hear any noise from the operation. Mr. Kestner told the Chairman the e-mail should have been printed and provided to the Board members to give them an opportunity to read it before the meeting.

There was no comment from the public present. Chairman Doke decided to leave the opportunity for public comment open while the Board continued their review.

Mr. Kestner read a letter from the applicant with a description of the intended business plans. Members then discussed conditions of approval.

Chairman Doke closed the public comment at 7:45 pm.

David Kestner motioned to approve the Minor Site Plan Review to allow the use of the premises at 1063 Meaderboro Road (Tax Map R53 Lot 15) for a home custom welding business with the following conditions:

- 1. Fire Department and Electrical inspections are to be completed prior to the issuance of a Certificate of Occupancy;***
- 2. Hours and days of operation are as follows: 7:00 am to 5:00 pm Monday through Saturday;***
- 3. No excessive sandblasting or large scale painting will be allowed at the location; and***
- 4. Screening of the welding operation from the view of the public.***

2nd Martin Laferte. The motion passed unanimously.

At 7:50 pm David Kestner motioned for a five minute recess; 2nd Martin Laferte. The motion passed 6-0. The meeting reconvened at 7:55 pm.

- Continued discussion on the next steps for Eben Dorr driveway/road construction and security**

Planner Garrepy told the Board he contacted Fay, Spofford & Thorndike Engineering (FST) to determine the additional amount to be deposited in the existing escrow account for the inspections of the road work. The e-mail from FST Senior Principal Engineer Kevin Gagne addressed two of the conditions listed in the Notice of Decision that have yet to be completed. Condition 6 requires the Town's contract engineer to review the culvert installed at the site and confirm its ability to support fire apparatus. Mr. Gagne requested the Fire Chief provide specs on the vehicles' weight and then the culvert would be inspected to determine if the proper type of pipe, conditions and depth of cover were installed.

Condition 7 addresses construction inspections. Mr. Gagne proposed two site visits, once during the installation of the base gravel and once at the installation of the surface crushed gravel.

The original estimate for the scope of work in the subdivision plan was \$1,777.66. The updated estimate for the site visits, which also includes a preconstruction meeting, totals \$2,172.62. The difference of \$394.96 would need to be deposited in the escrow account by Mr. Dorr.

Board members discussed requiring the applicant to post a bond for road work to cover costs incurred should the Town need to complete the driveway/road installation. Selectman Horgan suggested that a bond is leverage to make sure the plan gets completed. Planner Garrepy suggested that type of leverage is not necessary because if the improvements are not completed and inspected as per the plan, the plans will not be recorded, no lots can be transferred and no building permits could be issued.

Mr. Kestner asked if the subdivision plans have been signed. Mr. Garrepy said to his knowledge the plans have not been signed. Mr. Kestner then suggested the applicant be required to deposit \$394.00 as part of the Board's decision.

Jim Horgan motioned to move forward to collect an additional \$394.96 from the applicant to be deposited in the existing escrow account to allow FST to conduct the required inspections for Tax Map R38, Lot 2 on Ten Rod Road and allow the applicant to complete the infrastructure improvements as per the subdivision plan and that no lots will be transferred and no building permits issued until the plan goes on record; 2nd Martin Laferte. The motion passed unanimously.

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

Authorization of hours for Planner:

Jim Horgan motioned to authorize the Interim Planner to move forward to make recommendations for definitions for storage containers and campers, time frames and where to locate them in the Zoning Ordinance and to work with the Code Enforcement Officer to provide the information for the July Planning Board meeting; 2nd by Martin Laferte. The motion passed 6-0.

David Kestner motioned to provide a draft of the recommendations to the Planning Board Secretary in two weeks; 2nd Jim Horgan. The motion passed unanimously.

TIF and 79-e Districts:

Glen Demers asked about the status of the TIF and 79-e Districts. Chairman Doke said the issue was discussed at the last Board of Selectmen meeting. He reported that Selectmen Chairman Charlie King said he will contact former Town Planner Kathy Menici, Consultant Jack Mettee and Strafford Regional Planning Commission to determine their interest and the costs involved in helping the Town develop a management plan for the districts.

Next Meeting: Tuesday, June 16, 2015.

At 8:40 pm Martin Laferte motioned to adjourn the meeting; 2nd Jim Horgan. The motion passed unanimously.

Respectfully submitted,
Kathleen Magoon, Recording Secretary

Charles Doke, Chairman