

**TOWN OF FARMINGTON  
PLANNING BOARD MEETING  
Tuesday, November 17, 2015  
356 Main Street, Farmington, NH**

**Planning Board Members Present:**

Charlie Doke, Chairman  
David Kestner, Vice Chairman  
Martin Laferte  
Resta Detwiler  
Anthony Vittorioso  
Jim Horgan, Selectmen's Rep.  
Glen Demers

**Town Staff Present:**

Arthur Capello, Town Administrator  
Liz Durfee, Regional Planner

**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 of Definition for Active and Substantial Development**

Interim Planner Liz Durfee told the Board that the Town of Farmington does not specify what constitutes "active and substantial development" in its subdivision or site plan regulations. She said if the Board does not define the threshold levels of work to be completed to determine substantial completion of the project the approved site plan or subdivision would be entitled to the five year exemption as outlined in RSA 674:39. She added that the Board can incorporate a definition in the subdivision and site plan review regulations or define it on a case by case basis as a condition of the plan's approval.

Ms. Durfee said she reviewed the ways other towns or cities have included the definition in their regulations and provided examples for the board to review. She asked the members to discuss what option would be best for Farmington based on their experience with the cases that have come before the Board.

Discussion included why the matter is being brought up now; clarity of requirements benefits both the applicant and the Board; the Board has the authority to determine the criteria, ability to protect owners from "overnight" changes; reference the RSA in case it changes; options include putting a definition in the definitions section of the regulations; limiting the exemption period; identify a percentage of development costs or accomplishments that must occur within a certain timeframe to have the owner's rights vest; describe the extension and expiration of site plan and subdivision approvals; include the criteria in each case; and create a new section in the regulations containing all of the information.

After some additional discussion, Ms. Durfee agreed to review the Town regulations and provide a memo with recommended language as discussed by the Board at their next meeting.

- **Discussion of Richard's Way road completion**

The Board received a copy of the minutes of June 18, 2013 which contains a discussion of the final paving requirements for Richard's Way. Members asked why this matter was included on the agenda and why the Board was discussing the matter without the applicant present. Discussion included that the Board may need to look at

the progress that has occurred, a history of multiple problems at the site, send an FST engineer out to evaluate the site, no lots in the development have been sold, the final paving of the road was delayed and if any Certificates of Occupancy had been issued. Planner Durfee said she did not have any information on the matter.

*Jim Horgan motioned the matter be tabled until the next available meeting; 2<sup>nd</sup> by David Kestner. The motion passed unanimously.*

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

Zoning Ordinance Amendments – Ms. Durfee asked the Board if they would approve sending the proposed zoning ordinance amendments to legal counsel for review.

*Jim Horgan motioned the Board authorize the zoning ordinance amendments for storage units, campers and the creation of an advisory board for the TIF District be forwarded to legal counsel for review; 2<sup>nd</sup> by Glen Demers. The motion passed unanimously.*

Homework – Board members received copies of the draft Groundwater Protection Overlay District and the TIF District Development Program and Finance and Revenue Plan for review.

- **Adjournment**

*At 7:05 pm Martin Laferte motioned to adjourn the meeting; 2<sup>nd</sup> by Jim Horgan. The motion passed unanimously.*

Respectfully submitted,  
Kathleen Magoon, Recording Secretary

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Charles Doke, Chairman