

Town of Farmington  
356 Main Street  
Planning Board Meeting Minutes  
Tuesday, October 18, 2016

**MINUTES**

**Board Members Present:**

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

**Board Members Absent:**

Martin Laferte

**Staff Members Present:**

Liz Durfee, Interim Planner  
Diana Proulx, Planning Dept. Secretary

**BUSINESS BEFORE THE BOARD:**

**Call to Order/Pledge of Allegiance:**

Chairman Doke called the meeting to order at 6:12 p.m. All present stood for the Pledge of Allegiance.

**Review of Meeting Minutes:**

October 4, 2016- Page 1, remove one of the zeros from the date; Page 2, 4<sup>th</sup> line from the bottom, change the first "the" to "that".

Mr. Kestner motioned to accept the minutes as amended; 2<sup>nd</sup> by Mr. Demers. The motion passed 3-0-2 (Horgan, Detwiler abstained).

**Review of Draft Amendments to the Sign Ordinance:**

Ms. Durfee provided handouts about the recent Supreme Court ruling regarding sign regulations from the NH Municipal Association to the board. She then gave a brief background about why towns need to revise their sign ordinances.

She said towns everywhere need to review their sign ordinances to determine if they violate the First Amendment and unconstitutionally regulate signs by their content. The NHMA advised if you have to read the sign to determine if the regulation applies then the regulation is not "content neutral" and most likely illegal. She added that signs can be regulated by zoning.

Ms. Durfee said she also sought advice from the Town Attorney who highlighted suggested areas of change to the current sign ordinance. The changes were also reviewed the Code Enforcement Officer she said.

After the board completes their review and proposes changes to the ordinance, the final draft will be reviewed by legal counsel and a public hearing will be held for public input on the proposed changes. The revised ordinance will then be placed on the Town Warrant for a public vote at the March 2017 Town Meeting.

The board then reviewed each section of the present sign ordinance with the attorney's suggested changes and made the following additional changes;

General Provisions- Section C5 should be Section C7; Section B3, change "copy" to "language"; Section 3.09 B3 refers to 3.09 B5 and B5 does not exist; clarify the definition of "entrance" and the size of temporary signs to be allowed; add the word "after" in the phrase defining the removal of special event signs to read they must be removed by 15 days after the event and add "12 feet per side" back to the size

maximums.

Members requested Ms. Durfee research other towns' sign regulations, how to regulate motion and light intensity, if new businesses are having issues with the current sign ordinance and provide them with copies of the Somersworth sign ordinance.

Mr. Doke motioned to continue the discussion to the November 1, 2016 meeting; 2<sup>nd</sup> by Mr. Demers. The motion passed unanimously.

### **Public Hearing**

#### **Continued Case:**

The agent/applicant was unable to attend the meeting.

Mr. Horgan motioned to continue the public hearing for the application for Minor Subdivision by James Woodman (Tax Map R57, Lot 13-1) to the November 1, 2016 meeting; 2<sup>nd</sup> by Mr. Demers. The motion passed unanimously.

**Recess-**Mr. Kestner motioned to take a 5 minute recess; 2<sup>nd</sup> by Mr. Demers. The motion passed unanimously at 7:35 p.m. The meeting reconvened at 7:45 p.m.

#### **Discussion of the 2012 Amendments to the Zoning Map Commercial Business District:**

Ms. Durfee told the board that in 2012 zoning amendments to make changes to the boundary of the Commercial Business District on the north side of Route 11 from Tappan Street to the New Durham town line were approved but a review of the zoning map and the tax cards shows that the changes were not made following the approval. She said that based on the description included in the warrant article she was unable to determine which lots were changed from Commercial Business to Suburban Residential or Rural Residential zones. She recommended that the board review the issue and determine which lots should be removed from the Commercial Business zone. She suggested the board then make a list of parcels to be changed and a map showing the changes and recommend to Selectmen they be included as part of a warrant article at the 2017 Annual Town Meeting.

The board discussed using Route 11 and rivers in the area as boundaries, revert the parcels back to their "native" districts, the original intent of the warrant article and the Commercial Business district should run from Route 11 to the river.

Ms. Durfee agreed to further research paper records and attempt to find the map developed by the former Planner when the 2012 warrant article was drafted.

Consensus of the board was to continue the discussion at the November 15, 2016 meeting.

#### **Any Other Business to Come Before the Board:**

**A). EDC Meeting with DRED Representatives-** Ms. Durfee reported that the DRED presentation on the ERZ and 79-e incentive programs went well with several business owners/committee members attending the meeting. She said she plans to follow up with the committee and provide recent traffic counts performed by the Strafford Regional Planning Commission and a more detailed map of the boundaries of the 79-e District including text listing the streets included in the district to the members. She added that she also plans to include this information on the Town website.

**B). Board Secretary-** Chairman Doke said the resignation of Anthony Vittoriosio has necessitated the appointment of a new Board Secretary. Mr. Demers agreed to fill the position.

Mr. Doke motioned to appoint Mr. Demers as the Board Secretary; 2<sup>nd</sup> by Ms. Detwiler. The motion passed unanimously.

**Adjournment:**

Ms. Detwiler motioned to adjourn the meeting; 2<sup>nd</sup> by Mr. Demers. The motion passed unanimously at 8:10 p.m.

Respectively submitted  
Kathleen Magoon  
Recording Secretary

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Charlie Doke, Chairman