

FARMINGTON PLANNING BOARD
153 Farmington Falls Road
February 12, 2024 – 6:00 p.m.
Minutes

Planning Board members present: Judith Murphy, Mike Otley, Lloyd Smith, Craig Jordan, Clayton King and Jeff Wright.

Alternate members present: Michael Guerrette.

Members unable to attend: Gloria McGraw.

Others present: Code Enforcement Officer, Steve Kaiser; Code Assistant, Kate Foster; Applicant Michael Sayward accompanied by his wife Cherrylyn Del Rosario.

Ms. Murphy opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

2. Designate alternate members, if needed

Ms. Murphy designated Mr. Guerrette as a voting member in the absence of a regular member.

3. Review minutes of January 8, 2024

Mr. King made a motion to approve the minutes of January 8, 2024 as written.
Mr. Wright seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

4. 24-SR-01 & 24-SS-01

Michael Sayward
355 Red School House Road / R09-34
40'x60' building for kennel

Ms. Murphy introduced the application and verified the applicant was present to represent the application.

Mr. Wright made a motion to accept the applications as complete for review.
Mr. Guerrette seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Michael Sayward introduced himself as the applicant and stated he was accompanied by his wife Cherrylyn Del Rosario who worked at the Pawsitive Dog Kennel for four years before it closed, and he said those buildings will now most likely go to the State.

Mr. Sayward said that before the incident at Pawsitive Dog Kennel, they were in the process of buying the daycare part only of the kennel from the owners. He stated they were originally only going to buy a couple acres out of the Frary property next door and then the entire lot and house went up for sale so they decided to purchase the whole property. Mr. Sayward said their plan is to build a 40' x 60' kennel with parking for dog daycare and boarding located 100 feet back onto the property with a long gravel driveway. He added that the building will be surrounded by trees and the closest neighbor will be 2/10th of a mile from the kennel.

Mr. Otley asked about Mr. Kaiser's comment on the Letter of Review form and what TPI stood for.

Mr. Sayward replied Third Party Inspector. He added he spoke with commercial TPI Dana Sturtevant who will be coming out to look at the site and preliminary plans in the next week or two.

Mr. Smith asked what the hours were going to be and if the dogs would be picked up after work except the boarders.

Mrs. Del Rosario stated most dogs will be dropped off around 7 a.m. and then picked up after work except for the dogs that were being boarded.

Mr. Smith asked if someone would be present overnight for the boarded dogs in case anything happens or the dogs start barking.

Mr. Sayward responded no, but they will be living right next door and the dogs will be inside at night. He said he is planning on doing spray foam insulation to help with any noise.

Mr. Jordan asked about access management and what the sight distance was for that location.

Mr. Kaiser said he would look it up.

Mr. King asked how far the Pawsitive Dog Kennel was from the nearest abutter.

Mr. Sayward replied 4/10th of a mile and he has no intentions of building directly across the street from an abutter. He said when the landowner [Frary] went into a nursing home and the family put the property up for sale they wanted to jump on it. He added that he believes Ms. Foster reached out to the abutter who sent in a letter after receiving an abutter notification.

Ms. Foster stated after receiving the letter from the abutter, she sent a letter back stating the abutter was welcome to come into the Code Office and review the application or come to the Planning Board meeting.

Mr. Wright said the application looked good and he had no questions or concerns.

Mr. Guerrette verified with Mr. Sayward that the new building would be closer to the abutter who wrote the letter but further back in the woods.

Ms. Murphy asked if the abutter was healthy enough to be present at the meeting if she wanted to.

Mr. Sayward stated she worked at the college in the cafeteria, so he believed so.

Mr. Guerrette asked how the sight distance is achieved.

Mr. Kaiser responded to the sight distance question by stating it is 275 feet either way for a 40-mph zone.

Mr. Jordan replied to Mr. Guerrette that it is achieved by line of sight.

Mr. Guerrette asked how the sight distance is achieved if the applicant can't make that distance and if the Board asks them to move the entrance.

Mr. Kaiser replied by saying that the Town's access management standards are the same as the State's. He said under these standards an existing road opening that's been used for years can continue to be used unless the line of sight is excessively deficient – then it would have to be moved.

Ms. Murphy asked how much traffic is anticipated.

Mr. Sayward replied 15-16 cars a day that usually show up between 7-9 a.m. and then come back to pick up between 4-6 p.m.

Ms. Foster asked what the maximum capacity was for dogs in the proposed building.

Ms. Del Rosario replied, it will be between fifteen and sixteen dogs to start.

Mr. Sayward added that they are going to build a bigger building with the intention of being able to have up to thirty dogs.

There being no further questions or comments, Ms. Murphy called for a motion.

Mr. King made a motion to approve the applications as presented.
Mr. Wright seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Ms. Murphy asked when they anticipate the start of construction.

Mr. Sayward replied as soon as possible but unfortunately they are starting to post roads so he won't be able to get any gravel hauled in until after the posted signs are pulled.

5. Other Business

Mr. Kaiser handed out a sheet of paper that shows the number of structures that were built between 2005-2023.

Ms. Murphy asked about the auto garage that the Planning Board approved off the Holley Road – that she thought it was currently being sold as a half-finished house.

Ms. Foster replied that is a separate lot and building being sold by David Schletter.

Mr. Kaiser stated that Parks and Rec Director Matt Foster wants to replace the wood fencing with brick at Hippach Field so he did a floodplain analysis for him.

Mr. Kaiser stated that someone else has shown interest in Randy Cousineau's property where Starbucks was previously interested in going.

Mr. Kaiser stated he did a Tree Ordinance draft that will be discussed by the Board of Selectmen at the 2-13-24 meeting. He said it mainly regards trees on public property and in Town right-of-ways, with trees on private property only addressed if they create hazards to public parks, highways, utilities, etc.

Ms. Foster said Nate Holt of Acorn Engineering will be coming before the Planning Board, possibly at the March meeting, with an application for a new building at the County correctional facility off Fairbanks Road. There are some preliminary plans in the Code Office if anyone is interested in looking at those.

Mr. Jordan said he thought they may have had some issues putting it further back due to the old narrow gauge railbed, and he thought the location where it is now proposed had drainage problems.

Mr. Kaiser replied that they put a drainage system in there a few years ago – adding that he and Fire Rescue Chief T.D. Hardy do an annual inspection of the jail and he is aware of that drainage issue.

Mr. Guerrette asked about the Tree Ordinance and if a homeowner has a tree that could fall in the right-of-way – who would be responsible for it.

Mr. Kaiser replied it would be up to the Conservation Committee to work that out with a homeowner. He said homeowners usually contact CMP first to see if they will remove it as a power line hazard and then they call the Town.

Mr. Guerrette asked if there was any word on reopening of the businesses that flooded on Main Street.

Mr. Kaiser replied they renovate every time it floods but will reopen – they are what is called wet flood-proofed – their foundations are put in so they won't pop - they have backflow preventers – and all mechanicals are up above the 100-year floodplain level. He added that after doing some research, this recent flood in December was only a couple inches below the 500-year floodplain mark.

There was discussion on when the river channel was dragged and mined years ago by the Center Bridge and there was less flooding - and since then there has been more frequent flooding.

Mr. King stated the recent flooding caused erosion at Walton Mill Park and the abutters are not happy about the impact on their properties. The dam that was removed held the water back so this didn't happen in the past.

Mr. Kaiser stated Maranda Nemeth from the Atlantic Salmon Federation should be contacted as they should be responsible for restoring the erosion damage and stabilization plantings at the park.

Mr. Guerrette asked if it would ever be possible to be able to mine or drag the rivers again.

Mr. Kaiser replied no, saying he worked with Dr. Eastler on a very successful bar reduction permit program through DEP that went on for many years, then one year DEP refused to renew any of these permits again because of a policy change.

There being no further business or discussion, Ms. Murphy called for a motion to adjourn.

Mr. Otley made a motion to adjourn the meeting.
Mr. King seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

The meeting was adjourned at 6:35 p.m.

Minutes respectfully submitted by Kate Foster.

Planning Board

Date