

Town of Farmington
Board of Appeals
Wednesday, March 11, 2015 - 6:30 P.M.
Minutes

Board of Appeals members present were Galen Dalrymple, Peter Tracy, Michael Deschenes, and Robert Yorks. Mr. O'Neil and Mrs. Clark-Utans were unable to attend.

Other present were Town Manager, Richard Davis; Code Enforcement Officer, J. Stevens Kaiser; Planning Assistant, Cindy Gelinis; Planning Board member Lloyd Smith, and applicant representative, Dustin Roma.

1. Swear in Testifiers

Mr. Dalrymple swore in Mr. Roma and Mr. Kaiser

2. Review Variance Application #15-AB-01

Applicant: **Autozone Parts, Inc.**
 123 South Front Street
 Memphis, TN 38103

Project Location: **Wilton Road**
 (Map: U37 – Lot 020-A)

Autozone Parts, Inc. is requesting a variance of 15' of the standard side setback of 25' [per the Town of Farmington Board of Appeals Ordinance §3-1.8.D.1 and the Town of Farmington Zoning Ordinance §11-8.9.E] for the construction of a retail store.

Mr. Roma stated he is a civil engineer with Milone & MacBroom who has been retained by Autozone Parts, Inc. to represent them in the planning and permitting process for the retail store project. He said we have developed a good working relationship with them over the years and the company is very excited to be opening a store in Farmington.

Mr. Roma stated they are well into the site design process and are requesting the variance now in order to submit the site plans to the Planning Board in time for their March 30th deadline. He stated the lot creates siting challenges to develop the lot on all sides due to its unique configuration and the infill nature of the development.

Mr. Roma said Autozone has several building footprint and design options but the lot limits their options in siting a 7,400 square foot building. He said it is a corner lot that is developed on all sides with frontage on Routes 2 and 4, and he added that it doesn't make sense to have the driveway on the highway when it is within such close proximity to the signalized intersection, so it therefore requires them to access the property using the WalMart entrance.

Mr. Roma said the parking and sidewalks are shown up against the building and this is an absolutely essential feature for what they look at in an available property and how they site their buildings. He stated we have located their access off WalMart's driveway as far away from its Wilton Road intersection as possible, and this will allow the trucks to pull into the six spaces towards the right rear of the property and back into the delivery area.

Mr. Roma said there are more parking spaces than the ordinance requires, and reducing the amount wouldn't solve the building setback problem due to the required drive aisle space adjacent to the parking spaces. He said we don't take the issue of setback variances lightly, we've tried various options but nothing has worked as well as this current plan before you.

Mr. Roma said we are aware of all the requirements for buffer, screening, and landscaping along both the road frontages and abutting properties. He said the photo metric plan for lighting is being prepared so light spillage won't go onto abutting property lines according to Town requirements.

Mr. Roma stated the grading and drainage of the site can accommodate the changes due to modifying the parking and building plans for the reduced area set back. He said the encroachment area is on the back corner of the building which won't cause site line visibility issues with neighboring traffic, and the building is pulled back beyond the required front setback. Mr. Roma stated they will be ready to submit the site plan on March 30th [for 4-13-15 Planning Board review] and would like to begin construction this year.

Mr. Deschenes verified that the Burger King dumpster shown on the map is the side where the variance is being discussed, and asked if there would be an entrance in this area.

Mr. Roma stated there would not be an entrance in that area nor would they alter any existing pavement surfaces or access on this abutting property.

Mr. Dalrymple asked if the building could be moved to the right [east].

Mr. Roma said we would lose the parking spaces on that side [east] of the property and that would be a deal breaker. He said they must have the two rows of parking along the two sides of the building with a loading area in the back [west side].

Mr. Dalrymple asked how many parking spaces are required for the building.

Mr. Roma said the Town requires 32 or 33 and we have 37, and by moving the building we would lose one whole row of parking spaces and still not meet the setback requirements.

Mr. Tracy asked if Burger King and WalMart had been notified.

Mr. Kaiser said, yes, both.

Mr. Tracy said the only access is from the WalMart driveway, and it is a great use for the property. He asked about the location of the building on top of the existing sewer line.

Mr. Roma said the sewer line will be relocated through the parking lot with new manholes, and Autozone will bear that cost.

Mr. Dalrymple asked for clarification of how the trucks will be entering and leaving, and he said the WalMart access road has a median strip where Mr. Roma indicated the entrance would be located.

Mr. Roma said they are in private discussions with WalMart about removing a 40 foot section of the median for access to the site which will be discussed at the Planning Board meeting.

Mr. Deschenes made the motion to accept the variance.

The approval of the variance request was based on D. 1. b & c of the Board of Appeals Ordinance: that the need for a variance is due to the unique circumstance(s) of the property and not to the general conditions in the neighborhood; and that the granting of a variance will not alter the essential character of the locality.

Mr. Yorks second the motion.

VOTE: 4 – Affirmative None opposed.
Motion carried.

Mr. Dalrymple stated the variance will be sent to the project representatives, Milone & MacBroom, which will need to be filed at the Franklin County Registry of Deeds.

Mr. Roma said they will move forward with the Planning Board Site Review process.

Mr. Tracy made the motion to adjourn.

Mr. Deschenes seconded the motion.

VOTE: 4 – Affirmative None opposed.
Motion carried.

There being no other business, the meeting was adjourned at 6:52 p.m.

Minutes respectfully submitted by Cindy Gelinas.