

FARMINGTON PLANNING BOARD
153 Farmington Falls Road
November 18, 2013
Minutes

Planning Board members present were Clayton King, Lloyd Smith, Gloria McGraw, and Craig Jordan. Alternate members present were Matt Smith and Stephan Bunker.

Donna Tracy, Tom Eastler, and Bill Marceau were unable to attend.

Others present were Code Enforcement Officer, Steve Kaiser; Code Enforcement Assistant, Jane Ford; and applicants, Barry and Melinda Given.

1. Designate alternate members, if needed

Mr. King designated both Matt Smith and Stephan Bunker as voting members for this meeting.

2. Review minutes of October 21, 2013

Mr. Lloyd Smith made a motion to approve the minutes as submitted.

Mr. Bunker seconded the motion.

VOTE: 6 – Affirmative None opposed. 3 – Absent
Motion carried.

3. Barry Given – 40' x 40' Addition to Existing Structure for Storage
682 Town Farm Road
Map R14 – Lot 011-B
After-the-Fact - Site Review Application #13-SR-12

Mr. and Mrs. Given were present to represent this application.

Mr. Given said the addition would be post and beam construction for cold storage of refractory brick, cement, etc. for his work for K&G Industrial. He said it would be on the back of the existing building.

Mrs. McGraw asked for clarification of the location.

Mr. King said it is next to where Nancy's Fashion Cuts used to be located.

Mr. King asked Mr. Given if he was aware that he had to come before the Board for approval.

Mr. Given said yes, he was busy with mill shutdown work and missed getting the application in earlier.

Mr. King asked Mr. Given if he started the construction.

Mr. Given said, yes.

Mr. King asked if the Board received the Department Head letters.

Mrs. Ford said that she put them on the table for tonight's meeting and added that no problems were stated.

Mrs. McGraw made a motion to allow the After-the-Fact application.

Mr. Matt Smith seconded the motion.

Mr. Kaiser said that this project meets all the setbacks, the appearance looks good, all the abutters have been notified, and there have been no complaints.

Mr. King noted that no abutters were present.

Mr. Bunker asked what the normal process was for an After-the-Fact application.

Mr. King said in addition to the application fee of \$50.00, there is an additional \$50.00 penalty.

Mr. Kaiser said in the past, regarding the few After-the-Fact applications we've processed, we have never had a situation where there were any conformance problems or where any abutters had issues. He said he would have communicated with the Board if a problem existed in this case. He added that this After-the-Fact application was filed because the Givens were busy and that he didn't want to hold up their project, which was to protect materials, in light of winter weather approaching.

Mr. Lloyd Smith asked Mr. Given if he was putting up the building himself.

Mr. Given said, yes, with the help of the men in his shop.

Mr. Lloyd Smith asked Mr. Kaiser if this project required MUBEC inspections.

Mr. Kaiser said if they called the building experimental, they wouldn't have to have third party inspections.

Mr. Given said he already had the sitework and the piers inspected under MUBEC.

VOTE: 6 – Affirmative None opposed. 3 – Absent
Motion carried.

4. Comprehensive Plan Discussion

Mr. Kaiser asked the Board for their input regarding the population and economy sections that he

had worked on and added that there are 10 sections of this background data. He asked the Board if they want to see more or less of such information as he is trying to find a middle ground. He said this data shows the town hasn't changed that much since the last plan update. He said he's working on the housing section next so any comments by the Board would help.

Mr. Lloyd Smith asked since the "business friendly" application was turned down, how does this affect the Comp Plan.

Mr. Kaiser said that Planning Assistant, Cindy Gelinis, is going to meet with DECD staff in Augusta to find out what they want to see in the application. He said we need their feedback to know what else to add. He added we're a small town and we've always done what we can to encourage business growth - recently adjusting sewer connection fees as an example.

Mr. Kaiser said we have our designated growth areas on the Wilton and Farmington Falls Roads, and we merely followed the State's growth management guidelines when the Comp Plan was originally done. He said it basically comes back to home rule when devising your Plan and ordinances.

Mr. Kaiser said, after the data sections are reviewed by the Board, we'll need to ask ourselves, are there trends happening in the town that we don't like, and if so, how could zoning and ordinances be changed? He said the Plan appears to be working as we haven't had to make major changes over the 14 years we've had zoning.

As an example, Mr. Kaiser said Auburn had very tight zoning, which is changed every time they have another major development proposal. He recommends that we leave ours as is and rely on the Planning Board and Board of Selectmen to regulate growth through administering our ordinances.

Mr. Kaiser related the recent meeting with Ruth Watson and her consultants regarding the McCleery property and her desire to do the best quality development, with a possible parallel road between Whittier Road and Knowlton Corner Road (east of Wilton Road) to lessen congestion.

Noting that towns like Farmington need designated commercial areas like the Wilton Road, Mr. Kaiser cited an example in Vermont where one town in Vermont refused big box stores and a neighboring town welcomed them as tax base, but proceeded to hide them behind hills, require that they all look alike, and only allowed them to erect tiny signs.

Mr. Kaiser said we need to periodically ask are our ordinances good enough, do we need to amend zoning amendments, and noted that the covers of many show minor changes over the years.

Mr. Bunker said if we see some deficiencies, then we should update, otherwise, he's not looking for a complete re-write.

Mr. Kaiser said he feels that we have good Boards to rely on, and that past planning efforts have put many ordinances in place to protect Farmington's wellbeing in the future.

The Board discussed other topics such as the Bailey Hill wind power development that never materialized, the impact of natural gas pipeline access on Farmington, and a new hydropower dam in the Midwest when Maine is removing its dams.

5. Other Business

Mr. Kaiser said he is feeling cautiously optimistic about development in 2014. He said there is a possibility for an auto parts store between Burger King and Walmart, and another shopping center retailer building a stand-alone building between the Harvest House and Jan Roberts. He also said there's the possibility of something going into the old shoe shop, and someone's still interested in the Granary.

There was discussion of recent activity at the old Rite Aid building, which is now for sale at \$800,000. He said the most recent owner paid \$2,000,000 for it several years ago.

Mr. Lloyd Smith asked, regarding After-the-Fact projects, could the contractors be held liable too.

Mr. Kaiser said yes, there's already a State law [30A §4452] that provides powerful enforcement and fines at the Town's discretion for ordinance violation by owners and contractors. He noted other State laws such as dangerous building and junkyards that the Town has also used.

Mr. Lloyd Smith said we might need an ordinance revision for the After-the-Fact projects.

Mr. Kaiser said this will be on the new website and we do put an annual ad in the newspaper regarding necessary permits, approvals, etc. He added that as part of our FEMA reports, we notify all realtors, lawyers, contractors, surveyors, insurers, and lenders.

Mr. Kaiser said he has reviewed the new Google satellite photos, that are only a few weeks old, for missed activity.

Mr. Jordan suggested sending fliers to suppliers to direct builders to the office.

There being no further business, the meeting adjourned at 7:00 P.M.

Minutes respectfully submitted by Jane Ford.

Planning Board

Date