

FARMINGTON PLANNING BOARD
153 Farmington Falls Road
June 14, 2021 – 6:00 p.m.
Minutes

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

Alternate members present: Linda Brown.

Members unable to attend: Michael MacNeil.

Others present: Code Enforcement Officer, Steve Kaiser; Code Assistant, Kate Foster; Fire Rescue Chief, Terry Bell; Dana Valleau and Jessica Murray from TRC, representing Farmington Solar; Andy Jackson, Gabriel Russell, Elise Johansen, and Tom Platz representing Safe Voices; applicant John Moore; resident Jennifer Bjorn.

Mr. King opened the meeting at 6:00 p.m.

1. Designate alternate members, if needed

All regular members present.

2. Review minutes of April 12, 2021

Mrs. McGraw made a motion to accept the minutes of April 12, 2021 as written.
Mr. Smith seconded the motion.

7 – Affirmative
Motion carried.

The Board agreed to come back to the Farmington Solar application later in the agenda when the applicant has arrived.

3. 21-SR-10 & 21-SD-01
Safe Voices
200 Livermore Falls Road / R4-20-B
Addition of 3 apartments

Mr. King introduced the application.

Ms. Murphy made a motion to accept the Site Review and Subdivision applications presented as complete to be reviewed for discussion.
Mr. King seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Ms. Johansen introduced herself, Mr. Jackson, Ms. Russell, and Mr. Platz, then gave a short overview of the project.

Ms. Murphy stated she liked the plans and asked if they were still waiting on approval from the State Fire Marshal.

Ms. Russell said they are still waiting on the approval but don't foresee any issues in getting it.

Mrs. McGraw said she had no questions and asked the Code Office if they can put the applicant's name on the top of the Letter of Reviews from department heads.

Ms. Foster replied she would.

Chief Bell said that Captain Tim Hardy went to the site and reviewed the life-safety requirements with the applicants.

Mr. Smith asked who these apartments are going to be for.

Ms. Johansen replied they will be used by survivors of domestic abuse.

Mr. King asked about exterior lighting.

Ms. Russell referred to the plans and said there will be mainly security lights and general outside lighting.

Mr. Kaiser stated the plans are very thorough and professional.

Mr. King asked if there was plenty of room for fire trucks to get in and out.

Chief Bell replied there's no problems.

Mr. Jordan made a motion to approve the Site Review and Subdivision applications as submitted.

Mr. Smith seconded the motion.

Mrs. McGraw asked if this project was supposed to be kept confidential.

Ms. Johansen replied that she believes the days of any project being kept secret is over especially due to the internet, and added they are not publicizing it, and they have a good security system and relationship with the Police Department.

Ms. Murphy asked if women were able to stay at the location before this.

Ms. Johansen said no, this is the first time and something they have wanted for a decade.

Mr. King called for a vote.

VOTE: 7 – Affirmative
Motion carried.

4. 21-SR-11
John Moore
FVC Field / U20-3-A
Event camping

Mr. King introduced the application.

Mrs. McGraw made a motion to accept the Site Review application presented as complete to be reviewed.

Mr. King seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Mr. Moore introduced himself as the applicant and stated this is a project he is doing in conjunction with the University of Maine at Farmington (UMF). He then handed out a note written by Laurie Gardiner, Chief Business Officer of UMF, in support of the project, which he read to the Board. Ms. Gardiner addressed issues that Narrow Gauge will take care of such as trash clean-up, porta potties, 24 hr. supervision, no dogs, and fire pits.

Mr. Moore stated the event camping will only be in the “middle” field owned by the Farmington Village Corporation (FVC) that is already being leased by the college and being mowed. He said event camping permits from the State used to be for only 15 days a year but they’ve expanded it to 50 days, and there won’t be any structures. Mr. Moore added that last year they had 20 nights of concerts and events and there weren’t any police calls made, and there will probably only be a couple hundred people at most events. He said cleaning up after the outdoor events is easier than cleaning up his theaters after movies.

Mr. King stated the main concerns seem to be about the fire pits, out houses, and camping area.

Mr. Kaiser stated the floodplain limit is also the boundary between the Farm & Forest district - where the camping area is, and the Village Business district - where the fire pits and porta potties are.

Ms. Murphy asked about river access during events.

Mr. Moore replied that they can’t deny anyone – event attendees or the general public - access to the river, and campus police do a good job checking on UMF property there.

Mr. Moore added that he is planning on having a check-in time of 3 p.m. and a check-out time of noon the following day. He said he’ll address any issues through his general oversight of the area.

Ms. Murphy asked if there was going to be a curfew.

Mr. Moore said with the shows ending at 10 p.m., the curfew will probably be shortly after that.

Ms. Murphy said this is potentially a wonderful venue.

Mr. Otley said since the camping was going to be in the wellhead protection area the water district probably wouldn't want 30-40 cars parked on it.

Mr. Moore said Tom Holt of FVC signed off on the project and their biggest issue was making sure the porta potties weren't on the field.

Mr. Wright asked if there is going to be water, power, and a dumpster on site.

Mr. Moore stated there will be drinking water hooked up next to the drive-in movie screen but no electricity, and he will put trash cans out in various locations like he does for movies. He added that he has received his liquor license and if an event ends at 10 p.m. they stop serving alcohol at 9 p.m., and they've had no problems at the three concerts so far.

Mrs. McGraw asked about collecting trash by the river.

Mr. Moore said trash is already a problem there that they might have to police, but they're planning on running a tight ship. He reminded the Board that this is a partnership with UMF and they want to have events there as well.

Mrs. McGraw asked if there was hope of Trek Across Maine coming back.

Mr. Moore replied yes, they did it virtual this year but it is a huge economic boon for the town when they come in.

Mrs. McGraw asked about the email from the owner of 103 Main Street and their other concerns.

Mr. Moore said there is a steep 30' embankment between the field and abutters and doesn't see anyone trying to go up that at night when there is a lighted path up Pleasant Street extension, but he's willing to put up a fence if need be.

Mrs. McGraw asked about noise.

Mr. Moore acknowledged the concerts are noisy, but they're done by 10 p.m., adding he'll probably do 14 this year vs. the 20 last year.

Mr. Smith asked how often the porta potties were going to be cleaned.

Mr. Moore said they will be placed the day before and taken or cleaned out the day after, no more than two days after the event.

Mr. Smith asked if there was going to be a zone change.

Mr. Moore replied a zone change isn't needed for this proposal which is in the Farm & Forest district.

Mr. King asked if there had been any police calls for any events.

Mr. Moore replied there were only a few in regard to people being on the UMF field trying to watch his shows for free.

Mr. King asked if there were any noise complaints.

Mr. Moore said yes.

Mr. King stated there used to be benches on the river and eventually the Rotary Club gave up on having benches there because locals were constantly throwing them in the river.

Mr. King confirmed with Chief Bell that Fire Rescue will require burn permits for the fire pits.

Mr. Smith stated he felt it would be a good idea to have a public hearing and site walk as mentioned in the Letter of Review from Town Manager Richard Davis.

Mr. Otley concurred with the site walk idea.

Mr. Smith made a motion for a site walk.

Mr. Otley seconded.

Mr. Jordan asked if everyone agreed that this was necessary as we're all ok with the idea, no one is in the audience objecting, and summer is short.

Mr. Smith said he wants to see the area.

Mr. Moore said he thinks it would be a good idea so there isn't any confusion, and some of these questions can be answered more easily if the Board can see where things are going to be exactly - such as the fire pits, steep embankments, etc.

Mrs. McGraw asked how much land this is on and future plans.

Mr. Moore replied that the event camping is going to be on three acres, and he has future plans for glamping on his property.

Mr. Smith amended his motion to hold a site walk, adding that the Board reconvene their review of the subject application to hold a vote after the site walk.

Mr. Otley seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

After discussion, the date/time for the site walk was set for 9:00 a.m. on June 22nd.

Mrs. McGraw made a motion to table the application.
Mr. Smith seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

**5. 18-SR-11, 18-SS-09, 19-SR-17, 19-SS-09
Farmington Solar & Switchyard
Along Farmington Falls Road / Route 2/27
Minor modifications to the applications**

Mr. King introduced the agenda item.

Mr. King made a motion to accept the proposed modifications for discussion.
Mr. Smith seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Mr. Valleau of TRC, the representative for Farmington Solar and the Switchyard, gave the Board an overview of the modifications. The first change is that DOT doesn't want any planting of buffers in their right-of-way. The second change is there was originally going to be treatment by a vegetated buffer on the south side of the access road to a swale and this will now be a vegetated underdrain soil filter. The third is that Erik Johnson, an abutting property owner, expressed to NextEra that he didn't want any planting of buffers along his western property line.

Ms. Murphy stated these changes aren't going to be a big impact and followed up by asking how far along the project is.

Ms. Murray, environmental inspector on the project, stated NextEra is still hoping to be completed by September 2021.

Mr. Otley stated he thinks it would be a good idea to see the email from Erik Johnson confirming that he doesn't want the buffers.

Mr. Wright asked if the buffers had anything to do with stabilization and if it would affect the project to not have them.

Mr. Valleau replied no, the buffers were only to help screen the visual impact of the solar arrays and not for erosion control.

Ms. Murray added that it will actually be less ground disturbance to not have the plantings. Mrs. McGraw stated she doesn't like to see landscaping removed from the plans and thinks there should be as much planting as possible to screen the panels.

Mr. Jordan asked where the discharge came out for the underdrain.

Mr. Valleau pointed out on the plans where the mark is.

Mr. Jordan made a motion to approve the modifications with the condition that the Board receives the email stating Erik Johnson does not want the buffers.

Mr. Otley seconded the motion.

VOTE: 6 – Affirmative 1 – Abstained

Motion carried.

6. Other Business

Ms. Murphy asked Mr. Kaiser if he knew about an email she got from MMA.

Mr. Kaiser replied that the proposed legislation didn't affect Farmington, as we consider single-family and two-family use the same, whether duplex or two structures.

Mrs. McGraw asked about the Vining property on the Fyfe Road and if the smooth, flat, mulched area was part of the Vining Solar project they just approved.

Mr. Kaiser replied no, the solar project is above that area and won't be visible from Route 2. He said Vining bought the Fyfe property, demolished the structures, and grubbed out the stumps of the trees they cut. They'll be grinding and putting erosion control mix (ECM) on the scarified areas as a best management practice.

Mr. Otley asked if there was anything planned for that area.

Mr. Kaiser said no, they'll just let it revegetate after applying ECM.

Code Enforcement Updates: None.

There being no further discussion or updates Mr. King called for a motion.

Mr. Jordan made a motion to adjourn the meeting.

Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

The meeting adjourned at 7:00 p.m.

Minutes respectfully submitted by Kate Foster.

Planning Board

Date