

FARMINGTON PLANNING BOARD

**153 Farmington Falls Road
September 12, 2022 – 6:00 p.m.
Minutes**

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

Alternate member present: Michael Macneil and Troy Luther.

Member unable to attend: Judith Murphy.

Others present: Town Manager, Christian Waller; Code Assistant, Kate Foster; applicant, Will Boyle owner of King Pines LLC and Jayson Haskell Engineer for DM ROMA was on the phone.

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

1. Pledge of Allegiance

2. Designate alternate members, if needed

Mr. Smith designated Michael Macneil as a voting member for the meeting in the absence of a regular member.

3. Review minutes of August 8, 2022

Mr. King made a motion to table the minutes of August 8, 2022.

Mr. Macneil seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

4. 22-SD-04, 22-SR-11, 22-SS-09

King Pines LLC

Maple Avenue / R08-008

24-lot subdivision

Mr. Smith introduced the application and verified the applicant was present. Jayson Haskell was on the phone.

Mr. Smith stated there is a board member who is an abutter to the project and asked if any of the board members or the abutting board member felt there was a conflict of interest.

Mrs. McGraw stated she is the abutter and she doesn't have any issues with the project or any financial gain and feels she is ok to stay on the board as a voting member.

Mr. Smith asked if any of the other members had an issue with Mrs. McGraw being a voting member on this project and none of the members had an issue.

Mr. King made a motion to accept the Subdivision, Site Review, and Soil Erosion applications complete for review.

Mr. Otley seconded the motion.

Mrs. McGraw asked about the permits the applicant is waiting to receive and if the application is considered incomplete where they haven't yet received approvals on those permits.

Ms. Foster stated that the applicant had been in contact with Mr. Kaiser, who reviewed the application as complete prior to Planning Board review, adding that the applications are complete at Town level.

Mr. Smith called for the vote.

VOTE: 7 – Affirmative

Motion carried.

Will Boyle introduced himself as owner and stated Jayson Haskell the engineer was on the phone and able to answer questions if needed. He stated the houses being built will all be one-story with two bedrooms. He added that he appreciated the Department Head comments and have changed the plans to reflect their requests.

Jayson Haskell gave an overview stating that it is going to be a 24-lot subdivision off Maple Avenue with two of the lots off Galilee Road. They hope to have the Town take over the road which will have underground power, and they have decided to name it Autumn Drive. It will have two pump stations built to Town specifications and they have added another fire hydrant to the plans per NFPA – 1 Chapter 18. The maintenance and upkeep of the property will be the responsibility of the property owner and homeowner, therefore, the Town will not be responsible or liable for anything but will have the option to inspect if they want. Mr. Haskell stated they have sent their plans to MDEP and the Army Corp of Engineers for review and approval, adding that they cannot start construction until they receive those approvals.

Mr. Jordan stated he reviewed the plans but not the application, as he was familiar with the area. He asked if there was going to be any deed restrictions on junk, knowing it is easy to collect things and Farmington has a few problem areas with that.

Mr. Boyle said that is part of having the Homeowners Association (HOA) – there will be levels and fines. He added that the HOA is very detailed due to that one person that can ruin it for everyone.

Mr. Boyle added that a lot of people moving into these homes are downsizing. The houses will have a full basement and if they do a two car garage they will make it two and a half size with a good size shelving unit in there.

Mrs. McGraw asked Mr. Boyle to pretend like she hadn't read through the application and to answer questions such as senior housing age requirements, percentages, special funding,

landscaping, and if it is going to be connected to Cascade Leisure Park at all or completely separate.

Mr. Boyle replied that the original plans connected Galilee Road to Maple Avenue, but he didn't want the trailer park connected to the new subdivision except for lots 23 and 24, and these will have a driveway off Galilee Road. He is planning on building a house on lot 23 first to be a buffer. There will be brick walkways and nice landscaping. He added that he will probably have the age restriction in the deed and he is funding the construction himself.

Mr. Smith asked about lot 15 on the subdivision plan where there is a small portion in the back shown as part of a stormwater treatment buffer and if it will be marked in some way so the homeowner knows they can't do anything in that part of the property.

Mr. Haskell replied it will be well marked, laid out, and pinned by a surveyor.

Mr. Smith asked what happens to the ownership of the wetlands after the lots are sold and who will be responsible for paying those taxes.

Mr. Boyle said he has spoken with several people including the Town Manager and Public Works Director, where he owns close to the public works garage, about different possibilities including a trail system because he wants to preserve the land and stream and not have anything else built in there. He added he will continue to own everything outside of the lots therefore he will be responsible for the taxes.

Mr. Smith asked if there was going to be any streetlights.

Mr. Boyle said possible for line of sight, but he wants to make sure he isn't lighting up someone's home, adding that in previous projects he has placed them at intersections.

Mr. King asked who enforces the HOA and if the Board will be receiving a copy of the HOA.

Mr. Boyle replied that until 60% of the homes are built and bought he will be the one enforcing it, but after that he will bring in the homeowners to develop the HOA. He agreed to get a copy to the Code Office to get to the Board.

Mr. King asked the applicant if there was going to be an exclusive builder and he would like to see a landscaping plan.

Mr. Boyle said he is going to have exclusive builders to construct a curb appeal and doesn't want someone to have a different idea of how it should look. As far as the landscaping goes, he likes to leave some option up to the homeowner to personalize the lot and will give them a nursery budget, but he said if need be he could put a number on it and say maybe 6-8 shrubs or trees.

Mr. Wright asked what type of restrictions there would be.

Mr. Boyle replied there are animal, trash, vehicles, size of vehicle, boat restrictions and a restriction on the number of people that can live there. He added that he tries to make it very

simple living.

Mr. Wright asked, where there is a senior age restriction, if these homes would be made ADA accessible.

Mr. Boyle replied yes, all the doors are 36" minimum and they can have handicap showers if the homeowner wants. He added they are very aware of life safety needs.

Mr. Macneil asked if there was going to be any sidewalks.

Mr. Boyle replied that there won't be a lot of traffic so he didn't see a need for them. He added they put some in on a previous project but because there was hardly any traffic, people walked down the middle of the road for the most part.

Mr. Macneil asked what the price of one of these homes would be.

Mr. Boyle replied that right now due to construction costs they will probably be between \$325,000 and \$350,000.

Mr. Macneil verified the curb-cut on Galilee Road was because there will be services there. He also asked what happens if the homeowner passes away and they have kids.

Mr. Boyle said the kids have to sell it, but they offer a buy back agreement.

Mrs. McGraw asked how big the homes will be.

Mr. Boyle replied, 1,000-1,200 SF with a full basement.

Mr. Waller asked if every home will have the handicap showers.

Mr. Boyle said no, it will be one of the many options for the homeowner.

Mr. Macneil verified they checked into historical preservations.

Mr. Otley made a motion to approve the Subdivision, Site Review, and Soil Erosion applications with conditions that the applicant receives all State permits including MDEP, NRPA, and US Army Corp, provides a landscaping plan, and provides a copy of the HOA requirements.

Mr. Macneil seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

Mr. Otley asked if the Board was going to wait to sign the subdivision plans until they received the approved permits.

Ms. Foster stated, the Board is signing just the subdivision plan, and the applicant can't start until they receive those permits. The applicant would be in a lot more trouble with the State if

they did. Adding that the Board approved it tonight and the applicant has to get the signed plans to the Registry of Deeds within the allotted time frame.

Mrs. McGraw asked what happens if the applicant doesn't receive the approvals from the State.

Mr. Boyle said they can't do the project or they have to resubmit. He added that he has been in a situation before where the Board wanted to wait until they received the State permits before signing the plans and time ran out.

Ms. Foster read the approval timeline from the Subdivision Ordinance and stated it says that the burden of proof is on the applicant.

Mr. Haskell asked when construction can start after approval.

Ms. Foster replied that usually when the Board approves a project, the applicant can start the next day. She added that the Board has to have faith in the applicant that they are going to take care of all approvals before starting construction because if they don't, they are going to get into trouble with the State and the Board is approving it at Town level.

Ms. Foster stated that Mr. Haskell would bring in the plans for the Board to sign when they can and then they would bring them to the registry to be recorded. When they get the approved permits we usually file them for our records.

Mrs. McGraw and Mr. Otley stated they weren't going to sign the subdivision plans until they see the State approvals.

Mr. Macneil asked if the applicant thinks they will get the approvals within 90 days.

Mr. Boyle replied that he knows they are going to get them because he isn't asking a lot in the permits, but it's a matter of when. He said he can't place any construction orders until he can record the plan which delays the project and with the shortage in the supply chain, any delays make it harder.

Mr. Boyle proposed to get the plans, lighting, landscaping and HOA documents to the Code Office and the Board can sign the plans and hold them in escrow at the Code Office, adding that he can't do anything until they release it.

There was further discussion on how the Board wanted to move forward after giving the approval.

Mr. Waller stated where the plans are approved, if Mr. Boyle moves forward with construction without the necessary State permits, his troubles would be with the State not the Town. He added that it seems like the plan is already approved and the Board is just looking for those documents to put in the files.

Ms. Foster said that is correct.

Further discussion followed about the process.

Mrs. McGraw proposed that the project gets put on the next agenda to review the conditional items and the Board will sign the plans then if they have gotten the permits.

Mr. Boyle confirmed the Board wanted them to come back with a status update and agreed that was fair.

Discussion followed about the next meeting.

Mr. Luther wanted to add to what Mr. Waller said about the fact that it is up to the applicant to get those State permits, and he said everyone voted to approve it and we need to move forward and let him do his job and he will give us the permits when he gets them.

5. Other Business

Planning Board Review Process:

The Board agreed that there was no other changes that needed to be made to the review process form.

Code office updates:

There were no updates from the Code Office.

Mr. King asked about a curb cut made at Butch Haggan's property on the Wilton Road.

Ms. Foster stated it was a pre-existing approved curb cut by MDOT that he had filled in and decided he wanted to open the spot again.

Mr. King asked about a new 10' curb cut at 160 Wilton Road by Brandon Fitch.

Ms. Foster said she would look into it. [Mr. Fitch got the curb cut approved by MDOT].

Mr. King asked if Brenda Simoneau filed a Soil Erosion application for the road she is building for her new home.

Ms. Foster said she would look into it. [No application is required for residential].

Mr. King and Mr. Smith had concerns about the first or second house on the right going up Anson Street after High Street, that the homeowner cleared some bushes and graveled the driveway all the way to the road, with the concern of ice and water runoff.

Ms. Foster stated she would bring it to the attention of Phil Hutchins, the Public Works Director.

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

VOTE: 7 – Affirmative
Motion carried.

The meeting adjourned at 7:20 p.m.

Minutes respectfully submitted by Kate Foster.

Kate Foster
Planning Board

10/17/2022
Date