

FARMINGTON PLANNING BOARD
153 Farmington Falls Road
October 17, 2022 – 6:00 p.m.
Minutes

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

Alternate members present: None.

Members unable to attend: Michael Macneil and Troy Luther.

Others present: Code Enforcement Officer, Steve Kaiser; Code Assistant, Kate Foster; applicant Will Boyle, owner of King Pines LLC, and Jayson Haskell Engineer for DM ROMA; applicant Brandon Fitch; Jeff Reed and Jeff Jordan representing Tangent Energy; and property owners Kevin & Judy Vining.

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

1. Pledge of Allegiance

2. Designate alternate members, if needed

No designation needed.

3. Review minutes of August 8, 2022 & September 12, 2022

Mrs. McGraw made a motion to approve the minutes of August 8, 2022 as written.
Ms. Murphy seconded the motion.

VOTE: 4 – Affirmative 3 – Abstained
Motion carried.

Mr. Wright made a motion to approve the minutes of September 12, 2022 as written.
Mr. Otley seconded the motion.

VOTE: 6 – Affirmative 1 – Abstained
Motion carried.

4. 22-SD-04, 22-SR-11, 22-SS-09
King Pines LLC
Maple Avenue / R08-008
24-lot subdivision – follow up

Mr. Smith introduced the application and stated that this follow up meeting is regarding the conditions and signing of the plans only. He then verified who was present for the meeting.

Jayson Haskell the engineer for the project stated that since the last meeting they have looked into lighting and landscaping. The landscaping plan that the Board has received shows what may go in front of the houses and the lighting plan shows three lights throughout the development; one at the entrance on the existing utility pole, and two other shorter poles in the middle and at the end. He added that the Board has received a copy of the Home Owner's Association (HOA) agreement.

Ms. Murphy asked if most people are comfortable with those restrictions.

Will Boyle the property owner and developer responded that he hasn't had any pushback in his Scarborough subdivision, and that they are mainly in place to protect others from the one bad addition to the neighborhood. He added that they aren't always followed to a "T", but if you have a situation where an abutting property owner doesn't want to see a mess next to them then these come into play.

Ms. Murphy said that it makes sense if someone is moving into that area, but if someone is not accustomed to that then it may seem very overwhelming.

Mr. Boyle stated they have eleven families moving into the Scarborough development and a few made some jokes but most of them didn't have any issues with the restrictions because it keeps everything nice looking and there's no junk on any of the properties.

Mr. Wright stated it lays it right out so someone moving into this subdivision knows what is required.

Mr. Boyle added that in Scarborough the house owners lease the lots where in Farmington they will be able to own the lots.

Mrs. McGraw asked what the name was going to be.

Mr. Boyle responded that they tried to get May Meadows Drive through the Town but was unable to, so the road will be called "Autumn Drive" and the subdivision development will be "May Meadow Woods". He added the story behind the King Pines name.

Mrs. McGraw asked if they have received any of the State or DEP permits.

Mr. Haskell replied that they have submitted everything, but it will probably take a month or two to get the approvals.

Mrs. McGraw asked if the Board was signing the plans still contingent on receiving the approvals.

Mr. Kaiser replied that it is up to the applicant to obtain those approvals, and the Board cannot make that a condition for approval. He said the Board is approving this project under Town ordinances and there is nothing requiring they have other permits before approval, but it is ok to ask where they are in the process of receiving those approvals.

Mr. Kaiser stated if the subdivision access is intended to be a Town road, when the Town accepts same it is up to them to decide whether streetlights will be installed, if there is the lighting but two of the lights will be maintained by the developer and one that will be on a CMP pole.

Mr. Boyle replied that he will speak with Public Works Director Phil Hutchins about the two smaller lights, and the one by the entrance on a utility pole will be in agreement with CMP.

Ms. Murphy asked who will be doing the plowing until the Town takes over the road.

Mr. Boyle replied that he will find someone to plow it until all the houses are built and then he'll apply for the Town to accept it.

Mr. Kaiser stated that the HOA is strictly between the buyers and the developer and not the responsibility of the Town. He added that while the lighting and landscaping are not required by the ordinance, the Board should vote to accept these details as presented.

Ms. Murphy made a motion to accept the additions.

Mr. Smith seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

5. 22-SR-10 & 22-FP-01

Brandon Fitch

160 Wilton Road / U31-34

10' addition to existing approval

Mr. Smith introduced the application and verified the applicant was present for the meeting.

Brandon Fitch stated that he is looking to add 10' to the original 36' because after he poured the concrete and pulled his truck in, he realized he needed a bigger building and 10' additional width should be all he needs.

Mrs. McGraw asked if he already added the 10' when he poured.

Mr. Fitch replied yes, he wanted to add it while he had the concrete, but if it doesn't get approved he won't enclose it and it will just be a pad for equipment.

Mr. King stated he watched the framed walls get blown down.

Mr. Fitch replied that he asked the builders the day before to brace it up, but they didn't get to it before the storm.

Ms. Murphy made a motion to approve the 10' addition.
Mr. Smith seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

6. 22-SR-09 / 21-SE-01, 21-SR-03, 21-SS-03
Tangent Energy
Fyfe Road / R09-28
Modification of plans

Mr. Smith introduced the application and verified who was present to represent the application.

Jeff Reed, an engineer for Sevee & Maher, introduced himself and stated Jeff Jordan from Tangent Energy was also with him. He stated in the original plans there was a potential vernal pool and the previous solar company treated it as such, but it didn't end up being one. He said that due to the significant change in the layout, they felt it was best to file new plans to the Board as well as the new lease agreement.

Ms. Murphy asked if it was going to stay the same size.

Mr. Reed replied yes, under 20 acres and no more than 5MW, it will just be a denser array.

Mr. King made a motion to accept the modifications.
Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

Mr. King verified it will not be visible by the road.

With there being no further questions or comments, Mr. Smith called for a motion.

Ms. Murphy made a motion to approve the modifications as presented.
Mr. Wright seconded the motion.

VOTE: 7 – Affirmative
Motion carried.

7. Other Business

Code office updates: None.

Mr. King asked Mr. Kaiser what the status was of the bridge project that crosses into Chesterville and if they need to come into the Planning Board.

Mr. Kaiser replied that they are exempt from requiring Planning Board approval.

Mrs. McGraw stated that she asked that the Town applications have something that says whether they are a Commercial or Residential project, and what the status was of that.

Mr. Kaiser replied that the Code Office can add a line item on the front of the application to indicate where the project fits in the Zoning Ordinance Table of Uses.

Mrs. McGraw asked what the status was of the speaker system and feels its necessary to have something.

Mr. Kaiser replied that he will check with Cindy Gelinis to look into other options.

Mrs. McGraw asked what the procedure was if the Planning Board has any problems, if the Town Manager is the next person the Board goes to.

Mr. Kaiser replied that if the Board feels they need someone to assist in a tough review, it should be the Town's Attorney, Amanda Meader, if he wasn't available.

Mrs. McGraw stated to Mr. Kaiser that she looks to him for answers such as giving an applicant 30 days or approving something at the time.

Mr. Kaiser replied that he tries to provide basic information - such as regarding the covenants and restrictions in the May Meadows Subdivision project – which they tell us in legal workshops to never get involved in because the Town could end up having to enforce them. He added that with subdivisions, the Board should leave such responsibilities to the developer and property owners – with as little responsibility as possible left to the Town.

Mrs. McGraw added to Mr. Kaiser that she loves when he is present because he is the expert and keeps the Board in line.

Mr. Kaiser said he appreciates the Board, is happy to help, and always tries to be present.

Ms. Murphy stated to Mr. Kaiser that she feels Ms. Foster does a really great job as well, she doesn't have your expertise, but she has stepped up to the plate a lot and you give her a lot of flexibility to present and say things and she does a great job at it. She added that she wasn't present for the last meeting but has been present for many others and is very pleased at Ms. Foster's ability to learn so quickly and represent you the best she can.

Mr. Kaiser replied to Ms. Murphy that the Code Office is now keeping a log of all calls, walk-ins, and emails and it will be interesting to see the fluctuations in activity. The code staff is on the same team as the Board and town residents, and we don't consider it a hierarchy. Ms. Foster is doing a great job at absorbing the process and I share a lot of information with her and feel the same way. He added that we all want the same outcome – to be fair and correct.

Mr. King asked about the Town accepting new roads such as Autumn Drive and if all the houses need to be built first before the Town accepts it.

Mr. Kaiser replied that it is up to the developer on when they want to apply to have the Town take it over. He added that if Mr. Boyle wants to wait until the houses are built, he can, but he could also immediately build it to Town specifications and ask the Town to take it over before any of the houses are built.

Mr. Smith stated that the Board gets a packet on each project every month for review. He said if he was an applicant and it didn't appear that the Board was reading and looking at it beforehand, he would be upset. He added that he would like to have all members thoroughly review the materials that they are given - so that we as a Board together are prepared to act when we get to the meeting.

Mr. Smith asked that if someone has something to share regarding a project, please share it with the Board during the meeting, if you do not, please save all other comments until after the meeting.

Ms. Murphy added that everybody has something to offer and brings something to the Board, and she agrees with Mr. Smith that everyone should read the material, but every once in awhile we may need a pass because sometimes life happens.

Mr. King wanted to add to Ms. Murphy's comment by stating that when he first joined the Board, half the members were just opening their packets when they got to the meeting. He said times have changed and feels the Board has really stepped up to the plate and are a lot more prepared when they get to the meeting than in the past.

Ms. Murphy stated she understands the point of view of the applicants when it seems like Board members haven't looked at the material - and it is embarrassing.

Mr. King added that when Board members ask questions that are clearly already answered in the application, that's when it makes the Board look bad and like they didn't read the material.

Mr. Jordan stated that you can sometimes read the material and then not recall the details later. On another note, he then briefly spoke about the UMF boiler project - which neighbors were very concerned about during review - and now no one knows it's even there.

Mr. King stated he wished he rode to Vermont to see the huge solar farm there to get an idea of what the Farmington Solar project was going to look like.

Further discussion followed about the solar farm on the York's property and the substation down the road.

Mrs. McGraw asked Mr. Kaiser if he knew who was buying the Holman House.

Mr. Kaiser replied that he believes it is someone with a strongly vested interest in the downtown - but is unsure if the purchase has been consummated.

Mr. King stated that Western Maine Community Action (WMCA) is buying the Colonial and Mt. Blue motels and asked about the impact it will have on the town.

Mr. Kaiser stated that Rick Collins, who owned the motels, is still considering the development of a new 100 room motel, at a different location.

Mr. King asked Mr. Kaiser if WMCA would have to come before the Planning Board.

Mr. Kaiser replied yes, they would have to come before the Planning Board for Change of Use per the Town's Zoning Ordinance because it will be multi-family units v. motel rooms. He added that he has informed WMCA of this and they know they need to apply for approval.

Mr. Kaiser stated that another 25-unit apartment building at Willow Springs will be coming into the Planning Board for review as well, as it has received funding to go ahead.

Ms. Murphy made a motion to adjourn the meeting.
Mr. King 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