

FARMINGTON PLANNING BOARD

153 Farmington Falls Road

June 13, 2022 – 6:00 p.m.

Minutes

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

Alternate member present: Michael Macneil.

Member unable to attend: Troy Luther.

Others present: Town Manager, Christian Waller; Code Enforcement Officer, Steve Kaiser; Code Assistant, Kate Foster; applicants: Jason Castro, Stephen Hopkins (with consultant David Taylor), Cheyanne Cushing (and Richard Cushing); abutters: David Kidd, Dan & Janice Maxham; and other members of the public.

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

1. Pledge of Allegiance

2. Designate alternate members, if needed

All voting members were present.

3. Review minutes of May 16, 2022

Mr. Wright made a motion to approve the minutes of May 16, 2022 as written.

Mr. Smith seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

At this time the Board decided to review 22-SD-03 first where there were abutters for the other two applications present.

4. 22-SD-03

Cheyenne Cushing

452 Bailey Hill Road / R11-37

2.56 acres lot split including house

Mr. King introduced the application and verified the applicant was present.

Mrs. McGraw made a motion to accept the application for review.

Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

Cheyenne Cushing stated she is asking to have 2.56 acres and her house split off from the R11-37 lot her father owns, adding that it has been previously split within 5 years and attorney Paul Mills said they needed to file a Subdivision application with the Town.

Mr. Otley asked if it was the back lot shown on the plan that looked landlocked.

Richard Cushing, Cheyanne's father, asked to speak on behalf of the application.

Mr. Cushing stated they were originally told by their surveyor and the Code Enforcement Officer that they did not need to file a subdivision application but attorney Paul Mills told them they should where the property has already been split within 5 years and said it is not a hard process. He added that he is keeping the back 9 acres.

Mr. Otley said he didn't think someone could create a landlocked property.

Mr. Kaiser replied that it is not going to be landlocked because there is a right-of-way down the middle.

Mrs. McGraw stated she didn't think someone had to file a subdivision application if it was going to family.

Mr. Kaiser replied that Paul Mills feels it is a good idea to do it anyways just in case any of the parties decides to sell.

Mr. Cushing stated that they could have waited until the end of the 5 years but they wanted to do it and get it out of the way.

Mr. Wright made a motion to approve the subdivision application as submitted.

Mrs. McGraw seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

5. 22-SR-06

Jason Castro

147 Brown Road / R17-8-A

40'x 40' garage for auto body shop

Mr. King introduced the application and verified the applicant was present.

Mr. King made a motion to accept the application as complete for review.

Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

Jason Castro introduced himself and stated he is looking to build a 40' x 40' garage to house his auto body shop.

Ms. Foster stated it didn't fall under a normal business registration or home occupation due to zoning and it being his parents' property.

Mr. King asked if there was going to be any mechanic work.

Mr. Castro replied no.

Mrs. Murphy asked about possibly having a sign for trucks entering the Brown Road from the Holley Road where it's a 45-mph zone.

Mr. King asked if everyone had had a chance to read the letter from the Schletters.

Mr. Jordan stated the main concerns from the Schletters seems to be maintenance on the Brown Road.

Mr. Castro said that the road and bridge holds up to big trucks so it will be fine for his light traffic.

Mr. Jordan asked who is currently responsible for road maintenance.

Mr. Castro replied that all the landowners are responsible.

Mrs. McGraw asked Ms. Foster to explain her comment about the business registration.

Ms. Foster stated that when Mr. Castro first came into the Code Office we thought he was only going to have to file a home occupation registration, but when it was determined he doesn't live on the property (owned by his parents) he had to file a Site Review application per the Zoning Ordinance.

Ms. Murphy asked how many buildings are going to be on the property.

Mr. Castro said his parents live further up in their house and his garage will be the only other building.

Mr. Smith asked if the stream on the property is before or after the building if you are driving up the Brown Road.

Mr. Castro replied the building will be after the stream crossing if you are going up Brown Road.

Mr. Smith said he felt that all the property owners should help with the maintenance of the road and bridge and not just Mr. Castro. He followed asking what Mr. Castro does with his hazardous materials.

Mr. Castro stated he has spill kits and still needs to call around to see who is available to pick up and haul his waste.

Mr. King asked if he needed any State licensing.

Mr. Castro replied no.

David Kidd, an abutter, asked if he was required to put up a fence to screen customer vehicles.

Mr. Kaiser stated that is discretionary and depends on how many vehicles there will be.

Mr. Macneil asked how many vehicles trigger a junkyard.

Mr. Kaiser replied that this doesn't trigger junkyard because they aren't his personal vehicles – they're customer vehicles being worked on. He added there are many exemptions in junkyard law.

Mr. King asked if the applicant would be willing to put the vehicles only in a certain area or put a fence around them.

Mr. Castro said that isn't a problem, he will put a fence along the front if needed.

Mr. Kaiser reminded the Board that they can negotiate screening with the applicant but there is no set requirement.

Mr. King asked if the building and vehicles would be able to be seen from the road.

Mr. Castro replied they wouldn't be seen until someone turned on Brown Road and got closer.

Mr. Wright asked Mr. Kidd how much of it he would see from his property.

Mr. Kidd said it wouldn't take much to fence where it is 250' back from the road.

Mr. Wright asked if this was something they could work out on their own, in which they both agreed they would.

Mr. Otley stated it wouldn't be a bad idea to think about forming an association for maintenance of the road.

Mr. Smith asked if he was going to have any employees, to which Mr. Castro replied no.

Mr. Smith asked Mr. Kaiser where there are 5 parking spots required, do cars waiting to have work done count towards that number.

Mr. Kaiser said these are for customer's vehicles and a single run of fence along the front would do.

Mr. Jordan said the building is 40 feet wide, so there's is plenty of room to put the cars behind the structure.

Mr. Jordan made a motion to approve the application with the condition that the applicant store vehicles behind the building or provide screening if necessary.

Mr. Otley seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

6. 22-SR-07, 22-SS-08, 22-SD-02

Steve Hopkins

113 Livermore Falls Road / U38-4-B

25-Unit Apartment Building

Mr. King introduced the application and verified the applicant was present.

Mrs. McGraw made a motion to accept the application as complete for review.

Mr. King seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

Steve Hopkins introduced himself stating that his business partner Steve Danner, the property owner, bought the property recently and it was picked selectively to build a 25-unit apartment building because it is across from the hospital and on a major highway. He added that David Taylor is also joining him as a consultant and they have already lined up the majority of local contractors for the work.

Mr. Jordan stated abutter Daniel Maxham's letter about the issues he has with the project seem to be about access and the number of vehicles, but this is going to be an apartment building not a high traffic business location. He added that he doesn't have any issues with the project.

Mrs. McGraw asked if there was a survey done to see if there was a need for 1 bedroom and studio apartments.

Mr. Hopkins replied that this is what he does for a living, and just during February he had 60 people asking for apartment availability. He said his sister is a traveling nurse, and he's seen her struggles with housing, which is why he's going to have a meeting with FMH about a contract to provide housing for traveling nurses and medical professionals.

Mrs. McGraw asked if it is a fairly wet lot being in the location it is.

Mr. Hopkins replied that it is wet on top due to an abutter plowing all their snow on it - but otherwise not too bad and he has drainage plans.

Ms. Murphy asked if a traffic study has been done.

Mr. Hopkins replied that because it's not a high traffic business and is far enough away from the Rt.2/4 and Rt. 133 intersection, a traffic study wasn't required.

Ms. Murphy asked Mr. Hopkins if he felt obligated to reserve a certain amount of apartments for the hospital.

Mr. Hopkins said wants to have at least a few available to them and would have it all for the hospital if possible.

Ms. Murphy stated the Board approved the Skowhegan Savings project entrance because of its grandfathered curb cut - and this will have even less traffic - so she doesn't see why this shouldn't be approved.

Mr. Otley stated the DOT driveway/entrance permit says 5 units or less and asked if that was a error.

Mr. Hopkins stated it is a typo and he will have it fixed.

Mr. Otley asked how many parking spaces there are.

Mr. Hopkins said there will be 50 parking spaces including accessible and visitor parking. He added that he has spoken with Interim Fire Chief T.D. Hardy and has hired Third Party Inspector Dana Sturtevant.

Mr. Wright stated MDOT has approved the location and he really likes the idea of working with the hospital and hopes that happens.

Mr. Smith asked about the drainage on the southern side.

Mr. Hopkins said he is planning on ditching and sending it down into the wetlands.

Mr. Smith said he didn't realize it slopes down as much as it does but if the water builds up, will it run into Sandy River Nursing.

Mr. Hopkins said it's the highest point there and it will flow towards Route 133 instead.

Mr. Smith asked how long the fabric under the gravel will last.

Mr. Taylor said the manufacturing company says it will last 50-75 years.

Mr. Smith asked how tall the building is going to be.

Mr. Hopkins replied it should be roughly 30-40 feet tall.

Mr. Macneil said he wasn't sure why that particular site location at first but now he understands the reasoning.

Mrs. McGraw asked if they were going to be planting any shrubs or trees.

Mr. Hopkins said the Route 133 side has remained untouched, leaving some selected trees. He added that they are thinking about possibly doing raised beds for the tenants. There will also be lamp posts to light the parking lot.

Mrs. McGraw stated that the plans show carports.

Mr. Hopkins replied that was an error and not the case.

Mr. Smith asked if cement trucks could dump their waste on the property.

Mr. Hopkins said Vining's is their contractor and he will find out from them.

Mr. Kaiser said that trucks used to be able to dump excess on the ground but protocols have changed and Vining's and/or the concrete vendor would have the answer on that.

Mr. Taylor said he believes the trucks keep extra water that they add to the drum so they can get back to the shop and dump there.

Mr. Jordan stated the Board should acknowledge the MDOT permit error reading 5 or less instead of 25 or less in the minutes. Assuming that number is in reference to the number of apartments.

Mr. Kaiser stated the project meets access management standards and doesn't trigger a traffic study.

Mr. King asked who the property owner was.

Mr. Hopkins stated it is Stephen Danner.

Mr. King asked if there needs to be a Letter of Authorization.

Ms. Foster replied no, Mr. Hopkins is the applicant and the authorized agent.

Mr. Kaiser said Stephen Danner signed the application in addition to Mr. Hopkins.

Cheyenne Cushing stated she is asked all the time if she knows of any available apartments.

Dan Maxham stated he is an abutter to the property and sees the apartment being filled more with locals than nurses. He worries about there being no sidewalks, and with the cost of gas going up tenants may be walking along the highway and cause accidents. Mr. Maxham added that this lot is for commercial use not residential use.

Mr. Otley said he agreed with the concern of more accidents, especially with the guardrail right there.

Mr. Hopkins said he has reached out to the State to see about having a sidewalk and also possibly have a crosswalk across to the hospital which he needs to talk to them about as well.

Mrs. McGraw made a motion to approve the Site Review, Soil Erosion/Stormwater, and Subdivision applications as submitted with the condition that the applicant receives a corrected MDOT driveway/entrance permit.

Ms. Murphy seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

7. Other Business

Mr. King asked Mr. Kaiser if he had any updates.

Mr. Kaiser informed the Board that there are several housing projects that may be coming in the near future. He added that he doesn't see the demand for housing slowing down anytime soon.

Ms. Murphy asked Mr. Kaiser if there was any news about Skowhegan Savings Bank getting permission from Hannaford for an entrance.

Mr. Kaiser replied they're still working on it and seem hopeful it will happen. He added that the delay in the connection may have something to do with who's going into where the bank is currently.

Mr. Otley stated the majority of the planted trees at the Farmington Solar site have died and hopes they will replace them.

Mr. Kaiser replied that Wanzek is working on repairing erosion and road damage and will be replacing the dead trees.

Mr. Wright asked if Wanzek was still planning on fixing the Hovey Road.

Mr. Kaiser replied that is being worked on between them and Public Works Director Phil Hutchins.

Ms. Murphy made a motion to adjourn the meeting.

Mr. Jordan seconded the motion.

VOTE: 7 – Affirmative

Motion carried.

The meeting adjourned at 7:20 p.m.

Minutes respectfully submitted by Kate Foster.

Planning Board

Date