

FARMINGTON PLANNING BOARD

153 Farmington Falls Road

June 13, 2016 – 6:00 P.M.

Minutes

Planning Board members present were Clayton King, Tom Eastler, Lloyd Smith, Gloria McGraw and alternate members, Jeff Wright and Mike Otley.

Donna Tracy, Craig Jordan, and Bill Marceau were unable to attend.

Others present were Town Manager, Richard Davis; Code Enforcement Officer, Steve Kaiser; Code Enforcement Assistant, Jane Ford; Bryan McNaney, Paul Mills, Dave Horn, Tom Holt, Anne Bryant and several members of the public.

1. Designate alternate members, if needed.

Mr. King designated Mr. Wright and Mr. Otley as voting members for this meeting.

2. Review minutes of May 9, 2016

Mr. Smith made a motion to approve the minutes of May 9, 2016 as submitted.

Dr. Eastler seconded the motion.

VOTE: 6 – Affirmative None opposed 3 - Absent

3. Bryan McNaney

Construction of a Covered Porch
1127 Farmington Falls Road
Map U-1 – Lot 018
Non-Conformance Expansion Application #16-NC-01

Mr. McNaney was present to represent this application. He said he has a nice lot on the river and would like to construct a porch [10' x 20' on the south wall of the main floor] to enjoy the view.

Mr. King asked if there were any abutters present and there were none.

Dr. Eastler made a motion to accept the application as submitted.

Mr. Smith seconded the motion.

Mr. Otley questioned the location as shown on the tax map and asked about the floodplain.

Mr. McNaney said the flood waters of the 1987 flood came into the basement.

Mrs. McGraw asked about the new construction - would this make his property more in the floodplain? She then expressed concern regarding an insurance increase. She added that she sold two or three houses in similar locations and flood insurance became a big issue.

Mr. Kaiser said he did a floodplain determination for a title company for this property. He said the limit of the 100-year floodplain stops at the southeast corner of the foundation.

Dr. Eastler asked how the 500-year flood of 1987 affected the property.

Mr. McNaney said the flood waters were right below the porch.

Mr. Smith asked Mr. Kaiser if Mr. McNaney could come back in the future since this non-conformance expansion does not equal the square footage of what he is removing?

Mr. Kaiser said yes, that's possible.

Mr. Otley asked how far the house was from the water.

Mr. McNaney said approximately 90 feet.

Mr. Otley asked Mr. Kaiser if he can build that close to the river.

Mr. Kaiser said he can because this is a case of rearranging existing non-conformance on an existing structure, not a new building.

VOTE: 6 – Affirmative None opposed 3 - Absent

4. John Moore

5400 CY of Fill (Approximately 50' x 100') for Future Car Drive-In
Old Narrow Gauge Lane
Map U15 – Lot 058
Soil Erosion Control/Storm Water Management Application #16-SS-03
Flood Hazard Development Application #16-FP-01

Soil Erosion Control/Storm Water Management Application

Attorney Paul Mills was present to represent Mr. Moore's applications and said that these applications are not for Site Review. He said that Mr. Moore is requesting a permit to fill an area with approximately 5400 CY of fill in the back of the Narrow Gauge Cinema for the construction of a future outdoor drive-in theater. He added that E.L. Vining did the calculations.

Dr. Eastler said he has no problem with this proposal and made a motion to accept the Soil Erosion Control/Storm Water Management Application as presented.

Mr. King seconded the motion.

Mr. Smith questioned the access and said that in the narrative it states that the entrance will be from the Pleasant Street Extension and asked where that was located.

Attorney Mills said it is a road discontinued by the town in 1973, and it comes off Main Street, north of the District Court, and makes a right angle turn to the right and goes down a few hundred feet in length. He said Mr. Moore acquired it five years ago.

Mrs. McGraw asked by adding that amount of soil – will that change or affect anyone else's property?

Mr. King said it will affect UMF [who are selling the fill site to Mr. Moore].

Mr. Kaiser this is an edge of floodplain fill project, many of which the Boards has approved in the past. He said the important factor is that the site will be stabilized with conservation mulch or other means.

Dr. Eastler said BMP's must be followed.

Mr. Horn said someone dumped a whole load of chips down the bank in that location. He said a lot of work has been done there already, and cars come in behind his property.

Mr. Kaiser said the assumption is that Mr. Moore either owns or has right to the areas being worked on and access, and other elements will be covered during the subsequent Site Review. He said these applications are being reviewed just for the fill.

Attorney Mills said that it is Mr. Moore's goal to come in for Site Review in 2017.

Mr. Wright asked how the area will be stabilized.

Mr. King said the slope of the land will be mulched and seeded.

Mr. Kaiser said they will likely use conservation mix.

Mr. King added that the contractor is responsible for the clean up after projects and E.L. Vining is a responsible contractor.

Mr. Smith said he was curious about where they will get that much fill and if it would be from an approved location in Farmington.

Mr. Kaiser said it will come from a Vining pit or other permitted pit.

VOTE: 6 – Affirmative None opposed 3 - Absent

Flood Hazard Development Application

Mr. King made a motion to approve the application as submitted.

Mr. Smith seconded the motion.

Mr. Otley stated he was curious about filling in the flood hazard zone.

Mr. Kaiser said this activity requires a permit under this Ordinance and adherence to BMP standards.

Mrs. McGraw asked, regarding the discussion about the road – what if he completes all this fill and the Board decides that he can't drive down the road?

Mr. King said the access on Pleasant Street is an alternate entrance.

It was asked why all of the required applications were not submitted at once.

Mr. Kaiser said Mr. Moore is not ready to submit a Site Review Application at this time because he wanted approval for the submitted soil erosion and floodplain applications first.

Mr. Otley asked about a building addition for the drive-in.

Mr. Kaiser said that is part of what Mr. Moore will come in for under Site Review, adding that the grade of the theater and proposed drive-in area is four feet above the 100-year floodplain.

Mr. Smith asked about the completion date of 2017 – was it for these applications or the whole project?

Attorney Mills said, for the whole project.

Mr. Kaiser said Mr. Moore would like the site filled and stabilized this year.

VOTE: 6 – Affirmative None opposed 3 - Absent

5. Other Business

Mr. Kaiser said the Board has received the latest draft performance standards for solar energy systems and a warrant article has also been drafted in anticipation of a Special Town Meeting. He said if anyone wants to discuss any additional revisions they should do so before the standards are sent to the Board of Selectmen who will conduct a Public Hearing prior to a vote.

Mr. King said he saw some activity started for AutoZone. He also said he noticed the house was torn down next to the UCU [for the previously approved parking lot].

Mr. King asked Mr. Davis for an update on the proposed Alzheimer's facility.

Mr. Davis said they are progressing. He said there is still a lot to be done and there are confidential negotiations taking place. He said he can't comment on that, but he stated they are working diligently with the Walters brothers.

Dr. Eastler said they had a two day spring compost sale and sold all of it and made \$1557.00. He talked about the pad and said they would like it expanded with packing gravel and paved if possible.

Mr. Davis cautioned that any expansion would need to be cleared with DEP.

The solar energy project being planned was briefly discussed. Mr. Smith asked how Mr. Kaiser came up with the 20,000 SF commercial limit.

Mr. Kaiser said he applied that limit as large commercial box buildings may add solar and are usually that big.

Dr. Eastler said that the average percentage of solar energy produced for any site in the US is 14% regardless of rain, snow, or clouds, which is way less than the 24% figure used by developers. He said similarly, wind developers overstate the generating potential for US sites as high as 30% which none can meet and only windy places like Norway can produce percentages up to 42%.

Regarding solar energy, Mr. King asked if there was a limitation on the amount of surface area that industrial solar can be cover.

Mr. Kaiser said that would be discussed when the project comes in for Site Review. He said he used the limit of 800 acres for industrial solar as that is what is being discussed for this potential project.

Dr. Eastler said new types of [photovoltaic] fabrics are another option that can be used instead of panels, as well as solar shingles, siding, etc.

Mr. King said technology is changing fast.

There being no further business, the meeting adjourned at 6:50 P.M.

Minutes respectfully submitted by Jane Ford.

Planning Board

Date