

FARMINGTON PLANNING BOARD
153 Farmington Falls Road
December 14, 2015
Minutes

Planning Board members present were Clayton King, Lloyd Smith, Tom Eastler, Gloria McGraw, Craig Jordan, and alternate member, Jeff Wright.

Donna Tracy and Bill Marceau were unable to attend.

Others present were Code Enforcement Officer, Steve Kaiser; Code Enforcement Assistant, Jane Ford; and applicants Catherine Horner and Tim Seamon.

1. Designate alternate members, if needed.

Mr. King designated Mr. Wright as a voting member for this meeting.

2. Review minutes of October 19, 2015 & November 9, 2015

October 19, 2015

Mrs. McGraw made a motion to approve the minutes of October 19, 2015.

Mr. Wright seconded the motion.

VOTE: 4 – Affirmative 2 – Abstentions 2 - Absent
Motion carried.

November 9, 2015

Dr. Easter made a motion to approve the minutes of November 9, 2015 as submitted with the added revision.

Mrs. McGraw seconded the motion.

VOTE: 5 – Affirmative 1 – Abstention 2 – Absent
Motion carried.

3. Cathleen Horner

Sales of Used Tires
128 Philbrick Street
Map U01 - Lot 039
Site Review Application #15-SR-12

Property owner, Tim Seamon, and his sister, Catherine Horner (applicant), were present to represent this application.

Mr. King asked the Ms. Horner if she had anything to add to the application.

Ms. Horner said, no.

Mr. King asked Mr. Kaiser for some background information regarding the application.

Mr. Kaiser said Mr. Seamon had been selling used tires at his residence as a home occupation, but he could not comply with the home occupation performance standards. Mr. Kaiser then informed him he needed site review approval. Mr. Kaiser said Mr. Seamon's lot is located in two zoning districts – Village Business and Farm & Forest. He said, regarding the Village Business zone, Mr. Seamon filed a 15 day Site Review with the Code Office which was approved for that area. He said Mr. Seamon also wanted approval for the other portion of his lot in Farm & Forest which requires Planning Board approval.

Mr. King said he travels the Farmington Falls Road regularly, and said he thinks this is a great idea. He said he liked that the tires were neatly stacked on trailers, and that the applicant is doing a good job and keeping things neat. He added that he didn't see any violations.

Mr. Kaiser said he had a phone conversation with Kathy Petrie, who resides with abutter, Glen Meisner, and she complained that Mr. Seamon's outside light shines into their windows.

Ms. Horner said she drove around the area to make sure the lights weren't shining in the wrong direction, and added that the abutters were getting more light from the street lights.

Mr. Wright questioned Fire Rescue Chief Bell's comment regarding the number of tires. He said Chief Bell requested that there should be no more than 100 tires on the site.

Mr. Seamon said there are more than 100 tires there.

Ms. Horner said there are probably 200 tires.

Mr. Kaiser said that Chief Bell made a request, not a requirement, and that the goal here was to have a reasonable amount of tires on site.

Mr. Seamon said he is not trying to be like Tire Warehouse. He said he will keep two or three well constructed trailers to display the tires, rather than building a structure.

Mr. Wright asked Mr. Seamon where he gets the tires.

Mr. Seamon said from the car dealerships in the community.

Ms. Horner said they need to have more than 100 tires to operate.

Dr. Easter asked if they have 100% of the inventory on trailers.

Mr. Seamon said it is more like 90%.

Dr. Easter asked if they could keep 100% of the inventory on trailers because they would then be mobile.

Ms. Horner said that's exactly the idea, they want to eventually have all of the tires on trailers.

Mr. Kaiser said it is up to the Planning Board to decide on the number of tires.

Dr. Eastler said if there are 100 tires and assuming that a customer wants to buy four, then that would be 25 sales. He said he doesn't see that as being an unreasonable amount of tires.

Ms. Horner said they didn't want to be stuck with a particular number. She said they may store some tires on pallets and right now have 90% on the trailers.

Mrs. McGraw asked about the house to the right (Anna Power's property).

Mr. Kaiser said Ms. Powers calls him about twice a year, and he informs her that it cannot be re-occupied until inspected by Fire Rescue, the Fire Marshal's Office, State Electrical Inspector, and the CEO.

Mrs. McGraw asked if a fire truck could get close enough to the house (Mr. Seamon's) if there was a fire.

Mr. Kaiser said, yes.

Ms. Horner said they would like to purchase Ms. Powers' property.

Mr. Jordan said he doesn't want to tie them to a limit of 100 tires. He said Mr. Seamon needs to take what the dealers have, as long as it doesn't get out of hand.

Mr. Smith said this spring or early summer there was some material accumulating between Mr. Seamon's house and Mr. Meisner's house, but now it's cleared up and he said he feels that they are doing a good job there.

Ms. Horner said that was during the time they had a yard sale.

Mr. King also agreed that the Board shouldn't tie their hands to a number of tires, but added if a problem should develop, then it becomes an issue for the CEO.

Dr. Eastler asked the applicants, just as an FYI, to Google the April Fool's Day flood of 1987 to view the damage of that 500-year flood event in that area. He said he was in a helicopter flying over this massive flood and described some of the horrific damage. He suggested that should we ever have another one of those types of floods, the applicants should have a plan in place to move their tires toward the firehouse and periodically practice how that could be done. He added that we have had three 100-year floods in ten years.

Dr. Eastler made a motion to approve the application as presented.
Mr. Smith seconded the motion.

VOTE: 6 - Affirmative 2 – Absent
Motion carried.

4. Town of Farmington Shoreland Zoning Ordinance Review of State Revisions, Additions, and Deletions

Mr. Kaiser said the Ordinance needs to be finalized by February of 2016, so it will be available to voters for a full month before Town Meeting, and the next step would be for the Board of Selectmen to conduct a Public Hearing. He said it would then be put on the warrant for the next annual Town Meeting.

Mr. Smith discussed the confusion regarding invasive species.

Mr. Kaiser said Patty Cormier, District Forester, would be consulted regarding any re-plantings.

Mr. Kaiser stated that many of the State's recommended vegetation revisions were the result of problems in towns with a lot of lakefront properties, but Farmington has very little on Clearwater Lake.

5. Other Business

Dr. Eastler discussed the history of mining sand/gravel bars on the Sandy River, and that DEP may be willing to permit their removal on a broader basis (as in the past) based on some recent permitting on Mr. Meader's property in the Falls and other locations.

Dr. Eastler also discussed Bussie York's land and how the buildup of these sand/gravel bars is again taking away farmland by erosion. He also suggested that we may be able to work with landowners and FCSWD again, to package NRPA applications to DEP.

Mr. Kaiser said, regarding NRPA permits, that DEP now requires engineered plans.

Dr. Eastler discussed the population demographics in the Comp Plan.

Mr. Wright asked about the future of the Village Corporation.

Mr. Kaiser said Town Attorney, Frank Underkuffler, said we can't make them go away, they have to dissolve on their own.

Mrs. McGraw said she heard that the Village Corporation may fold their zoning authority in the near future.

Mr. Jordan said the horse crossing signs at the Fairgrounds were taken down by Town employees and would like to see them replaced.

Mr. Kaiser said he'll contact Mr. Castonguay, Director of Public Works, who may be able to replace the signs.

Mr. Jordan said down at the Farmer's Union, on any given day, there are heavy odors coming from the marijuana growing facility on Front Street. He said such facilities out in Colorado use charcoal filters for this reason.

Potential odors from marijuana growing at the old Farmington Shoe factory was discussed. Mr. Kaiser said this was exempt from site review as agriculture, but if odors became a problem the abutters could go to court under nuisance laws and he would try to have the owner voluntarily put in controls.

There being no further business, the meeting adjourned at 7:10 P.M.

Minutes respectfully submitted by Jane Ford.

Planning Board

Date