

FARMINGTON PLANNING BOARD
153 Farmington Falls Road
August 10, 2015
Minutes

Planning Board members present were Clayton King, Lloyd Smith, William Marceau, Craig Jordan, Gloria McGraw, and alternate member, Jeff Wright. Donna Tracy and Tom Eastler were unable to attend.

Others present were Town Manager, Richard Davis; Code Enforcement Assistant, Jane Ford; applicant, Nate Yeaton; abutter, Roger Lambert; and contractor, Rodney Powers.

Mr. Jordan stated that he had worked for the applicant in the past and wanted it noted for the record.

The meeting was called to order at 6:00 p.m.

1. Designate alternate members, if needed.

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

2. Review minutes of July 13, 2015

Mrs. McGraw made a motion to approve the minutes of July 13, 2015 as submitted.

Mr. Smith seconded the motion.

VOTE: 6 - Affirmative 2 - Absent
Motion carried.

3. Nate Yeaton – “Falls Road Veterinary Clinic”

Proposal to improve and add additional parking
475 Farmington Falls Road
Map U03 - Lot 007
Soil Erosion Control/Storm Water Management Application #15-SS-10

Mr. King began the discussion by stating that this is an “After-the-Fact” application.

Mr. Yeaton was present to represent this application. He said the project started when they had to replace their leach field. He said he got permits for that but not for soil erosion. He said they wanted to increase their parking and it wasn't until they decided to add a second entrance did he go to Mr. Kaiser and then found out that he would have to file a Soil Erosion Control/Storm Water Management Application and also go before the Planning Board for their approval.

Mr. King asked if everything was done except the hot-top.

Mr. Yeaton said, yes.

Mr. Wright asked if the second driveway would be for their customers.

Mr. Yeaton said, yes, and to get the customers and delivery trucks off the road as quickly as possible. He added that some people park in front of the clinic on the road.

Mrs. McGraw asked, regarding the second entrance, if MDOT approval was also necessary.

Mr. Yeaton said he talked to the Public Works Director, Denis Castonguay, and received approval from him and nothing from the State was required as this site is within the Urban Compact.

Mr. Smith was asked, as a member of the Transportation Committee, if this was correct and Mr. Smith agreed that it was within the Urban Compact.

Mr. King asked Mr. Jordan for his comments and he said he has no issues with the application.

Mr. Smith said, in the narrative, it is stated that there will be a 15' access road but in the application it says 12' and asked for clarification.

Mr. Yeaton said the access road is 15'.

Mrs. Ford was asked to correct the application to read 15' instead of 12'.

Mr. King asked if the new entrance will end with 24'.

Mr. Powers said with wings, it will be more like 30'.

Mr. Marceau asked regarding the grades, will there be any changes or are there any concerns.

Mr. Yeaton said they didn't change the grade as it exists, and it slopes toward the clinic's side.

Abutter, Roger Lambert, made several comments. He said Mr. Powers said he discovered a plugged up drain pipe and suggested that it should be capped and buried. Mr. Lambert said apparently that pipe might have been for the gutters because it is too high for the drainage system. He said while talking with Mr. Powers, Mr. Powers said when the road (Farmington Falls Road) was rebuilt by the State, it was elevated four or five feet and the drainage has been weird ever since.

Mr. Lambert then stated his point is - he wants to defend the way his property drains. He said, should the need arise to reconstitute that drain because of the grade at his house, what he would like to do is to get an easement to the ditch between his line and the end of the driveway. He added that he suspects that there is nothing in his deed that mentions an easement.

Mr. King said the Planning Board has no jurisdiction over the matter of easements, and that would have to be worked out with the neighbor.

Mr. Lambert said, in that case, why invite abutters.

Mr. King said it is the Board's responsibility to make sure applicants meet the standards of the ordinances. He said there have been numerous occasions when UMF excavates and we don't

know about it and what they are doing. He added that when Mr. Castonguay signs off on a project, we rely on his opinion.

Mr. Lambert said this may be a potential problem for him since Mr. Yeaton is here today, he restated that he'd like to discuss an easement.

Mr. Jordan said it is not up to the Planning Board to grant an easement.

Mr. Wright said it is too late to do what you want to do.

Mr. Lambert said he hasn't researched this to see if there is any easement stated in his deed but he will talk to Mr. Yeaton about this matter.

Mr. Marceau concurred with Mr. Jordan that this matter is between neighbors.

Mrs. McGraw said, ironically, if they did the reverse by draining onto Mr. Lambert's property, there would be a problem.

Mr. King stated that he wished they would have come in earlier to get the proper approval.

Mr. Smith made a motion to approve the application.

Mrs. McGraw seconded the motion.

VOTE: 6 - Affirmative 2 - Absent
Motion carried.

4. Other Business

Mrs. Ford updated the Board in regards to the Ice Cream Shoppe and said in order to open the second driveway, they would have to come back with higher traffic counts from MDOT as well as approval from the Director of Public Works.

Mr. Smith said he has gotten more business than he expected.

Mr. King said it was the Board's decision not to use the second driveway, and he also mentioned the fact that a tractor trailer got stuck while making a delivery.

Mr. Jordan said we should state at the beginning of our meetings to turn off all cell phones.

There being no further business, the meeting adjourned 6:24 P.M.

Minutes respectfully submitted by Jane Ford.

Planning Board

Date