

Town of Farmington
Zoning Board
Thursday, April 22, 2021 – 6:00 p.m.
MINUTES

Board members present were Paul Mills, Kelly Kading, John Moore, Jane Woodman, and Alternate Member Kyle Terrio. David Ballard was unable to attend. Town Manager Richard Davis and Planning Assistant Cindy Gelinis were present. Also present were Amber Stone of Daily Bulldog, Father Paul Dumais, Pastor at St. Joseph's Church, Dennis O'Neil, Ed David, Rachel Jackson, and other members of the public.

Mr. Mills brought the meeting to order at 6:00 p.m.

1. Designate alternate members, if necessary

Mr. Mills designated Kyle Terrio as a voting member.

2. Approve Minutes of March 24, 2021

Ms. Woodman made a motion to approve the minutes as written.
Mr. Terrio seconded the motion.

Motion carried.

3. Workshop on Homeless Shelter

Mr. Davis asked Mr. Terrio if he was able to contact the shelters in Rumford and Norway.

Mr. Terrio said he emailed Mrs. Gelinis the Town of Brunswick Zoning Ordinance and Homeless Shelter Licensing Ordinance, links to Maine Housing's Homeless Solutions Rule and Emergency Shelter and Housing Assistance Program, along with some contact information, and she forwarded the email to the Board. He said the Rumford and Norway shelters have not returned his phone calls as of today.

Mrs. Gelinis made copies of the Town of Brunswick Zoning Ordinance definitions of Homeless Shelter for the Board.

Mr. Kading asked Mr. Terrio to speak of his working experience with the homeless shelter when he lived in Montana.

Mr. Terrio said he worked at a nonprofit overnight warming center at the county fairgrounds in Montana, and they eventually renovated a building to house 45 individuals sectioned into separate rooms for male, female and family. He said the churches and other organizations began taking on other homeless needs. Mr. Terrio said the largest hurdle was explaining the need for a shelter to the Town boards and

community. He said the center was open for overnight stays only, and it became a problem for the community because there were no programs established or places for the clients to go during the day except the public library and community café. Mr. Terrio said the staff should be trained in organization, management, control, and de-escalation because some clients have addictions and mental health issues, and there should be safety protocols in place for clients and staff. He said there was a lot of kick back from local and neighboring communities. Mr. Terrio said the center provided bathrooms, showers, and eventually laundry.

Father Dumais said sometimes the perfect can become the enemy of the good. He said let's be thinking about an 80 percent solution that synergizes the partnerships within the community, the education community, the business community, the civic community, and the religious community, so that we don't set so high a standard that the possibility of a shelter itself becomes impractical or infeasible or implausible or absolutely impossible. Father Dumais said the operations side is a significant factor. He stated in 2018 the Western Maine Homeless Outreach (WMHO) received \$29,000 in contributions, \$169,000 in government contracts, and salary and benefits of \$137,000. Father Dumais said Lewiston has a 16-bed shelter that received contributions of \$197,000 and salaries and benefits of \$132,000. He said the Tedford House in Brunswick has not followed the ordinance that requires it to operate as a 24-hour facility, except it is currently operating as such due to COVID. Father Paul said the Tedford Housing has multiple facilities and receives significantly higher amount of funding and operational budget, and none of these are a 24-hour facility. He said there are people living in their cars in the Living Waters Church parking lot who thought it was a homeless shelter, and they have jobs but nowhere to live. Father Dumais distributed copies of the homeless shelter definitions in Brunswick and Waterville.

Discussion followed regarding the location definition, Farmington zoning districts, and other locations for a shelter.

Father Dumais offered the St. Joseph's facility for a year study as a feasible location for a homeless shelter. He asked the Board to consider a reasonable definition allowing shelters to be located within the Village Residential and Historic district so clients have easier access to the downtown services. Father Dumais said they could use one of three St. Joseph properties, with the basement of the Parish Hall being the better location. He said the shelter could open in approximately a year after careful planning, projection and cooperation among the business and civic community, local churches and ecumenical ministry, and UMF. Father Dumais asked the Board to consider this as a viable location when adopting the zoning definition.

Ms. Jackson stated she is the owner of Creative Energy, LLC and for 20 years she has worked with homeless shelters including the Tedford Housing, which doesn't follow the Brunswick Homeless Shelter Ordinance. She said a 24-hour homeless shelter is financially too costly to run, and if you adopt this in your definition, it is saying you don't want a shelter in Farmington.

Mr. Davis said the Brunswick Ordinance was adopted two years ago, and he thought these shelters were likely in operation before the Ordinance was adopted, which would make them grandfathered.

Mr. David asked if this were a Public Hearing.

Mr. Mills said this is not a Public Hearing. It is a workshop that began at the prior meeting to work on the definition.

Mr. David said he is hoping the Board will come up with a definition with a recommendation to the Town that will facilitate the creation of a shelter in Farmington. He stated he was involved with the WMHO Planning Board application to use the Holman House building two years ago, and thought it fit under the Group Home category. Mr. David said Franklin County needs a homeless shelter, and it is the only county without one. He listed organizations, businesses, and agencies that supported WMHO. Mr. David said the definition needs to be as flexible as possible and allow it near the downtown for clients to access the community, services, UMF, and stores.

Father Dumais said Mike Shaughnessy at Maine State Housing Authority (MSHA) stated there are 24-hour shelters in Maine and we could look to them for consultation and operational information, and he listed other shelters. He said he and others would like to have a conversation with the business community to address their concerns. Father Dumais suggested organizing a day program at the facility or within walking distance of the shelter would be helpful.

Mr. Mills asked about capacity limits in an ordinance.

Ms. Jackson said 16-beds seem to conform to life safety requirements. She said the ordinance doesn't have to be as restrictive because the life safety and building code requirements are there to keep people safe. Ms. Jackson discussed other shelters and how they managed the bed capacity and layout options.

Mr. Terrio said he agreed with Ms. Jackson that the Board shouldn't regulate the number of beds and it should be more generic. He stated the building codes for the facility will determine the occupant load once the facility has been decided, and the architect and engineer would build it accordingly.

Mr. O'Neil said the Zoning Ordinance can be changed to accommodate the need within the community to make it user friendly and allow people to serve who want the shelter.

Mr. Davis asked if he would be amenable to putting a limit on the total beds within the community.

Mr. O'Neil said the total beds will be decided by the financial impact to the community. He said it is our duty to try and make it a viable opportunity for the community to respond to that need.

Ms. Jackson said the statistics show these people aren't moving here from away because they need to be where they have a support system and be near their families.

Discussion followed regarding the number of beds, specialized homeless facilities, Kerr House, New Beginnings, building codes, and sprinkling buildings. Father Dumais said Captain T. D. Hardy is coming to the Parish Hall to look at the basement on Friday.

Mr. Terrio offered to start drafting the definition and suggested selecting a few more members to help.

Mr. Moore suggested Mrs. Gelinas start the draft and she respectfully declined but said she would help in any other way.

Father Dumais said he would email the definitions to Mr. Terrio to be disseminated to the Board.

Mr. Mills said we can draft a word document and send to the Board members for their additions to discuss at its next meeting.

Mr. Davis said the Board made progress at its last meeting by agreeing the name should be Homeless Shelter which will be listed under the category of Educational, Institutional, Public in the Zoning Ordinance Table of Uses with its own definition.

Mr. Mills thanked everyone for attending.

Everyone left the room except for Ms. Stone.

4. Workshop on Camping
 - A. Name of the new use category in the Table of Uses.
 - B. Definition
 - C. Zoning Districts allowed

Mr. Davis said there is a definition for campground, and it is listed under the category of Outdoor Resource Based Uses.

Mr. Moore said he asked that it be put on the agenda, and this definition hasn't been updated to include "glamping" which could include a large tent or yurt. He said it is becoming more prevalent due to the internet and he didn't know where this falls within the campground definition. Mr. Moore said the State has a definition for two types of camping with the standard campground being a permanent facility having amenities like hot water and flushing toilets. He said the second is "event camping" which goes with something like the Farmington Fair or Common Ground Fair. Mr. Moore said he was looking to hold concerts behind the drive-in and have "event camping" in the field. He said this area is currently zoned Village Business (VB) and campgrounds are not allowed in that district, but it is allowed twenty feet over in the Farm and Forest (FF) district. Mr. Moore said the fields have been used for camping for the Trek Across Maine and Bike Maine. He said he is asking for a change in the Ordinance to allow camping in the VB district.

Mrs. Gelinas stated if you amend the Ordinance to allow camping in VB it will affect all properties located in that district within the town.

Mr. Moore suggested we could define “event camping” separate from campgrounds.

Ms. Woodman asked about a map showing the VB district and Mrs. Gelinas distributed maps showing the areas of town zoned VB.

Mr. Moore said the area he is proposing to change is along the old railroad bed and behind the properties off the discontinued Pleasant Street extension and Fairbanks Road. He said his property borders the field owned by the Farmington Water Department that is leased by UMF which is in the FF district.

Mr. Mills said you have adjacency, and you could change the boundary of the district because there are no buildings or development in that area.

Mr. Kading asked if there was an elevation change.

Mr. Moore said there is an approximate 25 foot drop over the bank to the field and bank going up to the abutting properties is about 25-30 foot high.

Discussion followed regarding the definition of camping, yurts, glamping.

Mrs. Gelinas asked if Mr. Moore had surveyed the flood plain line.

Mr. Moore said he had the area surveyed but not to determine if the flood line had changed. He said we have been cleaning up the area and it will be a great place to camp.

Mr. Mills suggested the goal for the next meeting should be researching ordinances in other towns to modernize the definition of campground. He said we should look at the zoning districts in the Table of Uses because it is site specific, and research the possibility of changing the district boundary rather than changing which districts “event camping” is allowed.

Mr. Davis agreed that the definition needs to be updated and with researching if the district boundary should be changed.

Mr. Moore said he would work on the definition for “event camping” that could be added to the category and allowable in the VB district.

Discussion followed regarding the campground definition, where it is currently allowed, adding “glamping” and “event camping” to the categories, and where it is currently allowed in the Table of Uses.

5. Other Business

Ms. Woodman asked if we have someone to take Adrian Harris’s place on the Board, and she asked if Mr. Terrio could apply.

Mr. Davis asked Mr. Terrio if he would like to become a full member, and he said yes. Mr. Davis said he would submit his application to finish Mr. Harris's term with the Selectmen at their next meeting . He said we will advertise the vacancy for an alternate.

Mr. Mills asked about the status of the Group Home and Chemical Dependency definitions.

Mr. Davis said the Selectmen will be holding a Public Hearing at their meeting on Tuesday for the Group Home and Chemical Dependency definitions. He said Norm Chamberlain, who is the engineer for the Avesta Housing project, called to request the Wellhead Protection Ordinance amendments be scheduled for a Special Town Meeting before May 26th because one of their funding applications is due. Mr. Davis said he will ask the Selectmen to schedule this meeting for May 25th which will include the definitions at their next meeting on Tuesday.

Mrs. Gelinias will be the conduit to disperse any information, and she will send out a Doodle poll to schedule the next meeting.

Minutes respectfully submitted by Cindy Gelinias.