

Town of Farmington
Zoning Board Workshop
Thursday, September 23, 2021 – 6:00 PM
MINUTES

Board members present were Paul Mills, Jane Woodman, and Kyle Terrio. John Moore participated by phone. Kelly Kading and David Ballard were unable to attend. Also in attendance were Town Manager Christian Waller and Planning Assistant Cindy Gelinias.

Mr. Mills brought the meeting to order at 6:13 p.m.

1. There being no alternate members in attendance, Mr. Mills called Mr. Moore on his cell so he could participate in the meeting.

2. Approve Minutes of June 17, 2021

It was the consensus of the Board to adopt the minutes.

3. Approve the Minutes of August 4, 2021

It was the consensus of the Board to adopt the minutes.

4. Workshop on Homeless Shelter Performance Standards

Mr. Mills gave an overview of the previous meeting, and he suggested we go through the drafted document that had been emailed to the Board Members with additional comments and questions (**bold**) by Mr. Terrio.

Mrs. Gelinias said the Homeless Shelter definition on the first page was amended by deleting the last part of the last sentence “in excess of the maximum floor area percentage permitted as an accessory use”. She said it was deleted because it didn’t pertain to or refer to anything in the Town’s ordinances. Mrs. Gelinias stated the “Licensing Authority” was changed to Board of Selectmen, because the Planning Board and Code Enforcement Officer do not issue licenses. She said this document is a first draft to show how the Town of Farmington performance standards are written so the Board can begin discussions on what they want it to contain, and she added, the Board can change anything in this document.

Mr. Mills agreed the Planning Board can only approve land use applications for a project. He said we will go through each item of the document.

The Board agreed to Items 1-3 as written.

Item 4.a. The maximum number of Homeless Shelter beds allowed in the Town of Farmington is thirty-two (32).

The Board agreed with this standard.

*Item 4.b. All Homeless Shelters **shall (may?)** operate twenty-four (24) hours per day, seven (7) days per week, fifty-two (52) weeks per year.*

Discussion followed regarding the difference between shall and may, requiring a homeless shelter to operate 24 hours, fiscal feasibility of a 24-hour shelter as a long-range goal, possibility of opening a shelter sooner without the 24-hour standard, comparison of Farmington with other towns that have 24-hour shelters, Farmington philanthropic organizations and fund raising, and clients feeling more secure with a 24-hour shelter.

Mr. Mills said three members approve of keeping it as written and one objects, and the standard will remain as written.

Item 4.c. All Homeless Shelters shall be “dry”.

Discussion followed on how to further define “dry”.

The Board decided to amend this to “All Homeless Shelters shall not allow alcohol, marijuana, drugs or other non-prescribed medication use on the premise.”

Item 4.d. All Homeless Shelters shall not allow convicted sex offenders.

The Board agreed with this standard.

Item 4.e. All Homeless Shelters shall have on-site supervision.

The Board agreed with this standard.

*Item 4.f. All Homeless Shelters **shall (may?)** provide classes and training for important life skills, and assistance in finding permanent housing.*

Mr. Terrio said this would be an additional expense for the shelter.

The Board decided to amend this to “All Homeless Shelters shall provide information and referrals onsite for life skills and assistance in finding permanent housing.”

Item 4.g. The appearance of the structure shall be compatible with the architectural character of the surrounding area.

After discussion the Board agreed to delete this standard.

Item 4.h. Any additions shall be constructed and finished in a manner that is consistent with the main structure.

After discussion the Board agreed to delete this standard.

Item 4.i. There shall be adequate off-street parking on the premises for staff and client use. The total number of vehicles must continue to give an appearance in keeping with the character of the zone.

Discussion followed regarding on premise parking.

The Board agreed to keep the first sentence as written and delete the second sentence of this standard.

*Item 4.j. There shall be a designated **screened?** outside gathering and smoking area that doesn't generate any nuisance of offensive noise or odors.*

The Board discussed screening and agreed to amend the sentence to "There shall be a designated screened outside gathering and smoking area that doesn't generate any nuisance consisting of offensive noise or odors."

*Item 4.k. The waste collection area shall be **screened?** from view. All waste from the property shall be removed by owner from the premises in a timely manner, according to State laws and local ordinances.*

Discussion followed regarding screening, the Town's Recycling Ordinance, and "timely manner".

The Board agreed to keep the first sentence as written and amend the second sentence to "All waste from the property shall be removed by the owner from the premises at least once each week."

Item 4.l. All clients are prohibited from sleeping outside of the building (this includes their vehicle).

The Board agreed with this standard.

Item 4.m. A Homeless Shelter shall submit a management plan, including but not limited to, the following components:

The Board agreed with this standard and following components.

*Item 5.a. Each applicant for a Homeless Shelter license shall complete and file an application on the form provided by the **Code Office,?** together with all **applicable application fees?** and the following support materials:*

Mrs. Gelinis explained the applicant would get the Planning Board Site Review application from the Code Office and pay the \$50 filing fee along with postage to abutters, and any other additional notifications or ordinance fees.

The Board agreed to keep this as written, including the supporting materials.

Item 6. Permits Required: No person shall establish a Homeless Shelter without first being approved, authorized, certified, permitted or licensed by, but not limited to, the

*Department of Health and Human Services (DHHS), **Maine State Housing Authority (MaineHousing),?** and Maine State Fire Marshall (FMO).*

Mrs. Gelinas explained this document asks for a copy of the Maine State Housing Authority's monitoring plan be included in the Applicant's management plan.

The Board agreed to keep this as written.

Item 7.a. The Planning Board shall have the authority to impose any conditions on an application that may be reasonably necessary to ensure compliance with the requirements of these Standards or to address concerns about operations.

The Board agreed to delete "...or to address concerns about operations."

Item 8a. and 8.b.

The Board agreed to keep these two standards as written.

Item 8.c. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any Licensee who fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

The Board agreed to keep the first sentence as written and delete the second sentence.

Item 8.d. A Licensee who intends to expand the licensed Premises or convert the licensed Premises to a type of Homeless Shelter that is not specifically approved in a license must seek to obtain a new license.

Discussion followed regarding defining "expanding the licensed Premises", obtaining a new license, the type of the shelter information, and informing the Town of changes to the license.

The Board agreed to amend the standard to "A Licensee who intends to expand the number of beds of a licensed Premises shall notify the Town. A Licensee who intends to convert the licensed Premises to a type of Homeless Shelter that was not approved in a license shall notify the Town."

Item 8.e. A license application and renewal for a Homeless Shelter shall be denied by the Licensing Authority, and an existing license may be suspended or revoked by the Licensing Authority after notice and hearing, if the Applicant, or any Owner of the Applicant or Licensee:

Discussion followed regarding denial of a license application and renewal.

The Board agreed to amend the standard to "A license application and renewal for a Homeless Shelter may be denied by the Licensing Authority, and an existing license

may be suspended or revoked by the Licensing Authority after notice and hearing, if the Applicant, or any Owner of the Applicant or Licensee.”

Item 8.e.1) Fails to meet the requirements of these Standards, or

The Board agreed to amend the standard to “Substantially fails to meet the requirements of these Standards, or”

Item 8.e.2) Has provided false or misleading information in connection with the license, or

The Board agreed to amend the standard to “Has provided material false or material misleading information in connection with the application for the license, or”

Item 8.e.3) Is in violation of any other Town of Farmington ordinance or State law and has failed to correct the violation within the period of time prescribed by the relevant enforcement agency.

Discussion followed regarding time period and enforcement.

The Board agreed to amend the Standard to “Is in violation of any other Town of Farmington ordinance, State law, or federal law regulation, and has failed to correct the violation within the period of time prescribed by the relevant enforcement agency.”

Mrs. Gelinis said she will make the corrections to the Homeless Shelter Performance Standards and email them to everyone for any further edits. She said we will need to hold a Public Hearing and advertise in the local paper because of the changes being made to the Zoning Ordinance. Mrs. Gelinis said she will send out a Doodle Poll to schedule the next meeting.

The Board decided to table Item 5. Workshop on Event Camping, and there was no other business.

Ms. Woodman made a motion to adjourn at 7:40 P.M.
Mr. Terrio seconded the motion.

Motion carried.

Minutes respectfully submitted by Cindy Gelinis.