

FARMINGTON PLANNING BOARD

153 Farmington Falls Road

June 10, 2019 – 6:00 P.M.

Minutes

Planning Board members present: Chairman Clayton King, Lloyd Smith, Donna Tracy, Craig Jordan, Gloria McGraw, Jeff Wright, and Mike Otley.

Alternate members present: Judith Murphy and Dave Robbins.

Others present: Richard Davis, Town Manager; Steve Kaiser, Code Enforcement Officer; Kate Foster, Code Assistant; Amanda Meader Esq., Town Attorney; applicants Michael Distefano, Christian Nickerson, and William Marceau; Chris Magri, Bobbie Wheeler, and Andy Parlin representing Western Maine Homeless Shelter (WMHO); Steve Bracy, minister of Living Waters Church; Bill Hamilton, project architect; Ronald Aseltine Esq., attorney for WMHO; Joe Terranova, WMHO Volunteer; abutting property owners John Moore & Jennifer Bjorn; residents, Anna D'Epiro Cushing, Caitlin Carson-Gabriel, and Frank Underkuffler; and other members of the public.

Mr. King opened the meeting at 6:00 P.M.

Mr. Jordan asked to make a statement to the Board and audience and then apologized for a comment he made at the previous meeting ["not all dogs are trainable"]. He said it was just an analogy but he was truly very sorry he said it.

1. Designate alternate members, if needed

All voting members present.

2. Review minutes of May 13, 2019

Mrs. Tracy made a motion to approve the minutes of May 13, 2019 as written.

Mr. Smith seconded the motion.

VOTE: 7 – Affirmative

3. 19-SR-06 & 19-SS-02

Micheal Distefano

474 Farmington Falls Road

U03-003

Construct a 50'x60' steel building with two 16'x60' shed extensions

Mr. King introduced the application review, and asked who was here to represent the application and what the building was being built for.

Mr. Distefano stated he would be presenting the application, and said he would like to expand his caregiver grow operation into a bigger facility.

Mr. King asked Mr. Distefano if he currently has a caregiver grow facility and where is it located.

Mr. Distefano stated he's currently where JR's Auto used to be.

Mr. Smith made a motion to accept the Site Review application as submitted.
Mrs. Tracy seconded the motion.

Mr. Robbins asked where the caregiver facility is currently.

Mr. Distefano stated he's currently where JR's Auto used to be, which is located at 654 Farmington Falls Road.

Ms. Murphy asked if the current building can be seen from the road.

Mr. Distefano stated yes, it's beyond the church, on this side of SignWorks.

Mr. Otley said he didn't have any questions or comments.

Mr. Wright said he was familiar with the property and asked Mr. Distefano if he was going to be able to build on the new property due to the amount of water and clay.

Mr. Distefano said he dug four drainage ditches and was able to see the water table go down.

Mrs. McGraw asked if this would affect a large septic system next door, and further asked what if the water table doesn't go down enough.

Mr. Distefano stated they have plans to build up the ground there with three feet of sand and gravel.

Mrs. McGraw asked if there was a group home further in behind this property.

Mr. Distefano stated yes, LEAP.

Mrs. McGraw asked Mr. Kaiser if there was any regulation on building a caregiver facility near a group home.

Mr. Kaiser said Mr. Distefano is a registered caregiver under State law and there's no required setback from such homes.

Mrs. McGraw asked if that would change if Mr. Distefano decided to have a store at the new location.

Mr. Kaiser said Mr. Distefano has stated that he wants to stay a caregiver at the limit of 30 mature plants and 60 immature plants which does not require Town approval, and that he does not want a store - which would require Town approval.

Mr. Jordan asked what was going to be done to help with the odor.

Mr. Distefano stated he will have scrubbers and charcoal filters to help control odor.

Mr. Jordan asked who watches over these places to make sure they are not a nuisance odor because this has close neighbors.

Mr. Kaiser said he and Ms. Foster have been monitoring grow locations on a weekly basis.

Mr. Jordan asked what will happen if the odor doesn't get mitigated.

Mr. Kaiser said when the Code Office receives complaints they go to the location and check on odor. He said when we decide it's become a nuisance, then a letter will be sent asking for a mitigation plan. Mr. Kaiser said if there's no reply, or insufficient abatement, then the odor panel joins the Code Office staff in another odor assessment and another letter is sent. He said if there's no reply, or insufficient abatement, the matter is then referred to court.

Mr. Jordan asked what about if odor checks are always done on a Friday but the odor is bad on a Tuesday.

Mr. Kaiser said that the times and days when odor checks are done do vary and will be more random in the future. He said the grows vary their cycles so it's different each time we check.

Mr. Jordan asked Mr. Distefano if it's a 90-day grow cycle, and if so, when is the odor the worst.

Mr. Distefano stated when marijuana is being processed is the time with most odor.

Mr. Jordan asked about the scrubbers.

Mr. Distefano stated he runs them normally and turns on an extra bank of them on processing days.

Mrs. Tracy said she now understands where the new location is and has no questions.

Mr. Smith said it's a better location than most of the current grows, and 95% of the time wind will take any odor from this grow into the woods.

Mr. King asked Mr. Kaiser about the difference between State and Town laws on grows.

Mr. Kaiser said under State law the Town doesn't have any say in this grow because it's staying under the State limit of 30 mature/60 immature plants per caregiver.

Mr. King asked if there was a natural drain on the property.

Mr. Distefano stated yes, it goes towards Mr. York's property.

Mr. King said he wanted to make sure the excess water is kept off neighboring properties.

Mr. Distefano stated it would be.

Mr. Jordan asked if this was going to be a second location or the sole location.

Mr. Distefano stated he was moving the whole operation.

Mr. King asked Mr. Kaiser if the application was ok with the stream located at the back of the property.

Mr. Kaiser said yes, the stream is not Shoreland Zoned.

Mr. King said the site distance for traffic at the location is good one way and not good the other way, and asked if he would consider raising the driveway where it approaches the highway for better visibility.

Mr. Distefano stated he agreed and said he has already talked to the contractor about doing that.

Mr. King called for a vote on the Site Review application.

VOTE: 7 – Affirmative

Mr. King made a motion to accept the “Soil & Storm” application as submitted.
Mrs. McGraw seconded the motion.

VOTE: 7 – Affirmative

**4. 19-SR-07 & 19-FP-01
Christian Nickerson
157 Wilton Road
U31-042
8’x16’ addition to car wash**

Mr. Nickerson introduced himself as the applicant stating that he would like to have an automatic bay and make the self-serve bays wider and taller to accommodate bigger trucks.

Mr. King made a motion to accept the Site Review application as submitted.
Mr. Smith seconded the motion.

Mr. Smith and Mrs. Tracy said they didn’t have any questions or comments.

Mr. Jordan asked if the addition will meet the setbacks.

Mr. Kaiser said yes.

Mr. Jordan asked if anything has to be done differently because the property is in floodplain.

Mr. Kaiser said the 100-year flood elevation is between four and five inches above the slab and that all electrical components have to be waterproofed to that level or higher.

Mr. Jordan stated he thought that seemed low.

Mr. Kaiser said that elevation is from FEMA (Federal Emergency Management Agency) based on the 1987 flood, citing Marvin's Auto Body where the 100-year flood elevation is seven inches above that slab.

Mrs. McGraw said she didn't have any questions or comments.

Mr. Wright asked if it was going to be the same type of automatic system as the one that is currently in there.

Mr. Nickerson said yes.

Mr. Otley, Ms. Murphy, and Mr. Robbins said they didn't have any questions or comments.

Mr. King called for a vote on the Site Review application.

VOTE: 7 – Affirmative

Mr. King made a motion to accept the Floodplain application as submitted.

Mrs. Tracy seconded the motion.

VOTE: 7 – Affirmative

5. 19-SR-08 & 19-SS-03

William Marceau

141 High Street

U15-016

Addition of 5 parking spaces & addition of office use to residential apartment use

Mr. King introduced the application asking who was presenting and if the property is being leased or purchased.

Mr. Marceau stated he was the applicant and that he is looking at purchasing the property in the next few weeks and the purchase and sale agreement is being drawn up.

Mr. Marceau said he would like to add parking behind the building, he has reviewed the situation with Mr. Kaiser and Mr. Davis, and Peter Durrell is going to do the excavation. He said it's a tight area, the surface will be reclaim, and a stone ditch will be put in at the back of the lot to help collect and direct water to the Town catch basin by the right-of-way.

Mr. King said he wanted to verify the number of parking spaces.

Mr. Marceau stated there will be five spaces in the new parking area.

Mr. King said there was also discussion regarding a sidewalk.

Mr. Marceau agreed that a sidewalk has been talked about, but it would have to be voted on at a town meeting. He stated the sidewalk would be from High Street to the Town parking lot, and have a five-foot width and granite curbing. Mr. Marceau said he believes it will be a great advantage to everyone, especially during the winter for pedestrians and snow plowing. He added that he had it surveyed so there is no question about property lines.

Mr. Smith made a motion to accept the Site Review application as submitted.
Mrs. McGraw seconded the motion.

Mr. Robbins said he didn't have any questions or comments.

Ms. Murphy said she was glad to know where it was located after hearing the introduction of the application.

Mr. Davis said there is currently a 12-foot right-of-way that was established in 1925, and the survey says that part of it is on Town property and part of it is on Mr. Marceau's property.

Mr. Otley asked if the parking spaces on the side of the building were going to stay.

Mr. Marceau stated yes.

Mr. Otley asked if all the setbacks were going to be met.

Mr. Kaiser said that parking areas aren't subject to setbacks per the Zoning Ordinance.

Mr. Otley said there is a dumpster on the property that will have to be moved and asked where that is going.

Mr. Marceau stated it was an eyesore, and he's going to find the best place to put it – probably towards the back where it won't affect neighbors.

Mr. Otley asked if the Board is approving the application without Mr. Marceau owning the property.

Mr. Marceau stated that there is a purchase and sale agreement being put together.

Mrs. McGraw asked if it was all going to become office space.

Mr. Marceau stated there are currently four apartments - two units on the second floor, one unit in the basement, and one on the first floor - and they're going to put the office space on the first floor in place of that apartment.

Mrs. McGraw asked if the parking was going to be year-round and if it would affect the plowing during the winter.

Mr. Marceau stated yes, the parking would be year-round and it would not affect snow removal.

Mr. Jordan said there were a bunch of trees along the back line of the property including a giant maple, and asked if the trees were going to stay or be removed.

Mr. Marceau stated most of the trees near the property line are going to be removed and others trimmed.

Mr. Davis said that the crab apple trees are on town property and planted years ago.

Mr. Kaiser said the crab apple trees were planted 30 years ago as part of rebuilding the Town parking lot.

Mrs. Tracy said she didn't have any questions or comments.

Mr. Smith asked if the future sidewalk would crowd the side of the building.

Mr. Marceau stated no, it'll be close but functional, and the fence currently there will be removed.

Mr. Smith asked if he feels the snow removal will be easier.

Mr. Marceau stated he believes it will be a lot safer and easier for snow removal and pedestrians.

Mr. King called for a vote on the Site Review application.

VOTE: 7 – Affirmative

Mrs. Tracy made a motion to accept the Soil & Storm application as submitted.
Mr. Smith seconded the application.

VOTE: 7 – Affirmative

6. 19-SR-04 (CONTINUED)
Western Maine Homeless Outreach
227 Main Street
U15-037
Homeless Shelter

Mr. King said the Board will discuss the site walk first, then have a discussion among the Board members whether the shelter fits within Group Home in the Table of Uses, and then discuss any involvement the FVC (Farmington Village Corporation) has. After the Board has had their discussion, the audience will have a chance to speak.

Mrs. Tracy asked if the notes from the site walk needed to be voted on.

Mr. Kaiser said no, they are just a record of the site walk - not minutes.

Ms. Murphy said she thought the notes were very informative and an accurate record of her questions that were answered at the site walk.

Mr. Otley said he had no questions or comments regarding the site walk.

Mr. Wright said he thought the notes looked good.

Mrs. McGraw said she agreed with Ms. Murphy and Mr. Wright.

Mr. Jordan and Mr. Smith said they had no questions or comments regarding the site walk.

Mr. Kaiser said the site walk was well conducted, in that everyone was able to see the actual layout and where everything would be after looking at the plans on paper.

Mr. King said items reviewed at the site walk were what changes would be made to the structure as well as where bedroom, bathroom, kitchen, dining and other facilities would be.

Mr. Kaiser said most of the proposed alterations are to meet life-safety requirements.

Mr. King apologized to the Board for receiving a letter from Pierce Atwood too late for them to review prior to the meeting, and asked the Board to now take the time needed to read the letter before continuing with the meeting. He then introduced Ms. Meader as the Town Attorney.

Mr. Kaiser said the Board previously received an updated Management Plan from Mr. Magri as well as other information requested at the last meeting.

Mrs. McGraw asked if the main question the Board needed to answer was regarding the FVC or Group Home.

Mr. King said the number one item the Board needs to decide is what a group home is and if the homeless shelter fits under a group home in the Zoning Ordinance.

Mrs. McGraw asked at what point does the FVC get dead and buried.

Mr. King said what he understands is that the FVC is a non-functioning entity in this regard.

Mr. Kaiser said the FVC does have a Board but they don't have a legal comprehensive plan to base their zoning on and therefore he can't do code enforcement for them. He said 20 years ago the Town kept the FVC informed of its town-wide zoning development, and the FVC repeatedly said they would fold their zoning after adoption of town-wide zoning by the Town, but never did so.

Mrs. McGraw asked if the Board and Town can just forget about the FVC.

Ms. Meader said the number one vote that needs to be made is whether the homeless shelter fits under group home in the zoning ordinance, and once that is settled then the Board should have a vote on whether the FVC has jurisdiction or not. She said this is to establish a record of Board action on these issues if an appeal is made.

Mr. King stated the meeting will go until 8 P.M. and we'll then see how the Board feels and either make a decision whether to continue in 15-20 minute increments. He said the Board has been advised by the Town's attorney to have a Public Hearing at the next meeting.

Mr. Kaiser reiterated what he outlined in his memo - that attorney Meader advised the Board that the number one item to decide is if a homeless shelter falls within Group Home use, and then to decide if the FVC has any standing.

Mr. King asked Ms. Meader to explain the situation to the Board and audience.

Ms. Meader said the Board has to decide if this is a housing facility that fits in the group home category that includes things from halfway correctional facilities to adult daycare facilities. She said while this homeless shelter does receive approval by the Fire Marshal Office and various State agencies, the question is whether the homeless shelter sufficiently fits within group home. Ms. Meader said the Maine Supreme Court has ruled that if an ordinance doesn't state a particular use can't be considered – then it can be considered. She said this court ruling directs the Board to look at all the options in the Table of Uses and see where the homeless shelter reasonably fits. Ms. Meader said she feels the best fit under the Town's Zoning Ordinance Table of Uses is Group Home.

Mr. King asked the Board members if they had looked up the meaning of a group home. He then read the definition of a group home from Wikipedia which states "A private residential model for health care, disability care, dementia care, day care programs...", etc.

Mr. Jordan said under the licensing section of Department of Human Services, a group home is also called an "intermediate care facility for individuals with intellectual disabilities" and states, "An establishment which provides, in a protective setting, 24-hour non-nursing supervision of individuals with intellectual disabilities or persons with related conditions. Facility staff assumes the coordination of habilitation, health and rehabilitation services in order to assist each individual in reaching his/her maximum level of functioning capabilities."

Mrs. McGraw said she thinks both those definitions are totally irrelevant, and feels the Board should go with the attorney's opinion that the homeless shelter reasonably fits close enough to a group home, which she agrees with. She added that Mr. Kaiser went with group home because there was nothing else that it reasonably fit under.

Mr. Kaiser stated people can endlessly pull definitions out of the air, but the Town has to go by what's in the Zoning Ordinance which we've had for 20 years. He said we can't allow other parties to dictate how the Town administers its ordinances as this is a matter of home rule and the Town has confidence in its experience and abilities. Mr. Kaiser said, as Ms. Meader stated, we are obligated under case law to find the best fit under our ordinance and we cannot have a new category for every new thing that comes before the Town.

Mr. Kaiser added that attorneys Sue Pilgrim from MMA (Maine Municipal Association) and Ms. Meader have defended the Town's right to make these judgment calls, and we need to exercise due diligence, decide where this best fits, and make that call.

Ms. Meader added that the definitions read earlier are irrelevant.

Mr. Jordan said if definitions are irrelevant then why have dictionaries or a zoning ordinance.

Mrs. McGraw said that every definition is different in every State.

Ms. Murphy said that the issue for her was not if Mr. Kaiser did his job and found the best possible fit, which she believes he did. She said the issue is more that everyone is in changing times, no one can predict the future, and if the Board is going to have more applications for homeless shelters, she feels there should be a specific slot added to the Zoning Ordinance Table of Uses just for homeless shelters – as we did for marijuana businesses.

Mr. Jordan said the Board needs to decide if there would be a greater impact on the town than what is currently there, and there are currently zero police calls around the location of the proposed homeless shelter. He said this location is in the historic downtown area, and while he's not against homeless shelters, this is not the best location.

Mrs. McGraw stated that she is not saying she is for or against the homeless shelter at this time, and we have yet to discuss a lot of things – such as the statistics provided which she didn't like. She said the Board needs to answer the question whether it's a group home or not and she thinks it can fit there in the Town's Table of Uses.

Mr. Otley asked Mr. Kaiser if there was a Zoning Board.

Mr. Kaiser said yes, for specific issues. He added that he has to make these definition calls all the time on his own, and the Board similarly needs to move forward on these issues.

Ms. Meader said in regards to the Zoning Board that this is not their venue.

Mr. King said he asked Mr. Kaiser a few weeks ago why it didn't go to the Zoning Board.

Mr. Kaiser said he can't just run to them every time a different project comes before him and he has to make these decisions on his own as to where something fits best in the Table of Uses.

Mr. Otley said that the State doesn't officially recognize the Zoning Board.

Mr. Smith asked, if the Board approves this homeless shelter and then tightens up the rules and regulations for them in the future, will that still allow for another shelter to come in.

Mr. Kaiser said the Board can go back and change the Zoning Ordinance after this shelter is either approved or denied and add a specific line item in the Table of Uses for homeless shelters. He said, whatever the Board decides, there will be a detailed Facts, Findings, and Decision written to document the action taken because it will more than likely be appealed.

Mr. Jordan asked Ms. Meader what would happen and where would the application go if denied by the Planning Board and the denial was then upheld by the Appeals Board.

Ms. Meader said more than likely to court.

Mr. King asked Ms. Meader if it could potentially bounce back to the Planning Board.

Ms. Meader said yes.

Mr. Smith asked if the Board was going to vote on whether it was a group home or not.

Mrs. McGraw asked if they could vote on FVC first and felt that would make a difference on how the Board voted on whether it was a group home or not.

Ms. Meader stated that deciding on whether the shelter is a group home or not is what needs to happen first.

Mr. Robbins asked Mr. Kaiser what the home for single mothers [Kerr House] fell under in the Table of Uses when it was approved.

Mr. Kaiser stated it was probably under group home but he would have to check to confirm. [NOTE: Records were checked and this was reviewed and approved as a Group Home.]

Mr. King added that the home for abused women is a 24-hour facility and this homeless shelter is not. [NOTE: There is no home for abused women – 24-hour or otherwise – in Farmington, so this statement is likely also in reference to the Kerr House, which was a group home for up to six pregnant/parenting teens and their children which no longer exists.]

Mr. Wright asked if the 24-hour requirement was tied to putting something under group home.

Mr. Kaiser said no, adult daycare is under group home as well.

Mr. Otley said he agrees with Mr. Jordan that the town needs a homeless shelter but this location isn't right, and the Board needs to make sure they follow all the rules and regulations when it comes to making a decision.

Mrs. McGraw said we're not at that point and right now we need to decide if a homeless shelter is a reasonable and no more objectionable fit in group home.

Mr. King reminded the Board that they are nowhere near deciding to approve or not, and the Board needs to vote on whether it fits under group home or not.

Ms. Meader reminded the Board that it could be worse – such as a half-way house for addicts or criminals.

Mr. Robbins said that the “not in my backyard” aspect bothers him, and he feels if someone owns a property and follows procedures they should be able to do what they want.

Mr. King said that’s irrelevant because the Board’s job is to look out for the best interest of the town.

Mr. Robbins said the police foot-patrol the downtown area.

Mr. Davis said the police no longer have a foot-patrol in the downtown.

Mr. King said our job is to find a balance between property owner’s rights and the public interest.

Mrs. McGraw said that right now it doesn’t matter if someone is for it or against it because the Board needs to vote on the two issues first so they can get to reviewing the application. She added that we’re in the middle of this process so we have to proceed.

Mrs. McGraw made a motion that the homeless shelter fits within group home in the table of uses because it is “similar to and no more objectionable than” other uses under group home. Mr. Wright seconded the motion.

VOTE: 4 – Affirmative 3 – Opposed

Mr. King said the Board now needs to vote on whether the FVC has any jurisdiction.

Mr. Kaiser said the Town’s zoning trumps the FVC’s based on the 2013 legal opinion which has been reiterated by Ms. Meader.

Ms. Meader said she wants to make sure the Board understands her opinion that the FVC has no jurisdiction.

Mr. Davis agreed, and asked if it would have to be adjudicated.

Ms. Meader said yes, most definitely.

Mr. King asked Ms. Meader if they should take a vote on that now or later.

Ms. Meader said the Board should definitely vote on FVC jurisdiction before continuing.

Mr. Wright asked why the FVC couldn’t approve the biomass plant for the university.

Mr. Kaiser stated it is a very similar situation and the Town trumped them then. He said we’re standing on the opinion that former Town attorney Frank Underkuffler rendered in 2013.

Mr. Davis stated the FVC ended up withdrawing their objection.

Mr. Kaiser stated if the FVC issue goes to Superior Court that's when their zoning problems will finally be addressed. He said the Board's vote on FVC jurisdiction provides a window so the Board can review the project on its own merits or lack thereof. Mr. Kaiser said 20 years ago the FVC told the Town they were going to fold their zoning, they didn't and the Board just needs to decide if they have any jurisdiction in this case.

Mr. King asked how a motion would be worded or made to say the FVC has no jurisdiction with this application.

Ms. Meader said the motion could say, "move to find there is a conflict between the Town Zoning Ordinance and the FVC Zoning Ordinance and therefore the FVC's jurisdiction does not apply and the Town's prevails."

Mr. King made a motion to find there is a conflict between the Town Zoning Ordinance and FVC ordinance therefore the FVC's jurisdiction does not apply and the Town's prevails. Mr. Smith seconded the motion.

Mr. Wright said the FVC just needs to go away and someone needs to make sure that happens.

Mr. Smith said he worked on the Comprehensive Plan for the Town, and at that time the FVC told the Town to go ahead and take over zoning.

VOTE: 6 – Affirmative 1 – Abstain

Mr. Aseltine introduced himself as the attorney for WMHO and the homeless shelter, and stated he appreciates the Board's decisions that it fits under Group Home in the Zoning Ordinance and that the FVC had no jurisdiction. He said there are several people besides himself that are from the shelter who can help answer any questions that may be asked, and it looks like the next step is going to be a Public Hearing.

Mr. King asked Mr. Kaiser about the additional material that was requested.

Mr. Kaiser said they submitted a new management plan and statistics, and he agreed on the need for a public hearing.

Mr. King asked about an accountability or checkoff form used when a staff member checks someone in, so if something goes wrong they know who to go to.

Mr. Magri stated that was in the intake admission packet WMHO originally sent which gets filled out when someone first arrives.

Mr. Aseltine read the packet and the things that need to be checked off before entering, such as the search policy release form, and asked if Mr. King found the form he was asking for.

Mr. King said yes.

Mr. Kaiser said the project description was revised to 24-bed, and noted that the management plan had been modified regarding employees having mandatory background checks but it still stated “may” v. “must” regarding drug screening.

Mr. Aseltine stated that it does say may in regards to drug screens and added that most employers don't require drug screens anymore.

Mr. Magri said they changed it to mandatory background checks for all staff members and that they may be subject to drug screens.

Mr. King said he doesn't understand why employers wouldn't include drug screens saying that most jobs require drug screens.

Mr. Aseltine stated most don't anymore because of the cost, although some require it for liability reasons.

Mr. King stated they are trying to eliminate any future problems that could happen.

Mrs. D'Epiro-Cushing said she's a licensed clinical social worker, and stated that teachers aren't drug tested, hospitals do mandatory drug screens because of federal funding, and drug testing is not typical in human services jobs. She added that this is mainly a family shelter so the need for drug screens isn't high, and the shelter can just ask a guest to leave if they suspect or see any drug use.

Mr. Jordan asked how many staff members could typically be on shift at a time on average.

Mr. Parlin stated usually seven to eight paid and volunteer staff members, but they may only have one on shift during sleeping hours.

Mr. Jordan asked if that was all day.

Mr. Parlin said there are usually three staff on duty, 98% of the day, for 16 beds.

Mr. Jordan asked if that number will increase if they are approved for more beds.

Mr. Parlin said yes, supply and demand, so we will have to increase our paid and volunteer staff.

Mr. King asked about having a fire evacuation plan that also says how many beds or people are in each room.

Mr. Kaiser said that information should be provided to the Fire Rescue Department so the day to day occupancy is known per room.

Mr. King stated it's critical for the Fire Rescue Department to always know when beds are being used or not.

Mr. Hamilton stated it will be up to the staff to keep track of where guests are on a daily basis, but they can't guarantee the number of people in each room until nightfall – even motels can't guarantee occupancy. He added that the big thing is life-safety and how people get in and out safely and that's what they're working on.

Mr. Terranova stated he wanted to make sure people understood that the staff at the shelter don't move beds, they only move people to different beds as needed.

Ms. Wheeler stated that pack-and-plays and cribs are what get moved around mostly because the bunk beds are very heavy and it's not feasible to move them. She said in the event of an emergency they keep track of guests like taking attendance at school.

Mr. King asked Mr. Hamilton about the smoking issue outside and if he had come up with any solution.

Mr. Hamilton stated they have discussed having a three-sided structure.

Mr. Aseltine said this would be by the fireplace out back.

Mr. Jordan asked that the structure be drawn on the plan before approval.

Mr. Hamilton said it would be.

Mr. Robbins said he did not have any questions or comments.

Ms. Murphy asked, if the shelter is approved for the 24 beds and they're full to capacity, if there are more police calls and other issues does the Town have recourse.

Mr. Kaiser stated the Board needs to make as many conditions of approval they feel are necessary, which will be included in a Facts, Finding, and Decision document, so there is recourse.

Ms. Carson introduced herself as being a resident who lives on Sawtelle Lane and cleans out houses and apartments after someone leaves at "Eighty-Two High Street", as well as being a social worker for kids, and she's sympathetic to the homeless shelter. She stated she likes the downtown's historic character and is very concerned using this old home and location for a homeless shelter, she doesn't feel it fits under group home because of residency and the fact that they have to leave during the day, and the purpose of a group home is to be a permanent home such as LEAP.

Ms. Carson stated there are a variety of people that can become homeless, such as the mentally ill, those kicked out of family homes, victims of domestic violence, the penniless, cancer patients - and most don't want to stay homeless. She said she's concerned about their having to leave during the day and where they then go in town, what resources do they have here, and can they get career resources at UMF because they can't get to the career center in Wilton. Ms. Carson stated she has a vision that there is room for a second-tier step-up shelter for individuals who finished the program at the homeless shelter and are ready for the next step for three months to a year of after-care.

Mr. Underkuffler stated that to say the homeless shelter fits as a group home is not the Planning Board's area of expertise and an adult daycare is where people who have a home go to visit not sleep. He said there is nothing in the group home definition that covers a transient population and the other thing these people have in common is that they are homeless, which can be for a wide variety of reasons.

Mr. Underkuffler stated no one should be naive enough to think that this shelter won't be full, it will absolutely be full where there is a housing crisis right now, and the housing crisis that is happening in Portland where people are sleeping on cots in gymnasiums will make its way to Farmington. He added that he believes Farmington will have three or four homeless shelters eventually. Mr. Underkuffler ended his statement by saying that he doesn't think the Board should have made or make any decisions before the public hearing.

Mr. King announced it was 8:00 P.M. and the Board would have to vote to continue.

Mrs. McGraw made a motion to continue the meeting for 20 minutes.
Mrs. Tracy seconded the motion.

VOTE: 3 – Affirmative 4 – Opposed

Mr. King said a Public Hearing will be held at the next meeting on July 8th where everyone will have their chance to speak.

Mr. Aseltine asked if there would be any guidelines set forth for speakers.

Mr. King said that what he likes to do is allow everyone to at least speak once and as long as everyone who wants to speak gets a chance then someone may be able to have a second or third opportunity.

Mr. Aseltine asked where the Public Hearing would be held.

After some discussion the Board decided it would be best to hold the Public Hearing in the downstairs of the Community Center.

7. Other Business

No updates.

Mr. Otley made a motion to adjourn the meeting.
Mrs. Tracy seconded the motion.

VOTE: 6 - Affirmative 1 - Opposed

The meeting adjourned at 8:08 P.M.

Minutes respectfully submitted by Kate Foster.

Planning Board

Date