

## PLANNING BOARD MEETING MINUTES

December 3, 2003

7:30 p.m.

### I. ROLL CALL

Chairman, Susan Dunlap called the public hearing to order at 7:30 p.m. Attendance from the board is as follows: Kurt Clason, Teresa Lowell, Roland Denby, and Everett Whitten. Dwayne Woodsome sat in the audience and abstained due to a conflict of interest.

There are 2 abutters present, Ken Grant and Roger Allen. Dana Morton, Albert Frick Linda Morin and Larry Plourde were also present.

Sue Dunlap refers to the sitewalk that was held Sunday November 30 at 9:00 a.m. Attendance from the board was as follows: Teresa Lowell, Roland Denby, Everett Whitten and Dwayne Woodsome. Kurt Clason and Sue Dunlap were absent. Members of the public that were in attendance at the site walk were as follows: Kenneth Grant, Thomas Seery, Dana Morton and 2 representatives for the applicant.

Al Frick explains the project. This project is a 50's style diner, named "Blast from the Past", and is proposed as a 100 seat diner. This property is located on Rt. 5 in the GP zone. The property is 6.07 acres and is further identified as tax map 8 lot 1B.

Ken Grant, an abutter, expresses his concern that the culverts are inadequate and stormwater may back up onto his property. Dana Morton states that he has recently become aware of the drainage problems in this area and has recently re-visited the site. Dana states that he feels that he can't properly calculate runoff water amounts. To assure this does not become an issue he has redesigned his plan to include 2 additional 30" culverts and a detention swale. Dana feels this will assure that water will leave the property at the same rate it currently leaves.

The board addresses the issue of lights from vehicles going onto neighbors properties. The applicant has proposed to plant hedging to protect the neighbors privacy. The applicant states that it is his understanding that Mr. Grant is agreeable with this.

Sue Dunlap asks if the parking lot will be level with the road. The applicant states that the parking lot will be slightly elevated with a sloping grade. Roger Allen asks what kind of recourse the abutters have in the event that the stormwater runoff starts flooding their property. Sue feels the applicant would be responsible for remedying the problem. The attorney for the applicant states that the process of planning board and peer review is very thorough and a problem of this nature is unlikely to happen.

An abutter inquires about the speed limit on that stretch of Sokokis Trail. The speed limit is currently 50 mph. Sue says that MDOT is responsible for adjusting speed limits and may do so if they determine that a traffic study needs to be done. It is noted that none has been done at this point. Sue suggests if the abutters are concerned they should contact MDOT.

Roger Allen questions why the applicant is not bringing town water up to service the diner. Sue asks the boards opinion on this issue. Teresa states that she thinks it would be a

good idea as this has been designated a growth area and running town water in a growth area is encouraged in the new comprehensive plan. Kurt feels that where there is no standard in place it is difficult to require some applicants to run town water and not others. An abutter questions if the state has a requirement regarding water supply. The applicant states that no, there is no state standard requiring town water and a well is sufficient. Dana also states that the Department of Human Services requires the water to pass safe drinking tests. The applicant also says according to the studies, wastewater plumes will not interfere with a private well on site.

Mr. Plourde says that they may be willing to run town water to the site but would like assurance that whoever hooks up to the system will reimburse them for the expense. The board determines that the applicant needs to contact the water district regarding the formula they use to figure reimbursement costs.

With no further questions or comments from the public, the public hearing portion of this meeting is closed at 8:05 p.m.

Regular Meeting

## II. APPOINTMENTS

Linda Morin and Larry Plourde site plan application for 50's Diner. Teresa asks the applicant if and traffic calculations have been done regarding increased car traffic per day. Dana Morton states that none have been done as they are not required if there will be less than 100 cars per hour. The applicant assures that MDOT would not issue an entrance permit unless this issue had been reviewed. Sue asks the applicants if they have obtained a new entrance permit. The one they currently have was obtained for the lot but not for this particular use. The applicant says they have filled out a new application and they will be getting a modification to their entrance permit. The new proposed entrance will be 10' away from the original approved entrance. Sue asks what the use was proposed to be on the land that held the original entrance permit. The applicant says the original entrance permit was issued to service 5 commercial lots of unknown use.

The board reviewed the photometric plan submitted by the applicant. It is determined that 2 lights at the drive need to be relocated. The checklist is reviewed at this time. It is noted that the plan needs to show the screening more specifically. The applicants said they were planning on doing that after getting the public feedback at the public hearing.

The following issues are yet to be addressed by the fire chief:

- Provides adequate access to the site for emergency vehicles;

- Provides adequate dry hydrants and access to the hydrants;

- The proposed water supply meets the demands of the use and for fire protection.

The applicant will be deciding if they would like to run town water or go with an on site well. This will determine the fire protection issues outlined above that are still outstanding. The attorney for the applicant says that in her opinion the ordinance in place is unclear and she questions the planning boards authority to force an applicant to run town water. Sue states that the board is in disagreement on this issue but they should express their preference for the benefit of the applicant tonight. Roland says that in his opinion, due to

prior pollution problems, the aquifer under Rt. 5 could become toxic if there was a heavy draw on it that would disturb the heavy metals. The board further discusses the water issue and overwhelmingly agrees that their preference would be to have the applicant run town water. Patti says that she will schedule a meeting with Frank Birkemose and Dave Benton to discuss the fire safety and water issues.

A peer review will be done and attempts will be made to have it back by December 17.

The board discusses whether or not a performance bond should be required for this project. Kurt feels that if the water line is run then that should be bonded. The applicant will make a decision on the water line after meeting with the Water District. The applicant must also provide a certified As Built Survey.

SAD 57 Portable classrooms/conditional use. Dana Morton and Candace Gooch were present, representing SAD 57. The applicant states that these portables are being requested for autistic students that are already currently enrolled at the High School. The board reviews the plans. The portables will be placed behind the gym and will tie into the existing septic system. Teresa asks where the entrance into the main school from the portables will be and whether there may be a better place to put the trailers for safety reasons. Kurt asks about the possibility of moving the portables closer to the main building so the students wouldn't have to cross the line of traffic going in and out. Dana states that for school bus purposes this is the best location for turning radius and safety purposes. Roland asks Dana is there is a special setup in these classrooms. Dana does not know. Kurt asks if the long range plans for these portables is for them to be temporary or permanent. Dana states that more than likely they will be permanent. The board questions whether or not these portables will always be used for autistic children. Candace tells the board that the design of these portables is more conducive for this use.

Dwayne Woodsome rejoins the meeting at 9:20 p.m.

The board reviews several different possible locations for the portables and it is determined that there are very limited choices.

Dwayne Woodsome makes a motion to approve the plan as presented. The board discussed whether or not to require some type of fence in front of the portables, separating the edge of the roadway. Everett seconds the motion. The board also discusses a painted walkway from the portable to the main entrance of the school.

Everett seconds Dwayne's motion to approve as proposed.

Teresa asks the applicant if the pads will be even with the existing elevation. The applicant states that they will be.

Dwayne amends his motion to include a suitable barrier, as determined by the Fire Chief and Code Enforcement Officer, to delineate the edge of the road and a painted crosswalk from the portable to the primary school entrance. Everett seconds the amended motion. Motion carries with a unanimous vote in favor.

### III. MINUTES OF PREVIOUS MEETING.

November 19 minutes: Kurt motions to accept minutes of the November 19 meeting. Teresa seconds and the motion passes with a vote of 5 in favor with Dwayne abstaining as

he sat out on part of the meeting.

IV. REPORT OF OFFICERS.

V. OLD BUSINESS.

VI. COMMUNICATION.

Board reviews various outgoing communications from the code enforcement office.

VII. MISCELLANEOUS.

VIII. NEW BUSINESS

IX. ADJOURNMENT.

Kurt made the motion to adjourn at 10:05 p.m. Teresa seconds and the motion carries with a unanimous vote in favor.