

## **Planning Board Meeting Minutes November 19, 2003**

### **I. ROLL CALL**

Chairman, Susan Dunlap called the meeting to order at 7:35 p.m. noting attendance of Dwayne Woodsome, Teresa Lowell, Everett Whitten, Roland Denby and Kurt Clason.

### **II. APPOINTMENTS**

Roger Lauzier 30% expansion review on map 36 lot 12 representing Mr. & Mrs. Loukola. Everett, Roland and Patti did a site walk. Pictures were taken and the board reviewed. The footprint of the building will remain the same. Roger has gotten a new septic system design in case the current system fails. They are adding one bedroom to the camp.

Dwayne Woodsome made the motion to approve the expansion under section 7.01 of the zoning ordinance with the conditions that the applicant changes the building plans to reflect 3 bedroom camp and no change of the footprint of the existing camp. Applicant must use all required erosion control measures throughout construction. Applicant is using 2055 cubic feet out of 4575 allowed, and using 640 square feet out of the allowed 658.8 leaving 18.8 square feet or 1995 cubic feet of expansion for the lifetime of the property. Neither can be exceeded. Everett Whitten seconds. Motion carries with a unanimous vote in favor.

Linda Morin & Larry Plourde site plan application for 50'S Diner on Sokokis Trail map 8 lot 1B. Dwayne Woodsome requests to be excused from the board due to conflict of interest. Albert Frick speaks representing the applicants. Also attending are Dana Morton, civil engineer and Sanford Gay, attorney. Sebago Technics did the survey work. David Bufey did the topo work. Richard Sweet did the hydro geological study. This project is planned to be serviced by private septic and water. It is a 6.07 acre parcel in the (GP) general purpose zoning district. This project is very similar to the previous application for the same business by the same applicant but in a different location. They have made application to DEP for minor alteration to the wetland. They have planned for 58 parking spaces. They have potential for a future storage building located on the plans. Patti, CEO asks about the DOT entrance permit. It is not specific to the applicant. Dana Morton states that he has talked to DOT on several occasions and they are aware that this is a commercial use and will get the permit transferred to the applicant.

Patti also reports that a representative of the property abutting this lot called to inform the board that they intend to build a church on that lot. They will be applying for site plan this winter. Patti asks if the Diner intends to serve alcohol and is this a potential problem for the applicant. Dana Morton states that he has looked into this and this project is further away than the required 300'.

Section 5 parking is reviewed. The applicant has proposed 58 parking spaces. They will employ 15 people and with the seating of 100 people the ordinance requires 38 parking spaces.

Kurt Clason asks Albert to give the board an original photo metrics plan. The one provided for tonight's meeting is unclear and doesn't have a scale on it.

Teresa Lowell asks what the proposed hours will be. Larry Plourde replies, 6 a.m. - 9 p.m.

with maybe an exception during hunting season to open earlier.

An abutter asks about the lighting. Larry replies that the lighting will go down to security lighting during the off hours. The type of lighting is shoebox lighting. Everett Whitten informs the members of the public who are in attendance at this meeting that there will be a public hearing held at some point where they will be given an opportunity to voice their concerns.

Another neighbor across the street has a concern about the cross culvert that goes across Route 5 and that a brook runs right through the middle of that property.

They are proposing to use natural buffers on one side of the property that is already existing tree line on the East side and the backside. They propose to plant additional white pines to fill in the westerly side.

Teresa Lowell asks if the greenbelt requirements are met. Section 5.01 requires 25 foot front greenbelt and 10 feet on the side and rear property lines. Sue states that the site walk will be a better place to determine if the proposed and existing buffers will be adequate.

Kurt Clason asks about the water supply and the question of public versus private. The waterline is approximately 1600 feet from the Dunkin Donuts site. The applicant is proposing private water at this site. Sue states that the board has had a lot of pressure to extend the waterline wherever possible and that the applicants should be prepared for this subject to come up again at public hearing and at future planning board meetings.

Al Frick states that the hydro studies show a proposed well and the water supply has to be approved by the Dept. of Human Services because it serves a restaurant of over 26 seats and will be considered a public water supply. The septic system is designed for 1950 gallons per day.

The proposed plan has been sent to the fire chief and the applicant has not received his recommendations in writing as of yet.

Roland Denby asks if the applicant can locate the houses across the street on the plan with distances. There is some discussion from the people currently living across the street about headlights flashing towards their houses and screening and buffers to avoid that. The board agrees the houses should show on the plan and Al Frick agrees to put them on the plan.

The loading area shall be depicted on the plan. Larry Plourde explains that the trucks will pull in at the entrance, back up to the unloading area out back and then just drive out the exit. The delivery hours will be before opening two days a week.

Roland asks about the speed limit and the site distance. The speed limit is 50 MPH through that section of Route 5 and DOT has issued a permit for this site. Al Frick adds that they will get clarification from DOT regarding the entrance permit.

Dana Morton explains the stormwater drainage plan. All the run off from this site will be internally drained. A neighbor from across the street states that the culvert on Route 5 is not for stormwater but for spring run-off. He adds that he wants the board and the applicant to be aware that water in the spring or a heavy rain will be sitting right up to Route 5.

Dana Morton explains that the plan is to temporarily retain the water in detention areas and release it at a rate that currently occurs now. At each area where the water leaves the property pre-development there will be no more water that leaves the property post-development. They are required to calculate stormwater drainage based on a 25 year storm, which is 9" of rain. The plan is to allow the water to back up to an elevation of 96' and within one hour it should drain into the ground.

Sue asks Dana how he feels about the water coming from the property across the street through the culverts? Dana states that he isn't very comfortable with that, and he didn't realize the water backed up over Route 5. He would like to take another look at that area and possibly re-design the stormwater for a 30-40 year storm and be very conservative with the drainage plan.

Dwayne Woodsome states that possibly the applicant should work with the church that will be coming in next door. The ATV's have ruined a brook on the other side of the road up the pole lines. Instead of the water following the natural brook it is running down the power line and has created this water problem.

Kurt Clason states that there is a control structure in the stormwater drainage plan that should be annotated on the plans. Al Frick agrees to put it on the plan.

Roland Denby asks if they will be filling the site? The site will be filled 2-3 feet to raise the parking area up.

Larry Plourde states that there will be no hazardous waste from the site. There is a 1,000 gallon grease trap installed in the septic system as required by plumbing code.

The nitrate study is reviewed. The conclusion in the study is that nitrates will not exceed 5 mg/l at the property lines.

Al Frick agrees to mark the site prior to the site walk, showing the driveway entrance and the boundary lines. The site walk is scheduled for November 30 at 9 a.m.

The public hearing is scheduled for December 3 at 7:30 p.m. The site plan will be put on the agenda for the same evening. In the meantime we can ask for estimates for the peer review. A peer review will not be done until Dana Morton revises the stormwater plan to account for the water entering the property from across the street.

A neighbor asks about the picture of the restaurant in the file and whether the neon sign is being proposed that shows in the picture. Linda Morin states that they do not intend to install that neon sign that shows in the picture.

The checklist was reviewed and the applicant will submit all missing information for the next meeting.

Winifred Heacock with application for 30% expansion at Sunnyside Cottages on map 28 lot 9. Winifred explains that they acquired a permit by rule from DEP to remove fill and retaining walls along the shoreline and restore the area to what it was years ago. DEP suggested that where there will be newly exposed roots that the applicant constructs a dedicated walkway to keep people from walking over the newly exposed ground and root systems to try to save the trees. DEP also recommends ground cover under the walkway such as mulch or stone. Winifred asks the board what they would suggest, a ramp or

stairs leading to the walkway. This building isn't subject to handicap accessibility requirements as it was built in 1904. The board really did not have any preference on the materials or methods used to construct this walkway. Kurt Clason made the motion to approve the construction of the walkway under section 7.01 of the zoning ordinance with the conditions that the walkway not exceed 176 square feet, and all required erosion control measures be used. Everett Whitten seconds. Motion carries with a vote of 4-0-1 with Dwayne Woodsome abstaining.

Dwayne re-enters the meeting at this time.

Everett Whitten requests to be excused from the board at this time. Dwayne Woodsome made the motion to excuse Everett from the meeting. Kurt Clason seconds. Motion carries with a unanimous vote in favor.

Everett Whitten with Final Plan application for Village Pines an over 55 development on Mast Camp Road on map 5 lot 9. Susan Dunlap states that she had asked Patti and Dawn to remind Everett that he should be prepared to put up a performance bond, or discuss it because the board had not brought it up with him prior to this.

The final plan checklist is reviewed at this time. The fire hydrant needs to be relocated to meet the fire chief's recommendations. It is currently shown in the development. The fire chief would like the hydrant to be placed at the end of the development road so that it can service houses outside of the development as well.

The restrictive covenants have been submitted. The road elevation and the flood elevation are on the plan.

The road pavement width is discussed. The board decided that the pavement should be a minimum of 22 feet to include a striped walking lane.

Kurt Clason suggests that the natural hedge that is being maintained as a buffer to block headlights should be shown on the plan. If the hedges are being kept to screen headlights from turning traffic there should be a note on the plan to maintain that natural buffer. The board agrees.

Performance bonds are discussed. Section 7.1.45 of the subdivision regulations reads as follows: " Before the planning board grants approvals of the final plan, the subdivider shall, in an amount set by the board, either file with the municipal treasurer a certified check to cover the full cost of the required improvements, or he shall file with the municipal treasurer a performance bond to cover the full cost of required improvement and as a surety for the fulfillment of other conditions and requirements. Any such bond shall be satisfactory Counsel relative to form, sufficiency, manner of execution and surety. A time within which the required improvements must be made and other conditions met shall be set by the planning board and stated in the bond."

Dwayne states that developments usually don't finish pave until after the construction of houses is complete. Part of the purpose of the bond is to make sure the finish pavement stands up. Kent Whitten asks if final pavement isn't done until after the houses are done can there be a condition that only final pavement has to be bonded and put a note on the plan that says no building permits issued until the road is complete up to a certain standard except final top coat paving. The date of completion should be before the last

two occupancy permits are issued.

Roland Denby states that they have to keep the waterlines in mind so they don't have to dig the road up after.

It is decided the bond will be for 125% of the cost for topcoat finish pavement provided at the time of final approval. A note shall be placed on the plan stating that no building permits will be issued until the road is built to town standards as determined by a third party engineer. The topcoat must be installed prior to the last two occupancy permits being issued. A third party shall review estimates for the cost of topcoating the road.

Teresa Lowell asks if the covenants are sufficient. The board discusses putting the 55 or older covenants on the plan. It is agreed that because a housing development of this type has to follow strict Federal housing standards that the applicant doesn't have to be specific on the approved plan.

Because there are outstanding items on the final checklist, this application will be put under old business on the next agenda.

### III. MINUTES OF PREVIOUS MEETINGS

There are various additions to the last meeting minutes and those will be adjusted according to the comments made.

### IV. REPORT OF OFFICERS

Dwayne asks about the monthly budget report and the secretary pay not coming out of the planning board budget. Patti reports that has been corrected and should be accounted for in the next monthly budget report.

Dwayne reports that he went to the first impact study committee meeting and the next one is December 1. They are going to ask Southern Maine Regional Planning Commission for help with this.

Susan Dunlap reports that Tim Neill has resigned from the board effective immediately. The board all expressed their regret at that.

### V. OLD BUSINESS

Craig Packard application for 30% expansion on map 29 lot 21 is reviewed. Mark Scott who is the contractor representing the applicant provided the class D survey the board requested at the last meeting. Everett, Roland and Patti did a site walk on November 17. Pictures were taken and passed around for the rest of the board to review. Dwayne Woodsome made the motion to approve the 30% expansion under section 7.01 of the zoning ordinance with the conditions that the structure goes no closer to the water or side property lines, and used all erosion control measures as required. Applicant is using 4800 cubic feet out of the allowed 5360, leaving 560 cubic feet of expansion for the lifetime of the property. Applicant is using 480 square feet out of the allowed 535 leaving 55 square feet of expansion for the lifetime of the property.

Susan Dunlap reports that she and Teresa Lowell attended a meeting with the SAD 57 school committee due to concerns the board has with the timing of their plans for a new school. Others attending were as follows: Fred Bechard, superintendent, Pinkham and

Greer, SAD 57 members, traffic engineer from Casey & Godfreid. Susan discussed the planning board process and scheduling with them. They have not made application to the board for the new school because until the project is funded, there technically is no project. They understand the importance of applying soon and stated that they intend to make application in January - February time frame. They want to put the project out to bid in the fall so will come in with a preliminary plan. Patti states that she believes the budget vote has been postponed until May as far as she knows.

The second application under old business for Lionel Belanger on map 29 lot 25 did not submit information to be reviewed at tonight's meeting.

#### VI. COMMUNICATION

#### VII. MISCELLANEOUS

#### VIII. NEW BUSINESS

#### IX. ADJOURNMENT

Kurt Clason made the motion to adjourn at 11:10 p.m. Everett Whitten seconds. Motion carries with a unanimous vote in favor.