

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD AUGUST 27, 2020

Present: Chairman Geoffrey Aleva, Jon Morse, David Ballard, Scott Strynar, Roger Frechette, CEO

Absent: Anne Whitten, Matthew Qualls

Also Present: Susan Roy, Dana Libby, Walter Pelkey, Don Morin, Geoffrey Howe, Michael Peverett, Todd Morton, David Hanson, Neil Rapoza

1. Call To Order:

Chairman Geoffrey Aleva called the meeting to order at 6:30 pm.

Chairman Aleva moved Scott Strynar up to full voting status.

2. Review Preview Minutes:

Jon Morse stated that on page 12 the 2nd sentence in the first complete paragraph currently reads, “The meet all of the required setbacks.”. It should read, “They meet all of the required setbacks.”. Also, on page 8, the 5th sentence of the last paragraph currently reads, “The studied the area more...”. It should read, “They studied the area more...”.

David Ballard motioned to approve the minutes of August 13, 2020 as amended. Scott Strynar seconded the motion. VOTE: 3-0 Abstain: 1

3. Current Business:

3.1 Continued Review – 6:30 pm

Sugarbush Estates

Beech Ridge Road (Map 007 Lot 019)

Request: Applicant proposes a 3-lot subdivision located on Beech Ridge Rd.

Dana Libby from Corner Post Land Surveying is here to discuss the project. He stated that, since the last meeting, the lot that is being sold and the abutting lot were soil tested. They have supplied the test pit logs to Roger. Mr. Libby stated that the driveway location on Lot 19 has been measured for the site distance and it does conform to the requirements. The last change is that they have added the remaining land as Lot 2 on the plan.

Chairman Aleva stated that the Board has a letter from Lee Jay Feldman from SMPDC. He could not make it tonight because he had to attend another Planning Board meeting. The letter indicates that Mr. Feldman recommends the approval of subdivision with the following conditions:

1. The Plan be revised to reflect all waivers granted by the Planning Board.
2. Plan approval is conditioned upon compliance by the applicant with the plans and specifications that have been received by the Planning Board in conjunction with the development proposal as well as any oral statements made by the applicant in the course of the deliberations.

Chairman Aleva stated that they also have Findings of Fact that Mr. Feldman put together. He stated that these Findings of Fact follow our Subdivision Ordinance. He will just read the Ordinance section and the response to the area.

1.1 The response is: This applicant will not impact any of the above noted environmental issues as all precautions under the state and local regulations have been taken into consideration.

1.2 The response is: N/A

1.3 The response is: Maine GIS data for wells in this neighborhood was provided to the Planning Board at the preliminary review meeting and indicated that there is sufficient water for the site.

1.4 The response is: The subdivision itself will not cause erosion issues. The proper erosion control will be required by individual homeowners at the time of construction. The plan sheet 2 of the submission has included an erosion control plan for the lots to use as a guide.

1.5 The response is: The applicant has provided appropriate site distance information on the plan indicating that they can meet the minimum standards as required in the town's regulations Street and Storm Drainage Design and Construction Standards Ordinance Article 2 Section 2.2.

1.6 The response is: Soils information has been provided on the soils for the site which indicates adequate soils to serve septic systems in this location. Note #24 of the plan, indicates that Albert Frick has provided test pit analysis for the septic system design. These will be required prior to issuance of HHE200 permits.

1.7 The response is: The town operates a Transfer Station. Each single-family Residence will be responsible for making sure their trash is delivered to that facility.

1.8 The response is: This site is not located in the Shoreland zone and the lots are large and should not pose any threat to the natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife.

1.9 The response is: Yes

1.10 The response is: The applicant is not providing the extension of any public Infrastructure other than the Pow3er lines which will require Central Maine Power review and approval. So no work or bonding will be required for the applicant.

1.11 The response is: N/A

1.12 The response is: N/A

1.13 The response is: This site is not located in the flood zone as mentioned in note #20 of the plan sheet 1.

1.14 The response is: N/A

1.15 The response is: N/A

1.16 The response is: Based on the information provided and deliberations held by the North Berwick Planning Board the project meets all of the prerequisite matters for this approval and the following Conditions of Approval:

1. The Plan be revised to reflect all waivers granted by the planning board.
2. Plan approval is conditioned upon compliance by the applicant with the plans and specifications that have been received by the planning board in conjunction with the development proposal as well as any oral statements made by the applicant in the course of the deliberations.

Jon Morse motioned to approve the 3-lot subdivision Sugarbush Estates located on Beech Ridge Road (Map 007 Lot 019) with the conditions noted in the Findings of Fact. Scott Strynar seconded the motion. VOTE: 4-0

3.2 Public Meeting
Hanson Family
Turkey Street (Map 007 Lot 004)
Request: Applicant proposes an 8 lot Subdivision located on Turkey Street

Chairman Aleva asked Roger Frechette if he had any comments or issues with the project. Roger stated that he did not.

Chairman Aleva stated that he is recusing himself from this project because it was completed by his office. He will still run the meeting and run the technical side for the board members. The Vice Chairman Matthew Qualls is out so Chairman Aleva moved Jon Morse up to be the Acting Chairman for this project.

Neil Rapoza from Civil Consultants stepped forward to discuss the project. They are proposing an 8-lot residential subdivision. There is no road or private road proposed. It will all be off of Turkey Street. They have all been designed as independent residential lots. The main thing that they needed to look into and work around was the location of the wetlands and the vernal pools on site along with getting appropriate locations for the septic system. The applicant is not proposing on developing the lots. This is just to turn them into legal lots and taking into account all of the restrictions in the Zoning Ordinance.

Mr. Rapoza stated that there is one large wetland on the site that requires some buffering due to the town regulations. The other vernal pools that were located on the site were all mapped by Michael Cuomo. He came out and did the soil investigation and wetland delineation. There is 1 significant vernal pool located on the south end of the lot and it has the appropriate buffer that will protect that natural resource. The minimum lot area for these lots is 160,000 sf and they are well over that. This also takes into account all of the wetlands that are there and all the other precautions that are put into place to protect all of the resources in the area. Mr. Rapoza stated that the entrance locations for each lot and the site distance that each entrance will have will be noted on the final plan.

Mr. Rapoza stated that there will be 2 waivers requested for the project that were not originally noted on the application. One of them is regarding Article 10.5 regarding utilities coming into the lots. They will not be showing them on their plans. They will be noted on the individual lot owner's plan as they develop their site. The other waiver is regarding Article 10.6.b.3 and b.4 which have to do with Storm Water analysis. There won't be any impact with the proposed subdivision so they will request a waiver for it.

Acting Chairman Morse asked if the power on Turkey Street was overhead and if they were going to take power for each lot from a pole on Turkey Street. Mr. Rapoza stated that they were overhead, and they would be taking the power from a pole on Turkey Street. Acting Chairman Morse asked if each lot was going to have their own sewer and well. Mr. Rapoza said that they would, and they have located the area for the septic and well and noted it on the plan to make sure they meet all of the required setbacks.

Acting Chairman Morse asked Roger if he had anything to add. Roger stated that everything looks good right now. He stated that they need to set up a site walk and set up escrow amount.

The Board decided to have the site walk before the 9/10/20 meeting at 5:00 pm.

Roger stated that the escrow that they need is \$6,700.00.

David Ballard motioned to set the escrow amount at \$6,700.00. Scott Strynar seconded the motion. VOTE: 3-0 Abstain: 1

Chairman Aleva took over the meeting again.

3.3. Public Meeting

Geoffrey & Tammy Howe
518 Turkey Street (Map 007 Lot 033)

Request: Applicant proposes to build an In-Law apartment over a newly built garage.

Chairman Aleva stated that he feels that applications for this type of project should be able to be approved directly through Roger as long as all of the requirements have been met. However, right now, they need to go through the Board. He stated that the applicant provided a survey of where they are and the floor plan that indicates that the in-law apartment meets the requirements that are indicated by the Zoning Ordinance.

Chairman Aleva asked Roger if had any issues or comments. Roger stated that he had no issues. He said that they will be parking under the apartment, so everything needs to meet the fire code, which the applicant is aware of. He stated that it meets the 650 sf threshold so he has no issues with the project.

Jon Morse asked if the stairs that would make the apartment assessable going to be located indoors or outdoors. The applicant, Geoffrey Howe stated that they were located inside.

Jon Morse motioned to accept the application for Geoffrey & Tammy Howe to build an In-Law apartment over a newly built garage located at 518 Turkey Street (Map 007 Law 033). Scott Strynar seconded the motion. VOTE: 4-0

3.4 Public Meeting

Joel & Katy Littlefield
722 Lebanon Rd (Map 005 Lot 039)

Request: Applicant proposes an amendment to their existing subdivision by combining (Map 005 Lot 039) and (Map 005 Lot 039-2) together and also create an outside sale lot.

Chairman Aleva asked Roger if he had any comments or concerns regarding the project. Roger stated that he had none.

Walter Pelkey from BH2M stated that he was representing the applicant. He stated that the amendment to the 2015 plan is basically removing the lot lines that were around the existing residence and combining the overall area. They would then create an outside sale lot along Lebanon Road. It will be a private well, private septic and overhead utilities from a utility pole off of Lebanon Road.

Chairman Aleva stated that they will need to have some test pits done and show them on the plan. They will also need to indicate if there are any wells nearby. Chairman Aleva asked about a section east of the wetlands on the outside sale lot. Mr. Pelkey stated that it was a cemetery. Chairman Aleva told him that they will need to show the 25-foot setbacks from the cemetery on their plan. Roger asked what the area that says "50 x 50 right of way" was referring to. Mr.

Pelkey said that this was a holdover from a previous plan and is an error. Roger told him to remove it from the plan because some people have been confused about it.

Chairman Aleva stated that this was just a sketch plan. They still need to submit a full completed application. The Board should probably wait until the application is submitted before scheduling a site walk. There will still be a review for setting up the escrow, have SMPDC review as well as any other things that need to be done prior to approval.

4. Other Business:

Roger stated that he has some plans and paperwork that need to be signed off by the Board members. Chairman Aleva told him to pick some dates and times and email the Board members to let them know when they can come by to sign everything. Roger said that they can just call him ahead of time and he will just have everything ready for them to sign. He will get in touch with Matthew and Anne to find out when they can come in.

Roger stated that they need to decide if they still want to do ZOOM meetings. If so, then they need to put together a letter for the Board of Selectmen to review and approve. Chairman Aleva stated that he will send an email out to all of the members to see what they want to do and draw up a letter. He stated that he knows that 2 members will probably still not be able to make it if they meet in person so he is okay with ZOOM because he would like to have as many members present as possible.

David Ballard asked if the people from the car wash had to come back before the Board to review the addition of the second door. Roger stated that they didn't need to come back because the Board had voted to allow Roger to handle it. Roger said that the owner told him the other day that he had the door, but he is just waiting on his electrical permits and any other permits he might need to be able to install it.

5. Adjournment:

Scott Strynar motioned to adjourn the meeting at 7:11 pm. Jon Morse seconded the motion.
VOTE: 4-0

Roger Frechette
Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Approved at September 10, 2020 ZOOM meeting

Jon Morse

Anne Whitten

Matthew Qualls

David Ballard

Approved at September 10, 2020 ZOOM meeting

Scott Strynar

Approved at September 10, 2020 ZOOM meeting