

**Town of North Yarmouth  
Planning Board Minutes  
Tuesday, June 9, 2015  
7:00 PM @ Town Office Meeting Room**

Present: Ande Smith, Peter Lindsay (Chairman), Katryn Gabrielson, Ryan Keith (Code Enforcement Officer), Tom Hinman (arrived at 7:04pm)

Absent: Steve Morrison, Gary DiLisio

I. Approval by the board of the Planning Board minutes

- May 12, 2015.

Ande Smith moved and Peter Lindsay seconded to approve the May 12, 2015 minutes as presented.

Vote: 3-yes 0-no 1-abstention (Hinman)

II. Review Subdivision Amendment

- River Farms Subdivision Lot #3 and #4 land swap.

Doyle Marchant thanked Ryan Keith for his help in this process to help him be prepared.

Doyle gave an overview of River Farms and his involvement with the property. He indicated that in the process the original design provided large building envelopes to take advantage of privacy. He indicated that the configuration of Lot 4 along North Road is in essence unusable as designed. The current owner of the lot does not wish to build on the property and asked to resell it. In their reselling efforts, the lack of privacy issue between the lots has arisen. There have been discussions on swapping the lots. This would be a pure land swap with no other intentions.

Peter Lindsay asked if the building envelope for would change. Doyle indicated that it would not and that if there was such a request, it would require a separate review and approval.

There was a discussion regarding the application. Peter indicated that a public hearing may be required and that abutter notification was sent and copies provided to code enforcement.

Katryn Gabrielson commented on the building envelope for Lot 4. Ande Smith commented on the covenant related to the road for Lot 4. Peter indicated that this aspect has not changed. There was a discussion on the building envelope and road access utilizing the plan visual. Peter stated that with the land swap, the easement to cross over Lot 4 will be unnecessary and moot. Ryan Keith stated that the application can be deemed complete.

Katryn Gabrielson moved and Ande Smith seconded to deem the application complete.

Vote: 4-yes 0-no.

Katryn Gabrielson asked for clarification the upper and lower fields. She also asked why the building envelopes are different per lot. Ryan indicated that much of it is due to the terrain and defined grade elevation changes. Doyle expanded Ryan's comment vis a vis the terrain, flood

plain and placement of septic systems etc. which can impact the building envelopes. The building envelope has not changed. Only the lot lines/lot swap are being requested.

Peter commented on one of the letters received regarding Note 20 on the plan (not within 300 feet of North Rd.). He indicated that should the Planning Board approve this that this notation be included on the condition of approval and plan.

Ande commented that the letter from the other trustee in the land swap has not signed the application nor sent a letter of support for this. Ryan indicated that it could be part of the condition of approval. Doyle stated that he has been given a verbal approval but understands the importance of receiving a letter/signature of approval.

Peter commented that there a public hearing was opened regarding this item and there was no public comment.

Ande Smith moved and Katryn Gabrielson seconded to approve the amendment subdivision to the River Farms 4<sup>th</sup> amendment subdivision dated May 26, 2015.

Subject to the following conditions:

1. Amend the Note 20 on the plan read Lot 4 and not Lots 2 and 3.
2. The Code Enforcement Officer will secure sign-off in writing from the trustee of Cedar Farms that they are joining in and approve the application.

Vote: 4-yes 0-no.

Peter reminded the group that Katryn Gabrielson would a voting member for tonight's meeting.

Doyle asked if securing an email acceptance from the other owner is acceptable. Ryan stated that a scanned copy of the application be sent to him and signed and return to the town.

III. Any other items as the chair may deem appropriate

Peter reminded the group that they will meet in July but will not be meeting in August.

Katryn asked for clarification on her term. Peter stated that she was completing someone else's term, but should she be reappointed, it would be for a 3 year term.

IV. Adjournment

Ande Smith moved and Katryn Gabrielson seconded to adjourn the meeting.

Vote: 4-yes 0-no.

The meeting ended at 7:54pm.

The Planning Board will not take up agenda items after 10:30 PM and will conclude the meeting by 11:00 PM