

**Town of North Yarmouth
Planning Board
Meeting Minutes of April 9, 2019**

I. Call to Order

Chris Cabot (Chair), Sandra Falsey, Clark Whittier, Gary Bahlkow (Alternate) and Ryan Keith (CEO)

Gary Dilisio and Audrey Lones to join the meeting later.

II. Minutes Approval

a. March 12, 2019

Gary Bahlkow would like the minutes to note why he abstained at the last meeting. Clark Whittier moved to approve the minutes as amended, Sandra Falsey seconded the motion. Discussion: None. **Vote 4-Yes, 0-No**

III. Public Hearing

a. Major Subdivision- Meadowbrook Neighborhood Subdivision- Map 7, Lot 70- 16.12+/- acres

Chris Cabot moved to open the Public Hearing; Clark Whittier seconded the motion. Discussion: None. **Vote 4-Yes, 0-No**

Chris Cabot invited Jeff Read of Sevee and Maher to give a brief overview of the project.

Jim Guidi - 3 Stone Post Lane - Mr. Guidi stated he was in favor of the subdivision as he knows Mr. Grover personally. He wants to confirm if the commercial lots will require additional site plan review.

The Board confirmed that the commercial lots will require site plan review.

Jim Howe- 51 Memorial Highway- Mr. Howe stated he didn't know much about the project, but he has concerns about the density and impact on traffic. He said there have been three rollovers in front of his house and is worried about the speed and the congestion. Mr. Howe stated he knows Mr. Grover does great work. He supports it if the apartments are for families coming for the school system. He just wants to make sure the apartments don't become meth labs like some of the apartments in other towns.

Paul Peck- 47 Sweetser Road- Mr. Peck wanted to know why there was no DEP review being done as 23 lots will be disturbed. He also wanted to know if a Peer Review was being done. Mr. Peck stated he has walked this property and the back three lots are wetlands. Mr. Peck stated that the Board does not have the knowledge to review a project of this size.

Jeff Read responded to the questions. He said the DEP review and a peer review have occurred. He explained to Mr. Howe about the density and how it meets the new Town ordinances that were recently passed. Mr. Read displayed a rendition of the plan and explained the lot set up.

Mr. Guidi – 3 Stone Post Lane- Mr. Guidi asked about the entrances being on Route 9.

Jeff Read noted that each entrance will need its own DOT permit.

(Audrey Lones arrived)

Jim Howe- 51 Memorial Highway- Mr. Howe asked why there are 75ft buffers on the property lines.

Mr. Read stated that there is a stream at the north and south sides of the lot. The DEP has rules you have to follow if you are within 75ft of a stream to protect natural resources. Any activity within that 75ft requires a permit by rule.

Mr. Howe asked if there would be any activity within the 75ft.

Mr. Read stated no there would not be except for the filling of a portion of a small wetland in the southeast corner. Mr. Read addressed Mr. Peck's questions about DEP Stormwater review. They have followed the DEP stormwater permitting process by filling out a Chapter 500 permit by rule application. Mr. Read called the local DEP office to make sure they were interpreting it correctly, and they confirmed it is a permit by rule. Mr. Read then called a supervisor in the Augusta office to reconfirm. He also stated it was indeed a Chapter 500 permit by rule. The wetlands were mapped by Dick Sweet, and the current plans avoid the wetland. If individual lots disturb the wetlands more, they will need to go through their own DEP approval. The only wetland impact on this concept plan is a couple hundred square feet. He answered the question about the acreage of the disturbance. It is again permitted through a Chapter 500 stormwater permit by rule. The applicant is only doing the road and infrastructure. The lots will be sold. There is level spreader with a plunge pool for stormwater control. Peer review was done by Acorn Engineering and was received on Thursday. Sevee and Maher was able to respond to all of Acorn's comments the same day and relayed that information to the Board.

Chris Cabot asked for any more comments from the Public. Seeing none, he asked for a motion to close the Public Hearing. Audrey Lones moved to close the Public Hearing; Sandra Falsey seconded the motion. Discussion: None. **Vote 5-Yes, 0-No**

IV. Old Business

- a. Major Subdivision- Meadowbrook Neighborhood Subdivision- Map 7, Lot 70- 16.12+/- acres

Chris Cabot asked the Board if they had any more question or concerns. Mr. Cabot asked for clarification of the plan regarding building setbacks from the road that was discussed at prior meetings. The Board is not approving the lot design, just the division of the lots, but he wanted to clarify that the applicant understood the setback requirement.

Jeff Read gave an update that the septic systems have been moved to the backyards, so they will meet the setback requirements. The applicant has also changed the back eastern

lots to meet the setbacks. They have extended the access easements to 20ft from where the houses will be. They have added the water main detail sheet meeting Yarmouth Water District standards. They also added typical lot grading details as requested by the peer review. The individual lots will be done by the individual lot buyers. They would like to present for final approval tonight.

Audrey Lones asked about the Water District letter. Did the District comment on this being built upon the aquifer? Ryan Keith noted that he has also spoken with the Water District, and they are in support of the project and their concerns have been addressed.

(Gary Dilisio arrived; Gary Bahlkow is now a non-voting member as alternate.)

Further discussion about the plan followed.

Mr. Peck asked if there will be an association and who will be in charge of maintaining the level spreader and plunge pool.

Mr. Read stated that there will be an association as the Road will be private. Maintenance of the road, level spreader, and plunge pool will be covered in the association.

Audrey Lones asked about maintenance to the Fuji Clean systems. Mr. Read stated that it's mandatory from the manufacturer and for lots this size. Ryan Keith spoke about the maintenance requirements, and that it would be something that will be taken care of by his office.

The Board discussed findings. Three waivers were approved at the previous meeting on 3/12/19 and are as follows: 10.28, D.6 and 10.29, C.7.a, and C.7.c.

Conditions of approval:

1. Proof of a contract with an approved service provider meeting the manufacturer's requirement for Advanced Waste Water Treatment Systems.

Gary Dilisio moved to approve the final application dated March 2019 with waivers and conditions drafted in findings of fact for Meadowbrook Subdivision. Sandra Falsey seconded the motion. Discussion: None. **Vote 5-Yes, 0-No**

V. New Business

- a. Minor Subdivision- Burgess Subdivision- Map 12, Lot 33 & Map 13, Lot 2, 48 +/- acres
Michael Burgess owner and applicant presented his plan. Mr. Burgess is looking to divide the parcel into 3 lots. Each will have private septic and wells. Soil samples have been done. All 3 lots will be serviced by a private road which will have a maintenance agreement.

The Board discussed whether this is currently considered one property or two as it is split by the railroad tracks, and whether their approval was necessary. The Board decided to proceed with the Subdivision approval process.

The Board reviewed the checklist, noting the following items should be changed to waiver requested: 5-5.C.4.c, 5-5.C.4.g.ii, and 5-5.C.4.j.

Chris Cabot moved to waive the following application submissions 5-5.C.4.c, 5-5.C.4.g.ii, and 5-5.C.4.j., Gary Dilisio seconded the motion. Discussion: None. **Vote 5-Yes, 0-No**

Gary Dilisio moved to find the application complete with the previous mentioned waivers, Audrey Lones seconded the motion. Discussion: None. **Vote 5-Yes, 0-No**

Conditions of approval:

1. The Applicant must have approval from the Town for the Road Entrance.

The Board further discussed the plan and asked that Ryan check the abutter notifications, the Board deemed that a site walk and Public Hearing was not necessary.

Gary Dilisio moved to approve the Burgess Subdivision as depicted on the plan dated March 2019 finding the application is completed with 3 waiver and 1 condition. Audrey Lones seconded the motion. Discussion: None. **Vote 5-Yes, 0-No**

VI. Any other Business

a. Next Month's Chair

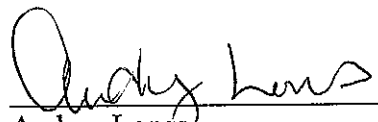
Chris Cabot will chair next month's meeting, Audrey Lones and Gary Dilisio will not be present at the next meeting.

VII. Adjournment

Recorded by Stacey M. Ruby ASC


Planning Board Members


Chris Cabot- Chair


Audrey Lones


Gary Dilisio

Clark Whittier


Sandra Falsey

Gary Bahlkow - Alternate