

Town of North Yarmouth
Planning Board
Meeting Minutes of September 13, 2022
Business Meeting
(recording is available via [Town Hall Streams](#))

I. Call to Order

The meeting was called to order at 7:06 PM. Present: Chris Cabot (Chairperson), Kimry Corrette (Board Member), Jeffrey Brown (Secretary), Sanford Peabody (Board Member), Paul Whitmarsh (Alternate Board Member),

Absent without notice: Paul Metevier (Board Member), Trey Milam (Alternate Board Member)

II. Minutes Approval

a. April 12, 2022

Kimry Corrette motioned to approve the minutes from the April 12, 2022 Planning Board meeting; Jeff Brown seconded the motion. Discussion.
Vote 4 Yes / 0 No

III. Old Business

a. Deacon Hayes Commons Major Subdivision/Site Plan Review

Steve Roberge, Design Engineer – Provided with an overall project as well as an overview of the August 9 meeting. The changes to the plan include:

- The design of the new engineered disposal system
- Revised ground water nitrate study specific to the engineered disposal area meeting the Town's 5 Mil per liter nitrate level at the property line
- Relocated previous proposed landscaping away from the disposal system
- Updated the sidewalk along Walnut Hill Rd
- Updates to the subdivision and site plan suitable for the Planning Board signature and recording at the Registry
- They also identified units 4, 8, & 11 are designated to be affordable housing
- The new designs that were handed out, the septic tank and the CEN21 units are on the other end of the disposal chambers system rather than out in the parking lot.

Kristen Collins, Applicant's Attorney – She inquired if the Planning Board was able to review her letter of September 8.

Ben Smith, Town Planner – reviewed his memo and indicated that the new septic design plans that were handed out does not change the findings in the memo, it appears the new plan just have the tanks and the field have been proposed to be rearranged. He reviewed the process of what has transpired with the application to date. There was a special Planning Board meeting scheduled for August 23 to act on this application, however the Applicant agreed to extend the 30 day time

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period stipulated in the ordinance. There is an expectation that the Board will act on this application at this meeting. He stated that the Applicant has been coordinating with Yarmouth Water District and it would certainly be worth hearing from the Applicant more on their coordination.

Chris Cabot asked the Applicant to review the reasoning for the change to the septic system.

Mark Censi, Site Evaluator/Geologists – Reviewed reasoning for the change to the engineering septic system. The system is designed to cover 2000 gal per day in any one spot. An engineering system review process is very thorough, it involved many DEP departments at the State level.

Steve Roberge, Design Engineer – He noted that with the engineered system there is a warranty for the Fugi System also has a maintenance requirement for the system on a year basis.

Eric Gagnon, Yarmouth Water District – He noted that with the Fugi systems owner manual, it is recommendation for the operation the system, that a semi-annual maintenance to be performed.

The Board reviewed the proposed conditions from the August 9, 2022 meeting and made some modifications with the Applicant's.

1. Prior to the issuance of a certificate of occupancy, the landowner or responsible homeowners' association shall provide to the Code Enforcement Office an Operations & Maintenance Plan approved by the State of Maine.
2. Landowner or responsible homeowners' association shall comply with the Operations and Maintenance plan.
3. Landowner or responsible homeowners' association shall submit to the Code Enforcement Office a maintenance agreement with Fuji Clean and comply with that maintenance agreement.

Chris Cabot motioned to add the conditions of approval #1-3 for the Deacon Hayes Commons Project; Jeff Brown seconded the motion.
Discussion. Vote 4 Yes / 0 No

4. Performance guarantee – Prior to the issuance of building permits, the applicant will submit an Irrevocable Letter of Credit in the amount of \$100,000 to be approved by Selectboard.

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Sanford Peabody motioned to add the conditions of approval #4 for the Deacon Hayes Commons Project; Jeff Brown seconded the motion. Discussion. Vote 4 Yes / 0 No

5. Consistent with Sec. 5.8(C) of the Land Use Ordinance, the units shall be built in two phases to prevent classroom overcrowding, so that the Certificate of Occupancy for the second half of the units shall not be issued until the calendar year following the Certificate of Occupancy that have been issued for the first six units, also subject to the Town's current building cap ordinance.

Chris Cabot motioned to add the conditions of approval #5 for the Deacon Hayes Commons Project; Kimry Corrette seconded the motion. Discussion. Vote 4 Yes / 0 No MOTION & SECOND WAS WITHDRAWN

5. **REVISED:** Consistent with Sec. 5.8(C) of the Land Use Ordinance, the units shall be built in two phases to prevent classroom overcrowding, so that the building permits for the second half of the units shall not be issued until the calendar year following the building permits that have been issued for the first six units, also subject to the Town's current building cap ordinance.

Chris Cabot motioned to add the conditions of approval #5 for the Deacon Hayes Commons Project; Jeff Brown seconded the motion. Discussion. Vote 4 Yes / 0 No

Chris Cabot reviewed three emails that came into the Planning Board earlier in the day prior to the meeting.

Kimry Corrette motion to approve the final subdivision and site plan for Deacon Hayes Commons located at tax map 007 lot 062 with the following findings of fact and conclusions in the planning memo dated 7/27/22 with the updates & conditions voted on at tonight's meeting; Chris Cabot seconded the motion. Discussion. Vote 4 Yes / 0 No

IV. New Business

- a. Sketch Plan - Village Green Apt

Steve Roberge, Design Engineer reviewed the proposed Village Green Apartment project on Lot 23 of the Village Center Estate Phase II subdivision. The development company for this project is Construction Aggregate, Inc. The plan includes building 4 residential units (3 along Walnut Hill Rd and 1 off Village View Lane)

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Ben Smith, Town Planner – Reviewed the Planner Report and record keeping for this project.

Ben Scipione, Code Enforcement Officer – Inquired that the applicant was planning to build the entrance off Walnut Hill Rd to road standards since there will be three (3) houses being served. The applicant indicated they would be building to road standards

Planning Board Members – Reviewed the project and discussed setback of the sidewalk, front and side setbacks, road frontage, DEP and DOT permitting.

Chris Cabot motioned to hold a public hearing on the Village Green Apartment project at the October 11, 2022 meeting; Kimry Corrette seconded the motion. Discussion. Vote 4 Yes / 0 No

b. Subdivision Amendment – Perennial Crossing

Peter Baigle, Land Design Solutions – reviewed and discussed the proposed amendment to the Perennial Crossing Subdivision for the well easement.

Ben Smith, Town Planner – Reviewed the Planners Report on this project.

Jeff Brown motioned to approve the amended Perennial Crossing subdivision; Kimry Corrette seconded the motion. Discussion. Vote 4 Yes / 0 No

c. Minor Subdivision Application – Oxbow Pond

Gary Bahlkow, Applicant – Reviewed and discussed the proposed plan for the minor subdivision.

Ben Smith, Town Planner – Reviewed the Planner Report on this proposed project.

The Planning Board agreed to schedule a site walk for this proposed subdivision and will provide the applicant with as much information as possible about the waiver prior to the November Board meeting.

d. Finding of Facts – Edge Energy 18 Mill Ridge Rd

Chris Cabot motioned to approve the Finding of Facts for Edge Energy 18 Mill Ridge Rd; Jeff Brown seconded the motion. Discussion Vote 4 Yes / 0 No

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- e. Finding of Facts – Learning Time Child Care
Chris Cabot motioned to approve the Finding of Facts for Learning Time Child Care; Jeff Brown seconded the motion. Discussion Vote 3 Yes / 0 No

V. Any other Business

a. **Review of Previous Years Applications.**

The review was previously sent to Board members to review.

b. **Administrative Business**

- **September Workshop**

VI. Adjournment


Meeting was adjourned 10:38 PM.

Recorded by Tracey Cox, Executive Assistant to CEO/Assessor


Planning Board Members



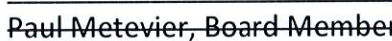
Chris Cabot - Chair



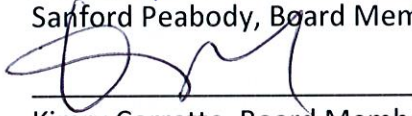
Jeffrey Brown - Secretary



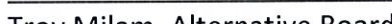
Sanford Peabody, Board Member




Paul Metevier, Board Member



Kimry Corrette, Board Member



Troy Milam, Alternative Board Member



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Planning Board Members

Chris Cabot - Chair



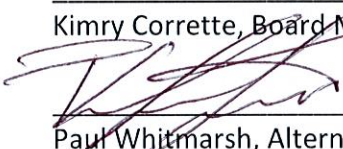
Jeffrey Brown - Secretary

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Paul Whitmarsh, Alternate Board Member