

Town of North Yarmouth
Planning Board
Meeting Minutes of November 09, 2022
Business Meeting
(recording is available via [Town Hall Streams](#))

I. Call to Order

Paul Whitmarsh Chairperson called the meeting to order 6:30 PM

Present: Kimry Corrette (Board Member), Paul Metevier (Board Member), Trey Milam (Board Member), Sanford Peabody (Board Member), Jeff Brown (Secretary/Board Member), Paul Whitmarsh (Alternate Board Member/Chairperson) and Alexander Urquhart (Alternate Board Member).

II. Minutes Approval

- a. May 10, 2022: Kimry Corrette motioned to approve the minutes from the May 10, 2022, Planning Board meeting; Trey Milam seconded the motion.
Vote 5 Yes / 0 No
- b. June 16, 2022: Kimry Corrette motioned to approve the minutes from the June 16, 2022, Planning Board meeting; Trey Milam seconded the motion.
Vote 5 Yes / 0 No
- c. July 12, 2022: Kimry Corrette motioned to approve the minutes from the July 12, 2022, Planning Board meeting; Trey Milam seconded the motion.
Vote 5 Yes / 0 No

III. Old Business

Village Green Apt Subdivision Amendment

Steve Roberge, Design Engineer, provided an update on the proposed amendment. He stated that at the October Planning Board Meeting, the planning board determined the application complete, but tabled the project for review of comments from the Yarmouth Water District and potentially relocating the sidewalk on the other side of Walnut Hill. They listened to public comment and voluntarily revised the plan. They relocated the sidewalk to the side of walnut allowing the existing ditch to remain as is. Water flow will continue to flow as it currently does. They relocated the proposed houses and property lines for properties lot 1, 2 and 3 by shifting them down. They will shift house construction allowing 18 feet to the property sideline to help minimize potential conflicts with the tree roots. They sent the updated nitrates study and updated plans to Eric at the Yarmouth Water District, and he was ok with the one disposal system. The entire project will be owned by Construction Aggregate that is owned by Ben Grover. There will be no public open space or recreation provided as part of the development. The applicant states he will comply with concerns noted in the Yarmouth Water District letter. They have obtained a traffic entrance permit that allow the three units be constructed on the parcel and to have access from the proposed driveway.

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Kimry Corrette motioned to approve the Village Green Subdivision with waiving the sidewalk in accordance with the ordinance 5.11B and require the developer as a condition to install a sidewalk in accordance with a sidewalk plan being developed by the Town of North Yarmouth as presented by the town manager and the public works director. If failure for that to go through to put one in accordance with the land use ordinance. A line note will be added regarding the easement for the repair and maintenance on the private side of the water service line if the property is sold, seconded by Jeff Brown. Vote 5 yes/ 0 No

IV. New Business 47

a. Sketch Plan Review – Carriage Hill Subdivision Amendment.

Tara Mullin Colliers Engineering & Design- She stated that subdivision was originally approved by the Planning Board in 2002 with six lots at the time. They are seeking to amend to add four additional lots to the subdivision. Two on the south side and two on the north side. The current owners would retain the property. An updated wetland delineation and reports were provided by Alexander Finamore, of Mainley Soils, LLC for each proposed lot. A proposed road plan and profile has been provided by Jayson Haskell, PE of DM Roma, as well as a Stormwater Narrative. Each lot is proposed to have its own well and septic. There are no buildings proposed, they are just putting in a road and dividing the land. She advised that property owners in the subdivision was notified of the plans.

Paul Hodgetts, Select Board Liaison 1095 Sligo Road- He stated that there is a public trail that has a parking easement. Tara advises no changes will be made to the trail or easement.

Bryce Davis, 55 Forest Ridge - He stated that he was curious as to what was being considered a public walkway?

Paul Whitmarsh, Chairperson- He stated that he did not think more people would use the pedestrian public walking easement.

Julie Davis, 55 Forest Ridge- She stated that she did get a letter, but the dates were incorrect. She is an abutter to the property. She would suggest a public hearing so the neighborhood could come and express how they feel.

Jeff Brown motioned to schedule a public hearing at the next planning board meeting, seconded by Paul Metevier. Vote 4 Yes/1 Opposed (Trey Milam)

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Kimry Corrette motioned to approve a site walk of the proposed plan site, seconded by Paul Metevier. Vote 4 Yes/1- Opposed (Trey Milam)

b. Sketch Plan Review – North Yarmouth Veterinary Hospital Site Plan

Dr. Erin Barker, DVM is proposing a new Veterinarian Hospital at 1 Walnut Hill Common. They have 11 designated parking spaces for the building which she feels is adequate for the number of staff as well as the number of customers arriving for appointments. There are planned interior changes but no exterior changes to the building. They will need to add a dumpster behind the building. The Planning Board says the dumpster needs a fence. They will have waste bags and bins. They hope to use the heat pump as the primary heat source. Jim Guidi, building owner states he does not understand why this needs to go through the planning board. The building has already gone through the board, maybe this should be an amendment. That is up to code. The business hopes to open March 1, 2023.

c. Finding of Facts - Subdivision Amendment - Delwin Drive

The applicants are proposing to sell their lot located at Map 10 Lot 100-3 and subdivide it into two lots. The existing lot is part of the "Walnut Hill Heights Phase III Subdivision Plan" that was approved April 18, 2005. The subdivision is located in the Village Residential Zoning District. No other changes to existing site conditions are proposed.

Subdivision Review - Findings of Fact:

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots
 - The applicant is proposing to subdivide their property into two lots.
 - The existing lot currently has frontage off Delwin Drive.
 - Iron pins are labeled on the plan.
 - No new utilities are proposed for the subdivision.
2. Erosion and Sedimentation Control
 - No changes to soil erosion and sedimentation are proposed.
3. Financial and Technical Capacity
 - The applicant has retained the services of Wayne T. Wood & Co. to survey the site and layout lot lines.
 - Due to the nature of the project, a letter of financial capacity from a bank or financial institution is not necessary.
4. Floodplain Management
 - The subdivision is not located within the 100-year floodplain
5. Historic and Archaeological Sites
 - No historic or archeological properties are located within the subdivision.
6. Sewage and Solid Waste Disposal
 - No changes to sewage and solid waste disposal are proposed.
7. Soil Suitability

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- Mark Cenci conducted soil tests for both lots dated September 10, 2021. The soils are adequate for septic disposal (see Subsurface Wastewater Disposal System Application).
- 8. Recreation and Open Space Land Development
 - No recreation and open space development is proposed.
- 9. Water Supply
 - No changes to water supply are proposed.
- 10. Water Quality
 - No adverse impacts to water quality will result from the subdivision.
- 11. Subdivision Street Connectivity
 - No changes to the existing subdivision street network are proposed.
 - The applicant should provide construction drawings and design details for Delwin Drive to ensure street dimensional standards are met

Subdivision Review-Conclusions of Law:

1. The proposed subdivision will not result in undue water or air pollution.
2. The proposed subdivision will have sufficient water available for the reasonably foreseeable needs of the subdivision.
3. The proposed subdivision will not cause an unreasonable burden on an existing water supply.
4. The proposed subdivision will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water.
5. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions.
6. The proposed subdivision will provide for adequate solid and sewage waste disposal.
7. The proposed subdivision will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage.
8. The proposed subdivision will not place unreasonable burden on the ability of the local governments to provide municipal or governmental services.
9. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area.
10. The proposed subdivision will be in conformance with a duly adopted subdivision regulation or ordinance.
11. The subdivider will have adequate financial and technical capacity to meet the standards.

Kimry Corrette motioned to accept the findings of fact for the Delwin Drive subdivision, seconded by Trey Milam. Vote 5 Yes/0 No, Jeff Brown abstaining as he was not at the last meeting, Paul Whitmarsh voted in his place.

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- d. **Finding of Facts - Subdivision Amendment - Sweetwater Way-** The applicant is amending an existing subdivision located at 26 Sweetwater Way. The original subdivision called "Plan of Land on Route #115, North Yarmouth, Maine for Ford S. Reiche" was approved July 9, 1985 and then revised August 7, 1991. The applicant is proposing to transfer 2.44 acres from Map 10 Lot 159 to Map 101 Lot 148. Both parcels are owned by LLCs that are under common ownership by the applicant. No additional lots, structures, dwellings, septic systems, or wells are proposed. The applicant should ensure that the lots referenced in the project description are consistent with what is labeled on the site plan.

Subdivision Review - Findings of Fact

1. General Layout: Lots, Blocks, Utilities, Monuments, and Back Lots
 - The subdivision amendments pertain to Lots 148, 158, and 159 of the original subdivision. Approximately 2.44 acres of Map 10 Lot 159 will be transferred to Map 10 Lot 148.
 - Stone post monuments are shown on the site plan.
 - Map 10 Lot 159 will retain access from a 50-foot right-of-way off Route 115.
 - No new utilities are proposed for the subdivision.
2. Erosion and Sedimentation Control
 - No changes to soil erosion and sedimentation are proposed.
3. Financial and Technical Capacity
 - The applicant has retained the services of Colliers Engineering and Design to provide an updated site plan.
 - The applicant has paid all associate application fees.
 - Due to the nature of the project, a letter of financial capacity from a bank or financial institution is not necessary.
4. Floodplain Management
 - The subdivision is not located within the 100-year floodplain
5. Historic and Archaeological Sites
 - No historic or archeological properties are located within the subdivision.
6. Sewage and Solid Waste Disposal
 - No changes to sewage and solid waste disposal are proposed.
7. Soil Suitability
 - The soils are adequate to support development.
8. Recreation and Open Space Land Development Findings of Fact – Sweetwater Way - Subdivision Amendment Page 4 of 6 Town of North
 - No recreation and open space development is proposed.
9. Water Supply
 - No changes to water supply are proposed.
10. Water Quality
 - No adverse impacts to water quality will result from the subdivision.
11. Subdivision Street Connectivity
 - No changes to the existing subdivision street network are proposed.

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Kim Corrette motioned to approve the Sweetwater Findings of Facts as presented, seconded by Trey Milam. Vote 5 Yes/0 No, Jeff Brown abstained as he was not at the last meeting, Paul Whitmarsh voted in his place.

V. Any other Business

a. **Bylaws**

Jeff Brown motioned to amend the Town of North Yarmouth Planning Bylaws Section 4C eliminating the phrase "and amend these by laws", seconded by Kimry Corrette. The Charter is specific and states Alternative members may only vote for secretary and chair. The Bylaws need to be amended to bring it in compliance. Paul Whitmarsh went back to review the motion that was made by regular board members. The recorded vote was 7/0.
Vote 5 Yes/ 0 No

b. **Review of Previous Year's Application(s)** This was not complete as Tracy was absent.

c. **November Workshop** is Tuesday November 22, 2022, 6:30 PM.

VI. Adjournment Paul Whitmarsh adjourns the meeting at 8:00 PM.


Recorded by Karen Casale, Recording Secretary

Planning Board Members


Paul Whitmarsh - Chair

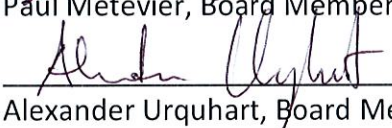
Sanford Peabody, Board Member

Kimry Corrette, Board Member


Trey Milam, Board Member


Jeffrey Brown - Secretary


Paul Metevier, Board Member


Alexander Urquhart, Board Member