

Town of North Yarmouth
Planning Board
Meeting Minutes of February 14, 2023
Business Meeting
(recording is available via [Town Hall Streams](#))

1. Call to Order (23:21 - 24:25)

Board Chair Paul Whitmarsh announced call to order and stated that Alternate Board Member Alexander Urquhart and Board Chair/Alternate Board Member Paul Whitmarsh would be voting members today in the absence of Board Member Trey Milam and Board Member Paul Metevie according to the ordinance.

Board Member Motioned Jeff Brown, seconded by Board Member Sanford Peabody, motioned to move Deacon Hayes Commons Major Subdivision ZBA Remand Procedure Discussion and Deacon Hayes Commons Major Subdivision Schedule Public Hearing to before the minutes approval.

2. Old Business (24:25 - 38:33)

Attorney Dan Stockford gave a summary of the ZBA appeal. He suggested that the Public Hearing be scheduled for the meeting on March 13th. He brought a draft motion to be considered by the board. Board Member Kimry Corrette motioned to approve what Dan read, seconded by Board Chair Paul Whitmarsh. Members discussed.

Planner Kate Burch asked for clarification on what the applicant would be submitting.

Board Member Kimry Corrette asked if this could be appealed again.

Member of the public, Judy Potter, addressed the board.

Acting Board Member Alexander Urquhart asked if they would be reviewing everything from scratch or just what the ZBA remanded.

Attorney Dan Stockford clarified that the Planning Board would only have to discuss what the ZBA remanded back to the Planning Board, not the entire thing all over again.

Board Member Motioned Jeff Brown, seconded by Board Chair Paul Whitmarsh, motioned to adopt the schedule. Nothing to be considered after 2/28. Vote 5 yes/0.

3. Minutes Approval (38:48 - 41:32)

Board Member Jeff Brown recused himself from October 11, 2022 meeting minutes. Board Member Sanford Peabody motioned, seconded by Board Member Kimry Corrette, to accept October 11, 2022 minutes. Vote 3 yes/0.

Board Member Sanford Peabody moved, seconded by Board Member Jeff Brown, motioned to approve October 25th, 2022 minutes.

Board Member Jeff Brown moved to table accepting minutes, seconded by Board Member Kimry Corrette. All minutes tabled, vote 5 yes/0.

Town of North Yarmouth
Planning Board
Meeting Minutes of February 14, 2023
Business Meeting
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4. Old Business Continued (42:01 - 1:39:42)

Tara Mullen, from Colliers Engineering and Design, presented the amended Carriage Hill Subdivision. She stated that they have submitted a draft letter for road maintenance. She requested that the financial waiver requirement be shifted to whoever builds the road.

Board Member Kimry Corrette asked for clarification on the hammerhead.

Tara Mullen explained to the board no construction would be able to take place until the road is built/updated.

Board Chair Paul Whitmarsh brought up the issue of sidewalks as there are 10 lots and it is now part of village residential. Board Members discussed.

Planner Kate Burch informed the board that the Carriage Hill Subdivision is only adding 4 lots and that it is an extension of an old road.

Code Enforcement Officer Ben Scipione, agreed with Planner Kate Burch that sidewalks do not need to be added.

Tara Mullen said that this is the last amendment.

Board Chair Paul Whitmarsh expressed concern that they may be creating a loophole in the Land Use Ordinance if no sidewalks go in.

Board Members, Code Enforcement Officer, and Planner discussed the sidewalks.

Tara Mullen said that all of the lots have the net residential density of at least 1 acre per building standards for a single family home but that some of the lots are under 2 acres in complete size including easements and wetlands.

Member of the public, Lincoln Merrill, expressed his concern over trash pickup and the trucks getting down the road.

Tara Mullen noted that if an emergency vehicle can go down the road then she assumed that so can trash trucks.

Board Member Sanford Peabody, seconded by Board Member Jeff Brown, motioned to approve the amended subdivision with the conditions submitted with the application. Vote 4 yes/0. Board Member Kimry Corrette abstained.

Byron Kern introduced Well and Good Brewing. He stated that waste water from the brewing would go into a holding tank and would not go into the ground.

Steve Blake, with BH2M, introduced himself. He discussed parking, lighting and landscaping. They proposed parking for 14 vehicles. He stated that the goal of landscaping would be to provide

Town of North Yarmouth
Planning Board
Meeting Minutes of February 14, 2023
Business Meeting
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a screen between brewery and new development. He provided a plan for lighting in the parking lot and access drive.

Board Chair Paul Whitmarsh read screening requirements from the abutters and the letter from the Yarmouth Water District.

Steve Blake addressed the trees that would go in. He proposed using a tree that is meant to be used for screening spaces 5 feet apart. These trees would be planted at 5 feet tall.

Board Member Sanford Peabody asked if the proposed trees are deer resistant.

Steve Blake said that he is not 100% certain if the proposed trees are deer resistant.

Board Member Kirmy Corrette asked how long it takes for the trees to mature.

Steve Blake responded by saying that the tree would be planted at 5 feet tall which would screen headlights.

Board Member Jeff Brown mentioned that they may want a dumpster. Board Members discussed.

Board Member Kimry Corrette mentioned that the trash might not get picked up because it would be considered commercial waste.

Byron Kern said that they will not be generating a lot of trash because they are using mainly glass.

Steve Blake stated that the one handicap spot is in conformance with the ADA guidelines.

Acting Board Member Alexander Urquhart asked Steve to discuss the de-icing and use of environmentally friendly products. Steve Blake said that they would not have an issue with making it a condition of approval.

Steve said that he is not sure where the hydraulic fluid would come from and said that Bryon is interested in using appropriate products. He also stated that the septic system will be sufficient.

Board Chair Paul Whitmarsh asked if the runoff from the parking lot would go into the creek.

Bryon Kern stated that the runoff would go the opposite way and that he is going to replace the septic system with an updated version. He said that the brewing process will be separated out and not use the same septic system.

Code Enforcement Office Ben Scipione mentioned that the proposed tree is not deer resistant and asked if they would considered using a fence

Byron Kern said that he would prefer to use something natural other than a fence but that it would be an option.

Town of North Yarmouth
Planning Board
Meeting Minutes of February 14, 2023
Business Meeting
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Acting Board Member Alexander Urquhart asked if the parking lot could be flipped to help with screening.

Steve Blake responded by saying that they want to preserve the original driveway and that it would create an awkward entrance into the parking lot if it were flipped.

Members discussed screening.

It was determined that Code Enforcement Officer Ben Scipione would enforce the screening.

Board Chair Paul Whitmarsh, seconded by Board Member Jeff Brown, motioned to find the site plan complete with the condition of environmentally friendly de-icing. Vote 5 yes/0.

Board Member Sanford Peabody motioned, seconded by Board Member Jeff Brown, to hold a public hearing. Vote 5 yes/0.

Members discussed when to schedule the public hearing.

Board Member Sanford Peabody, seconded by Board Member Jeff Brown, motioned to schedule the Public Hearing for 5:30pm on March 14th, 2023. Vote 5 yes/0.

5. New Business (1:40:29 - 2:25:09)

Rob Taisey, with assured solar, introduced himself and his company. They have been making upgrades to the property as they have been renting the space while they go through this process. Rent that is being paid is being applied to the back taxes.

Board Member Jeff Brown felt that he could be objective. Board Chair Paul Whitmarsh motioned, seconded by Acting Board Member Alexander Urquhart, that Board Member Jeff Brown can stay on as a voting member and does not have a conflict with this project. Vote 5 yes/0.

Acting Board Member Alexander Urquhart asked if there will be anything to keep hazardous material from going into the ground.

Rob Taisey said that they have normal vehicles and that they will be able to park inside on the concrete floors once this goes through. They do not use many hazardous materials.

Board Member Kimry Corrette asked if they will be installing or service solar hot water systems.

Rob Taisey responded that they used to install solar hot water systems and sometimes service them.

Acting Board Member Alexander Urquhart asked if Rob would consider having a bollard around the oil tank.

Town of North Yarmouth
Planning Board
Meeting Minutes of February 14, 2023
Business Meeting
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Rob Taisey said that he would consider that.

Planner Kate Burch clarified what the Board Members are reviewing for Rob Taisey.

Board Chair Paul Whitmarsh offered to do a special meeting on March 29th, 2023 if we do not get to his site plan review on March 14th, 2023.

Board Member Kimry Corrette asked a few questions.

Rob Taisey responded that the road is gravel and that they will be maintaining it. He said that they try not to have many solar panels on site. He does not plan to put up a sign or a mailbox. He will be replacing the lighting inside and outside with motion activated lights. He informed the board that the property has an existing well.

Acting Board Member Alexander Urquhart requested to see a stormwater waiver.

Rob Taisey said that he had no plans on creating any new drainage systems but is willing to do it. He does not use any chemicals that would not be found in a normal garage or basement.

Board Member Kimry Corrette asked how many vehicles Rob Taisey has in his fleet.

Rob Taisey stated that he provided a list.

Board Member Kimry Corrette asked how many vehicles can park at the location and requested to see a rough square footage of the parking lot area.

Rob Taisey said that he is planning on clearing some of the trees that will open up more space for parking.

Board Chair Paul Whitmarsh opened the floor to the public.

Member of the public, Dave Gagnon, is an abutter. He said that he does not see any negatives to Rob Taisey moving in and welcomes questions in the future. He questioned where the storage containers would go.

Rob Taisey addressed where the storage containers would go.

Rob Taisey asked for clarity on what would be sufficient for the stormwater drainage report.

Acting Board Member Alexander Urquhart said that he would like to see contours of flow class at a minimum.

6. Any Other Business (2:25:11 - 2:30:25)

Board Member Kimry Corrette requested that the planning board email group be updated.

Town of North Yarmouth
Planning Board
Meeting Minutes of February 14, 2023
Business Meeting
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Board Chair Paul Whitmarsh asked for the website to be updated with Casey's information and to remove Tracy.

Acting Board Member Alexander Urquhart said that he will miss the meeting on February 28th.

Board Members discussed emails.

Planner Kate Burch asked to confirm the workshop on February 28th at 6:30pm.

7. Adjournment (2:30:39 - 2:30:50)

Board Member Jeff Brown, seconded by Board Member Sanford Peabody, moved to adjourn the meeting at 8:45pm.

Recorded by Cassandra Bedigan, Administrative Assistant to Code Enforcement Office

Planning Board Members




Paul Whitmarsh – Chair

Sanford Peabody, Board Member

Kimry Corrette, Board Member

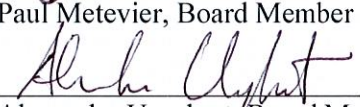
~~Trey Milam, Board Member~~



Jeffrey Brown - Secretary



Paul Metevier, Board Member



Alexander Urquhart, Board Member