

**Town of North Yarmouth
Planning Board
Meeting Minutes of May 11, 2021
Remote Zoom Meeting**

(recording is available via [Town Hall Streams](#))

I. Call to Order

The meeting was called to order at 7:04 PM. Present: Audrey Lones (Chairperson), Chris Cabot (Secretary), Sandra Falsey (Board Member), Gary Bahlkow (Board Member), Chris Gordon (Board Member) & Ryan Keith (CEO)

II. Public Hearing – York Ridge Subdivision

Audrey Lones motioned to go into a Public Hearing for York Ridge Major Subdivision; Chris Gordon seconded the motion. Discussion. **Vote 5 Yes 0 No**

Charlie Burnham, Atlantic Resource Consultants, LLC, on behalf of Construction Aggregate, Inc, reviewed and discussed the details for the for the proposed York Ridge Major Subdivision project with the Planning Board.

The applicant proposes a 13-lot residential subdivision, and it is located off of Rt 115 on the Gray Road on a portion of Map 010 Lot 071. They are proposing approximately 1200 sq ft of new road and each lot will be served with its own private wells & septic.

Kimry Corrette (Alternate) joined the meeting.

Charlie discussed the research on the cotton tail rabbit habitat delineation for this parcel previously. He has determined and verified this land is not considered a cottontail rabbit habitat any longer.

PUBLIC COMMENT

Alison Harris of 26 Castle Hill Road – Alison is an abutter of the parcel and inquired about the plans for the Yarmouth Water District plans to put a water tank on the top of the hill on parcel Map 010 Lot 071.

Charlie Burnham and Eric Gagnon, Superintendent of Yarmouth Water District reviewed the possible site for the water tank. If this site is chosen, it will not be for another couple of year but at this time, it hasn't even been discussed with developer.

Paul Hodgetts – 1095 Sligo Rd – Does the septic design allow for garbage disposals, if it doesn't what happens if someone adds one later. Who would be responsible for the maintenance?

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Charlie Burnham stated that all of the lots will have Fuji Septic Systems. The systems get inspected twice a year.

Ben Sahagian of 83 Gray Rd – He mentioned that his front yard looks over the planned development and he inquired whether the developer had had any further considerations on putting trees along the side of lot 1 and lot 13?

Charli Burnham indicated that there were not plans at this time to add a buffer along these two lots.

Ben Sahagian inquired whether there has been any further discussion on the open space next to the proposed road?

Charlie Burnham indicated that no further discussion on the open space has happened at this time.

Ben Sahagian also inquired about reducing the speed limit along Route 115 where the proposed development is being proposed.

Audrey Lones noted that Route 115 is a state road and they approve the road cut for the proposed development and whether there is a need to reduce the speed limit. Ryan Keith noted that it depends upon density. The State has a strict formula that they use to determine the speed limits. Sandra Falsey also mentioned at certain times of the year the sun blinds you along that strip of road. Ryan indicated he would reach out to the state and ask about moving the speed limit back.

Stacey & Bill Holden at 10 New Gloucester Rd – Audrey Lones read an email from the couple who have been residents of North Yarmouth for 40 years. They are concerned over the rapid growth of development in the town. They do not understand why the York Ridge Property is zoned Village Center. The second concern is the availability of portable water in this general vicinity is a huge issue unless town water is brought to this area. They suggest that the comprehensive plan be revisited.

Eric Gagnon, Superintendent of Yarmouth Water District explained how and what is necessary to determine whether there is water. He stated it is very hard to determine how other situation will affect water levels. It requires testing and timing to see if adding 10 more wells affect the first person. The only way to tell is to start to pump the wells. Geology changes in a blink of an eye and until you drill a hole in the ground unfortunately, that is the only way to determine this.

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Pam Ames at 326 Gray Rd – Audrey Lones read the comment from Pam Ames who commented about the picturesque scenes (sunsets) over the field and wondered if they will still be able to see them after the development is completed.

Audrey Lone & Charlie Burnham responded that there will be houses in the view however much of the existing fields will not be built on due to the setbacks.

Audrey Lones motioned to close the public hearing for York Ridge Major Subdivision, Sandra Falsey seconded the motion. Discussion.

Chris Cabot acknowledged that many residents have brought up a building cap, the comprehensive plan and the building ordinances recently. At this stage, when an application comes before the Planning Board the board must evaluate them based upon the current Town's ordinances, zoning and the State Statues.

VOTE 5 Yes 0 No

Paul Metiever (Alternate) joined the meeting.

BOARD MEMBER COMMENTS

Gary Bahlko asked for an update on the controlling interest in the property. At this time, it appears that we only have an expired purchase and sales agreement.

Charlie Burnham noted that the purchase and sale agreement hasn't expired it has been extended and the closing should be taking place as on Friday, May 14, 2021. Charlie was asked to provide the Board with an updated version of the agreement.

CHECKLIST REVIEW:

Subdivision Regulations / General Requirements / 10.1 Applicability

Chris Gordan commented on the open space concept presented with the application. He stated that he felt the use of the open space is inappropriate for a Village Center District and it would have been better to take the time to apply for a variance or special exception to have these lots bigger is that was the desire space things out. He did note that the maintenance of the proposed open space was addressed as asked in the updated HOA document.

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10.2 General layout of development

Audrey Lones noted that the monuments are shown on the plan legend, please be sure to add this next time around.

Chris Cabot noted that the word “OPEN SPACE” should be removed from the area near RT 115 since it is not part of the actual proposed subdivision.

10.8 Exterior Lighting

Audrey Lones inquired whether there would be street lighting. Charlie indicated there will not be, but each house will have a yard light.

10.13 Landscaping, Buffers and Screening

Sandra Falsey acknowledged that it may not be a requirement to put the screening along Lot 1 and Lot 13, however, it would be very neighborly to do so. Chris Cabot suggested that the Applicant and the Planning Board review this section especially 10.13 B.2.F. further before the next meeting to ensure that this section is being complied with. The Applicant offered to include 40 trees along these two lots for buffering on Rt 115.

10.16 Sewage Disposal

Audrey Lones indicated that none of the plans submitted this round have the septic locations as they were noted in the previous versions. Charlie noted there are test pits show, however, is the board looking for well exclusion zone to be added on the plan. Ryan Keith reviewed what he does during permitting for the wells and the septic.

10.21 Storm Water Control B.6 Maintenance Plan

Audrey Lones noted that there was not an updated Homeowners Association Agreement found in the currently version of the proposed subdivision; the following were not included Maintenance Plan, Treatment Summary, and the pre & post maps. These will need to be provided.

10-22 Recreation and Open Space Land in Developments; E. Homeowner Association Requirements

Chris Gordon suggested a minor change to the Declaration of Convenience in the restrictions section; in Article 3 to specifically Road definition and also include Storm Water and Erosion facilities as opposed to easement area.

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10.29 Subdivision Street Connectivity required in the Village Center and Village Residential District

Between Lots 5 & 6 there is supposed to be a right of way listed on the plan rather than “open space” for future connectivity.

Summary of missing items that are needed from Applicant:

1. Suggested changes to the Home Owners Association Agreement;
2. Inclusion of the Maintenance Plan;
3. The vegetative buffers included on plan;
4. Removal of the “Open Space” comment on the plan in add the “Right of Way” between Lots 5 & 6;
5. Add Monuments to the legends;
6. Providing ownership documentation.

After a lengthy discussion with the Planning Board and Applicant, Audrey Lones indicated that many of the discussion items should be further reviewed at an Ordinance workshop. Two of these items would be definition of Open Space and defining when a monitoring fee should be enforced along with the details of how the monitoring fee will be used.

Chris Cabot motioned to find the application complete with the following exceptions:

1. Suggested changes to the Home Owners Association Agreement;
2. Inclusion of the Maintenance Plan;
3. The vegetative buffers included on plan;
4. Removal of the “Open Space” comment on the plan in add the “Right of Way” between Lots 5 & 6;
5. Add Monuments to the legends;
6. Providing ownership documentation.

Chris Gordon seconded the motion. Discussion. **Vote 5 Yes 0 No**

The Planning Board tabled the final approval of the York Ridge Major Subdivision until the June meeting to ensure all missing items have been submitted.

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III. Minutes Approval

a. April 13, 2021

Audrey Lones motioned to approve the minutes of the April 13, 2021 Planning Board Meeting as presented; Chris Gordon seconded the motion. Discussion. Chris Cabot suggested moving the paragraph about Gary Bahlkow's emails into public recorded to be the first paragraph under New Business. **Vote 5 Yes 0 No**

b. March 24, 2021 – York Ridge Major Subdivision Site Walk

Audrey Lones motioned to approve the minutes of the York Ridge Major Subdivision Site Walk as presented; Chris Cabot seconded the motion. Discussion. **Vote 5 Yes 0 No**

IV. Old Business

- a. Major Subdivision Application – Final Approval for Village Center Estates Phase II
The applicant requested to table the final approval.

V. New Business

- a. Sketch Plan Review - Crossroads Senior Housing
Charlie Burnham, Atlantic Resource Consultants, LLC, on behalf of Construction Aggregate, Inc, reviewed and discussed the details for the for the proposed Crossroads Senior Housing project with the Planning Board.

The applicant proposes a 13-lot residential subdivision, and it is located between Route 9 and Route 11. They will be a rental single floor living with a one car garage for 55 and over. They will all be on a community septic system and public water.

VI. Administrative Business

- a. Review of Previous Year's Applications
Ryan Keith reviewed the applications for the May 2020.
- b. May 20th Planning Board Workshop
Audrey Lones reminded the Board of the May 20 Planning Board Workshop at 6:30-8:00 PM via zoom. The Solar Committee will be joining us for this meeting and the Board will be designing an action plan for Adult Use Marijuana.

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VII. Any other Business

VIII. Adjournment

Meeting was adjourned 10:02 PM.

Recorded by Tracey Cox, Executive Assistant to CEO/Assessor

Planning Board Members

Audrey Lones - Chair

Chris Cabot - Secretary

Gary Bahlkow, Board Member

Sandra Falsey, Board Member

Chris Gordon, Board Member

Kimry Corrette, Alternate Member

Paul Metevier, Alternate Member