

Town of Lincolnville
Planning Board Meeting Minutes DRAFT
March 11, 2020
7:00 pm

Call to order:

The meeting convened at 7:01 pm. These minutes are a summary of the Board's discussion. A video of the meeting is available at the Town Office.

Members present: Michael Cummons, Chair, Dorothy Havey, Sandy Delano, and Janis Kay

Others: CEO Frank Therio, Applicant Steve Case, PB Clerk, Lois Lyman

Agenda:

The finding of facts on the required criteria to be reviewed for the proposed nine-lot Harbor Ridge Subdivision located at Map 16, Lot 8, 90 Rocky Top Road. Steve Case will be presenting. This is a public hearing.

Reference: Article 10 of the Subdivision Ordinance, Review Criteria

Submitted by the applicant, in addition to previous submissions:

1. A letter and runoff assessment from Johnathan C. Dewick, P.E., addressing the impact that the subdivision and road improvements proposed will have on the drainage network of the proposed and neighboring properties.
2. Soil inspection report for the proposed new lots by Joe LaBranche, LSE.
3. A letter from Petrea Allen of the First National Bank of Camden confirming that Mr. Case has more than \$100,000 available to him for the work that needs to be done.
4. Harbor Ridge Subdivision Declaration of Restrictive Covenants signed February 17, 2020.

Public Hearing:

Chair Cummons opened a public hearing; but as there were no members of the public present, closed it.

Meeting:

Cummons referred to Note 5 in last month's plan that all roads shall remain private. They will offer dedication to the town if the town accepts it. Right now the road belongs to the Association. If future owners no longer want to maintain it, they can as a group apply to the town for acceptance.

The applicant has provided a Mylar copy for the registry, as required. Cummons stated that the Registry no longer requires a Mylar copy and that multiple paper copies would be signed and submitted instead.

The applicant has not yet heard about the state Permit by Rule application but does not anticipate problems.

Findings of Fact for Article 10, Review Criteria

Each section was approved as meeting its requirement, using specific references to the application contents and the plat plan. Havey and Delano made most of the motions and seconds, as well as Kay.

10.1. Pollution

Meets water pollution standard because of submitted stormwater runoff assessment and detailed drainage provisions shown on the plan.

10.2. Sufficient Water

Meets standard because of Rolfe's Well Drilling letter verifying that wells in the vicinity have been found to have adequate quality and quantity to supply family homes. Case already has an adequate well on the property.

10.3. Municipal water impact

N/A as no municipal water is involved.

10.4. Erosion

Plan meets the erosion requirements according to the stormwater plan and engineering analysis, using features existing on the land (woods, wetlands). Seasonal streams are planned for.

10.5. Traffic

Six houses should not have a substantial impact on traffic in the area. The only roads are Rocky Top Terrace and Atlantic Avenue. The intersection with Route 1 has good sight lines in both directions. The plan for building the road and its entrance conforms with the subdivision road standards.

10.6 Sewage disposal

Test pits are shown numbered on the plan and have been found to be adequate, including those for the new lots.

10.7. Solid waste

There is no municipal solid waste service. Owners can use the transfer station or contract for trash pickup.

10.8. Aesthetic, cultural, and natural values

The site is not in an official scenic view. No significant historic sites or wildlife habitat have been observed. The site is not in the shoreland zone.

10.9. Conformity with local ordinances and plans

The plan conforms with the Subdivision Ordinance and contains nothing that is contrary to the Land Use Plan.

10.10. Financial and technical capacity

A letter from the First National Bank verifies the applicant's financial capacity. He has created subdivisions before, and has shown his technical capacity by work he has already done on the site.

10.11. Surface waters, outstanding river segments.

The land is not within 250 feet of any major river segment and is not in the watershed of a great pond.

10.12. Ground water

There are only six residential lots planned, and the well and septic capacity has been shown. The land has good capacity for absorbing water, according to Case.

10.13. Flood areas

No part of the parcel is located in a flood plain nor is there frontage on a river, stream, brook or coastal wetland, or great pond.

10.14. Freshwater wetlands

All freshwater wetlands have been identified on the plan.

10.15. River, stream or brook

There are no rivers, streams, or brooks abutting the lots.

10.16. Storm water

The plan and engineering analysis both document adequate storm water management.

10.17. Spaghetti lots prohibited.

There are no spaghetti lots in the plan, and the plan is not in a shoreland zone.

10.18. Lake phosphorus concentration

Not on a great pond.

10.19. Impact on adjoining municipality

The subdivision is entirely within the town of Lincolnville and crosses no boundaries into other towns.

10.20. Lands subject to liquidation harvesting

The land had been harvested before the current owner bought it. It was then in tree growth, but he took in out of tree growth for the subdivision. Timber is not being harvested now and they do not intend to do so.

Motion to approve:

The Board passed over Articles 11 and 12 on general agreement that these are redundant and have been covered in Article 10. Havey moved that the plan as of February 20th for Steve and Margaret Case is complete and meets all requirements. Delano seconded. Passed unanimously.

A single contingency is the pending Permit by Rule on Stormwater Management. A note will be on the plan to this effect.

Therio stated that notice was sent to the Fire Chief, police, Road Commissioner, and the school. The fire chief expressed concern about an adequate turnaround, which the hammerhead satisfies.

Article 13, Performance guarantees:

To Case's question about when he can begin to sell lots, and how finished the road should be, Therio said that there should be a time limit. Case referred to Article 13. Board discussed what is reasonable for Case, the town, and his buyers.

Delano moved that Case could come back with a proposal for a performance guarantee on road completion. Passed. A note is to be added to the plan that is being registered. The Board approved with the understanding that Case will return with an offer for a performance guarantee and that the road will be paved up to the skim layer prior to selling a lot.

The Board signed three copies of the Plan.

Cummons adjourned the meeting at 8:15 p.m.

The next Board meeting is scheduled for March 25.

Respectfully submitted

Lois B. Lyman, Planning Board recorder (temporary)