

Town of Lincolnville
Planning Board Meeting Minutes DRAFT
February 12, 2020
7:00 pm

Call to order:

The meeting convened at 7:00 pm. These minutes are a summary of the Board's discussion. A video of the meeting is available at the Town Office.

Members present: Chair, Michael Cummons, Dorothy Havey, Sandy Delano, Scott Harrison, Jay Foster, alternate (voting)

Others: CEO Frank Therio, Applicant Steve Case, PB Clerk, Lois Lyman, and abutter Michael Timchek, (for Lilhaus LLC).

Agenda:

Public input Session, and Review of Major Subdivision Application and Plan for completeness of the proposed nine-lot Harbor Ridge Subdivision located at Map 16, Lot 8, 90 Rocky Top Road. Owners: Steve Case and Margaret Case

Reference: Article 6 of the Subdivision Ordinance, Submission Section 6.2.

Submitted by the applicant, Steve Case

In addition to previous submissions:

1. A revised subdivision plan showing the current plan for nine lots. The road cross-section on the original map is unchanged.
2. Certification of Rocky Top Road Association as a duly organized nonprofit corporation, by the Maine Secretary of State.
3. Copies of the Road Maintenance Agreement and Bylaws of the Road Association.
4. A statement of land clearing practices for the site.
5. A letter from Rolfe's Well Drilling that wells they have drilled in Lincolnville have been found to be of adequate quality and quantity to supply family homes.

Public Hearing:

Mr. Case explained that he has changed the site plan so that lots C, D, and E on the original plan are now lots C, D, E, F, G, and H on the revised. Instead of designated rental building sites, each lot would have one building site, allowing the owner to sell or rent out lots as needed. He is not sure how many he may need to sell, but will try to keep two or three.

The proposed dwelling sites are as shown on the original plan, except that each is now on a separate lot. As before, no multiple-unit dwellings are planned.

Mike Timchek, representing Lilhaus LLC (the Windsor Chair business), expressed concern over water that could flow onto Lot A, which Lilhaus LLC owns but has not yet developed, creating potential problems for a potential septic system, well, etc.. The hill is steep and could drain into that lot. He added that other neighbors have expressed concern is well.

Case replied that his engineers are changing the storm water plan which has to be submitted to the State for a Permit by Rule (PBR). He added that the lines on the site have not changed. The fields and woods will remain the same, and water will be diffused through them.

Mr. Therio: If there is a problem, go to the CEO.

Timchek asked what the minimum lot size is: Commons replied that it is approximately 40,000 square feet (one acre) and must have 100-foot frontage on a road.

Notes on the new plan:

1. Reference to the Storm Water Management plan and Erosion and Sedimentation Control plan order to be issued by the Maine DEP will be part of this amendment. Stormwater and distribution systems designed by Jonathan C. DeWick, P.E., February 2020.
2. Reference to the Soil Inspection for Proposed New Lots by Joe LaBranche, P.L.S., L.S.E., August. 2016, which will be part of this amendment.
3. Bylaws calling for a road association establishing the rights and responsibilities of the association.
4. Rocky Top Terrace dedicated as a 50-foot wide traveled way, which ends at the large vehicle turnaround shown on the plan.
5. The subdivision road will not be a Town road, but will follow the Major Subdivision standards for the road.

Standards for completion of the plan, section 6.2.3:

- (a) Owner information submitted
- (b) Deed submitted
- (c) N/A
- (d) Exact deed restrictions/covenants not decided except for road maintenance, but will be submitted. Maintenance agreement and bylaws submitted.
- (e) Abutter information submitted.
- (f) Test pit analysis being revised because of moved lot lines, waiting on the last lots.
- (g) Water supply will be wells. Letter of certification from Rolfe's Well Drilling submitted.
- (h) N/A - no great pond.
- (i) N/A - not offered to town.
- (j) Land clearance and proposed fill statement submitted.
- (k) N/A - no special variances.
- (l) Not all state applications are in but will be provided.

Section 6.2.4:

- (a) On LaBranche's plan.
- (b) Yes
- (c) Yes

- (d) Yes
- (e) Test pits numbered on the plan - with analysis waiting on the new lots.
- (f) Only Case's well is on the land at this time. Case noted that if the well casing is 90 feet deep, the well can be located closer to septic.
- (g) No 24+'' trees on property
- (h) Location of streams indicated on plan.
- (i) Contour lines at two-foot intervals, adequate.
- (j) Covered in plan. Land use district is General.
- (k) Major culvert now will run under the turnaround parking lot. Timchek asked about impact of seasonal streams on the culvert running under Route One. Case will have engineers calculate the capacity. He added that the land will absorb a lot of the water.
- (l) Only roads are Rocky Top Terrace and Route One (Atlantic Avenue).
- (m) Data on plan.
- (n) N/A
- (o) N/A
- (p) Building areas are all in the upland portions of the land.
- (q) Not flood-prone area
- (r) Storm Water Management plan addressed.
- (s) Erosion and Sedimentation Control plan addressed.
- (t) Not in wildlife habitat area.
- (u) Not in watershed of a great pond.
- (v) Not on Register of Historic Places, no historic evidence found.
- (w) N/A

Discussion as to whether roadside strip should be part of Case's property; decision that it should not be.

Motion to approve:

Scott moved to find the plan complete pending the following contingencies to be addressed before final approval. Foster seconded.

1. Pending Permit by Rule on Stormwater Management.
2. Covenants and any deed restrictions to be added.
3. Property line resolutions
4. Updated test pit analysis

Decision to approve with the above contingencies was unanimous. Now that the plan is found complete, notice will be sent to the Fire Chief, police, Road Commissioner, and the school.

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

The next Board meeting will be on March 11.

Respectfully submitted

Lois B. Lyman, Planning Board recorder