

PLANNING BOARD MINUTES

August 13th, 2018

CASCO COMMUNITY CENTER

7:00 P.M.

MEMBERS PRESENT: Ted Beckner, Stan Buchanan, Ray Grant, Jim Macklin & Lynne Potter

MEMBERS ABSENT: Edward Phipps

STAFF PRESENT: Alex Sirois, CEO; Jim Seymour, Town Planner & Sandy Fredricks, Planning Assistant

PUBLIC PRESENT: Elizabeth Bradbury, Jayson Haskell, John L. Carver, Joanne Painter & Jim Willey

Lynne calls the meeting to order at 7:00 p.m.

Lynne states the first item on the Agenda is approval of the May 14, 2018 Minutes.

Stan moves to approve the May 14, 2018 Minutes as submitted.

Jim seconds.

Any discussion? None.

All in favor? 3 yes (Ted, Jim & Lynne) – 0 no – 2 abstain (Stan & Ray)

Lynne states the next item on the Agenda is Rex Bradbury has filed a Site Plan Application to allow enclosure of a 10' x 14' porch as well as repair and replace back steps with new steps that will be 16' long which is an increase of 5' from the existing steps. The property is known as Map 32, Lot 30 and is commonly known as 14 Webbs Mills Road. The property is located in the Village, Resource Protection and Stream & Wetlands Protection Districts.

Elizabeth Bradbury introduces herself to the Board and presents this matter. She states that regarding the front porch, it is all rotted and detached from the house and it allows the fumes from the cars to come into the house. She continues that the back steps currently has a 4x4 underneath them that has rotted. There are rocks there as well which they wish to replace with a deck.

Lynne asks that in order to replace the rotted beam it does not need to be expanded to do so. Elizabeth states that is correct, they do not have to expand to replace the beam. Lynne asks why they are requesting a deck rather than just replacing the steps. Elizabeth states they would like a place to sit to watch the kids play. She continues that it isn't coming out any further, it is just going along the house.

Alex states the stream setback is 130'. He continues that the items we received tonight the first thing is the Zoning Map showing the Village is salmon color, Stream Protection is blue and Resource Protection is purple; and as you can see the property is entirely located within the Stream Protection and Resource Protection Districts (see attached - 1). Alex goes on to explain this is a legal, existing non-conforming structure. He further states that expansion within those zones are limited to 30% expansion and those requests are usually handled by me, but comes to the Planning Board if it is not in a zone that allows residential structures.

Alex states that the applicant can expand in the 30% in the existing footprint. He continues that the back steps are a square foot expansion while the front steps are a volume expansion; structure expansions may require surveys if there are questions if they are getting closer to the line. Alex states that this application shows about 6% expansion; we just have to make sure it is not made more non-conforming.

Jim S. asks if it is part of the structure or not. Alex states he does consider it part of the structure and it is in rough shape. He continues that because this is an older structure and it is a rock foundation, he would say it is part of the structure.

Jim S. states it appears the footprint expansion is about 27 s.f. Alex states they didn't give us the number of existing square footage of the structure. He continues they clearly aren't adding much, it's well below the percentage allowed; we just need to document the percentage for any future expansion.

Jim S. states so we need to just go through the Shoreland Zoning Standards.

Lynne asks if the front porch is now enclosed. Elizabeth states it is not; it is a half wall and to enclose it they want to add windows and a door. Lynne asks if putting in the windows increases the expansion. Alex states it is approximately a 6.15% volume increase.

Elizabeth states the back steps are very steep.

Stan asks Alex if traditionally when we get into non-conforming structures, is what they are asking for uncommon. Alex states it is not uncommon. Stan asks Alex if it is a reasonable request for the expansion and what other requirements would you ask for. Alex states all of what was submitted to the Board and the total square footage calculation. Alex further states he doesn't feel that there will be an impact on the environmental situation.

Lynne states she feels the basic issue is taking the porch and totally enclosing it which increases volume.

Lynne opens the Public Hearing portion of the meeting.

Joanne Painter states she has been to the Bradbury house before and when you open the door, you step down; it is a very steep step and you drop down. She continues that if you are talking about someone with a walker or a wheelchair, you need to look ahead

as it would not be accessible. It becomes a necessity. She goes on to say that you can smell the rotted wood at the front porch.

Elizabeth explains that the bulkhead is further out and that is where we are going to add onto the back steps. Stan asks how many ways can you get out of the house. Elizabeth states two. Lynne states they could fix the steps without adding to it.

Lynne closes the Public Hearing portion on this application.

Jim M. states this property obviously was built a long time ago then zoning was built around it. Alex states that is correct, the magic date for "grandfathering" is January 1, 1989.

Jim M. states it's a reasonable request. Ray, Stan and Ted agree.

Jim S. states that to approve the application we need to review the Shoreland Zoning requirements. He asks Alex if the property is in the flood plain. Alex states he is checking and confirms it is not. Lynne asks Alex if he needs a design for the new steps. Alex states the only thing he would require is adding the height of the steps and perhaps rise and run, but all that can be handled as part of the Building Permit.

Lynne states she is concerned about erosion if water is coming off the roof and would like to know if that would be an issue. Jim S. states as long as it's stabilized during the construction, it should be fine.

Stan states he thinks we should move along.

Jim S. states he would suggest the applicant provide a letter from the State Historic Commission stating the structure is not on any historic registry in the state as well as submitting a letter stating they are not located within a flood plain.

Stan moves that the Board is in agreement with the site plan and approves same with the Conditions of Approval that the Applicant will provide a letter from the State Historic Commission stating the structure is not on any historic registry in the state as well as submitting a letter stating they are not located within a flood plain.

Ted seconds.

Any discussion? None.

All in favor? 5 yes - 0 no – 0 abstain

Lynne states next is D.M. Roma Consulting Engineers has filed a Site Plan Application on behalf of J & L Carver Properties, LLC to permit improvement of Map 15, Lot 8-2 of the Murch Estates Subdivision to expand the trailer sales use with additional gravel parking for inventory. The property is commonly known as Roosevelt Trail. The property is located in the Village and Limited Residential Recreational Districts.

Stan and Ray recuse themselves from this application as Stan is an abutter and Ray is the previous owner of the property. They both leave the Board table and sit in the audience.

Jayson Haskell of D.M. Roma Consulting Engineers introduces himself to the Board and states he is there on behalf of John L. Carver. He presents the following information to the Board.

Jayson states the parcel is being utilized for trailer sales and is part of the original Murch Estates Subdivision. Staff Review has already approved the project with the driveway entrance, lighting etc. and we are here to discuss expansion of the parking for trailers. He continues, we were going to add to the landscaping, screening to the abutters to the rear, will be mulching; we are adding trees. We have addressed the question of snow storage and it will be proposed on the East side of the parking lot.

Lynne opens the Public Hearing on this application.

Lynne states we have a letter from abutter Chris Nadeau (see attached - 2). Mr. Nadeau states he cannot be here but is an abutter and he has some concerns. Jim S. states Mr. Nadeau's comments were in line with his of the depth and provisions for the buffers, lighting concerns and dust generation from the gravel lot.

Jim S. continues by stating how that buffer is created is in the ordinance. He further states there are some pretty strict requirements for buffers. The gray area on the Plan is the gravel expansion; that is fairly open.

Jayson states they will be utilizing this area strictly as trailer storage; the dark gray on the Plan will be for display of trailers, there will be no other parking out there; this will be an "outdoor showroom" if you will.

Jim S. states the neighbor seems to want to have some fencing or some kind of buffer in place. He asks Jayson if cars can go around and around on this area. John Carver states they will not have anyone driving on there. He continues this is a pretty low volume traffic; we do intend to pave the parking lot at some point.

Lynne asks if plowing the gravel will create any issues. Jim S. states if they are going to utilize that infiltration pond, if we get any flash flooding or any type of weather, you may wish to require additional maintenance or inspections of the infiltration system. He continues that this does not require DEP permit because of the size, so it is on the Board to regulate this and the bigger issue is to expand on the buffers; they have pushed this point as close as they can. Jim S. further states there needs to be a berm of mulch and a high/low landscaping for the buffering. Jim S. reads the buffering language from the ordinance (see attached - 3). He continues that they can request a waiver from the 25' buffer, but with that waiver request, we need to see a detailed landscaping plan. Jayson states they are showing two kinds of trees and rhododendron.

Stan Buchanan states he is speaking as a citizen, not a Board member. He states he knows Mr. Nadeau and Chris is an engineer. Stan goes on to state Chris talks about that other part of the two lots, which the Board is not talking about. There are some evergreens, but not on this lot; if you are going to put evergreens in, they need to be 6'; fencing is not conducive to the neighborhood in the back on Grant Lane. Stan

continues that there is a property on one side of this that is very close to it and, of course, the other side is the cemetery. He states there seems to be an awful lot of gravel and in dry times it is very dusty. He goes on to say that if you walk on a gravel driveway there is a lot of dust kicked up and prevailing winds always go to the rear of the property. Stan states there is nothing being said on the other lot which has a small structure on it and, he believes, Mr. Nadeau would prefer it to be paved to eliminate dust.

Jim S. states there needs to be 25' front buffer and the sides and rear require 15' buffers.

Ted states that he believes it can be shrubbery or fencing, but asks if there is a height specification. Jim S. states that Ted is correct either shrubbery or fencing is acceptable for the buffer. He continues that it appears the infiltration pond takes up a great deal of the setback and wonders if that could be relocated a bit and made into an "L" shape. He goes on to state that paving is financially limited at this time, even though it is the applicant's intention to pave it in the future.

Jayson states they do intend to include the buffer on the plans.

Jim S. asks if a portion shown on the plan is to be paved right away. Jayson states yes, they will be paving the portion by the building due to handicapped parking space.

Jim S. asks if there will be something to block the general public from driving through that unpaved area. A chain, a Jersey barrier, rocks? He further states the Board will need to see a landscaping plan.

Ray Grant addresses the Board and states that he would think they could address the problem of public entering that area by placing a line of trailers to block the opening. Jim S. states that is hard to enforce, so something that can be put on paper is a better way to address this.

Alex states that perhaps the Board wishes to ask the applicant if they would rather put in the buffer areas or block off the trailer area.

Ray states that dust control has to have calcium put on the gravel a few times a year.

John states he understands everyone's concerns and he doesn't want dust everywhere either. He further states it makes sense to section this off to force customers to drive to the building rather than the gravel area.

Jim S. states that perhaps reclaimed pavement would be a good option from the gravel. He asks if they would have to take that up to pave or if it can be paved over. John states that sounds like a good idea. He further asks what about paving a small area, a road leading up to the building which will keep some of the dust down. Jim S. states the Board would want to see a plan for that before approval.

Jim M. states he assumes across the back there are trees. Jayson states yes. Jim M. asks if the trees are existing. Jayson states they are not.

Lynne states she is concerned we don't have the drawing they are showing tonight and she has some issues that have to be taken care of and addressed.

Lynne asks the Board members for input. Jim M. states there are issues about dust and buffers. Jim S. states the ordinance is clear about 15' buffers for commercial uses abutting residential properties. Jayson asks if the ordinance states what you need to have as the buffer. Alex reads from the ordinance (see attached - 3). Jim S. states it is usually staggered with the heights.

Stan states that the way he sees it in the ordinance, 15' buffer to residential use. He continues this is Lot 8-2 and this is Lot 8-3; it is fenced in the same there.

Alex states the Site Plan was approved by Staff Review and he gave them permission to utilize that lot while they are building on the approved lot. He continues we have no regulations on fencing, so he can put fences anywhere he wants.

Jim S. states that the ordinance requires the Buffer to start at the property line.

Ted states it seems like the infiltration area needs to be moved to put in the buffer. Jim S. states they have to run the numbers and figure that out. Jayson states it is possible to do it; there is a level spreader and with the infiltration basin, we don't want to take on other stormwater runoff. He continues that we can look into moving the infiltration basin, but may put it into DEP permit requirement if we do.

Ted asks if they could put trees in with the infiltration basin. Jayson states no, not with the infiltration basin. Jim S. states they may have to compromise if they want to stay under DEP standards; the buffers are the biggest portion of this.

Lynne closes the public hearing portion of this application.

Lynne states she would like to see updated plans showing the buffers. She asks if there will be any lighting. Jayson states the lighting was approved by the Staff Review application. Lynne asks if there will be signage. Alex states he has a permit for a sign already.

Jim S. states we need input from the Fire Department. Alex states Chief Cole already reviewed the original plan and his only concern was there needs to be a Knox Box for the gate so the Fire Department can gain access in an emergency.

Jim M. states the Board needs updated drawings including all the buffers. Lynne states the new drawings need to show how it is all laid out rather than what we have.

Lynne moves to table this application to a future meeting upon submission of the additional information.

Jim seconds.

Any discussion? None.

All in favor? 3 yes (Ted, Jim & Lynne) – 0 no – 0 abstain

The Board takes a 5 minute break. Stan and Ray return to the table.

Lynne calls the meeting back to order at 8:25 p.m.

Lynne states the next agenda item is D.M. Roma Consulting Engineers has filed an Application on behalf of Bear Point, Inc. to permit design and construction of a backlot driveway to serve a new dwelling to be constructed on Bear Island. The property is commonly known as 74 Bear Island Road. The property is located in a Limited Residential Recreational District.

Jayson states he is here on behalf of Bear Point LLC. He states this plan is a little different than what you have before you. The owner wants to split off a small parcel for the 2 bedroom, 2-1/2 bath existing structure. They want to sell that while the remainder of the property will be retained by Bear Point. He continues that in order to get frontage, they need to create a backlot driveway; but now that we are extending the road to meet Parcel A we are proposing a forested buffer, Causeway Road will remain the same and access to this property will be seasonal only.

Lynne states the big problem is we (the Board) have a completely different plan than you are showing here. She continues that technically we are not supposed to address anything not provided to us prior to the meeting. She goes on to state that if we turn this around, then everything is the same. Stan states no, it is not.

Ted asks how wide the Causeway Road is. Jayson states it is 10'. Jim S. asks if there are shoulders on Causeway Road. Jayson states there are not.

Ted states so they are proposing two lots from the remaining portion, correct. Jayson states yes, because of the Right-of-Way splitting the lots.

Jim S. states this is a tricky one; part of the problem is, is this a backlot driveway or a private way. He goes on to read the ordinance standards for a Backlot Driveway (see attached - 4). He further states this is where we need to have some flexibility. If this were all in one family it would be okay, but it is not. Jayson asks if it wasn't a backlot because you have one dwelling. Stan asks if it now is a subdivision. Jim S. states it doesn't meet subdivision requirements because it is carving off one lot and keeping the other two. If they sell off one of the other two before 5 years, then it is a subdivision.

Jim S. states that he doesn't know if the impervious surfaces they are proposing require DEP review and permitting.

Stan states he would like to know how much time we are going to spend on a plan we don't really have in front of us. Jim S. states that at this point, treat it like a Sketch Plan and give input. He continues by asking if the Board is comfortable with this as a backlot or do you need some legal input. Stan states this is not a backlot. Alex asks Jayson if Bear Point owns the Causeway Road. Jayson states he thinks they do.

Jim S. states that in order for this matter to go anywhere, the Board will have to consider some sort of waiver; the applicant will have to really spell out the waiver request to get this stated clearly.

Alex asks if the Causeway is a road or a driveway.

Ted states if we start giving legal frontage off private roads that will always be happening. Jim S. states you do give legal frontage off private roads.

Ray asks what about if they develop more or sell off a lot. Jim S. states this could be looked at as a condominium. He also states he is glad to see they put in some landscaping.

Jim S. asks if the Island is residential zone in the middle. Alex states it is all LRR.

Jim S. asks the Board if they would like legal input or put it back on the applicant. Stan states he would like to put it back on the applicant then review it before looking for legal advice.

Lynne cautions the applicant's representative that they need to be sure that what they are presenting is what the Board has received or they will not be heard.

Stan moves to table this matter to a future meeting upon submission of the additional information.

Jim seconds.

Any discussion? None.

All in favor? 5 yes (Ted, Stan, Ray, Jim & Lynne) – 0 no – 0 abstain

Lynne states the next item on the agenda is D.M. Roma Consulting Engineers has filed a Site Plan Application on behalf of RJR, LLC to permit construction of four (4) additional buildings two (2) of which will be 40' x 150' and the remaining two (2) will be 30' x 15' for a total footprint of an additional 21,000 s.f. The four (4) new structures will be used as self-storage facilities. The property is commonly known as 299 Roosevelt Trail. The property is located in the Commercial District.

Jayson Haskell of D.M. Roma is representing the applicant. He begins by stating RJR, LLC is looking to put in 21,000 s.f. of storage buildings on concrete slabs. All the associated paperwork, inquiries, etc. will be done in the existing building. He continues that they are proposing underground electric to each of the buildings; they will utilize wall-pack lighting at 8'-9' pointed down for security lighting. Jayson states they will be adding additional landscaping and showing chain link fencing as well as some trees along Brown Avenue. He goes on to say applicant will also be adding shrubbery on the

front buffer as well as buffers to fire barn and baseball field; additionally, we are proposing snow storage at the front, on one side and a small area in the rear.

Jayson next states that stormwater will be treated by underground filter basins at the existing culvert and we will be required to get a Stormwater Permit from DEP. He further states there will be a paved area for parking to keep dust at a minimum.

Lynne opens this application for Public Hearing.

Jim S. states that this is a little different because it was already impervious surface just needing to delineate the parking spaces.

Lynne states we have a letter from Neil Weinstein (see attached - 5) stating he is concerned about traffic on 302, runoff and buffering.

Lynne closes the Public Hearing on this application.

Stan states he is concerned because 302 is a high traffic area and we have had a lot of fatalities on 302. He asks if it is possible to inquire what they will be putting in the storage facilities. Jim S. states he believes they are looking at units for self-storage renting to others. Stan states he is concerned they will have grow operations in them or dangerous materials stored. Jayson states there will not be electric outlets in the units. Stan asks what the height of the buildings will be. Jayson states he believes they are usually about 12'. Jim S. states the Board can ask for building elevations.

Alex states it is checked on the Checklist as submitted. Alex asks if this is currently one lot. Jayson states it is owned by RJR, LLC and the other lot is owned by Ron & Jim (Willey). Alex states that the parcels were originally showing as Green Space on the Subdivision dated December 1990. He continues that it needs a separate identifier if it is two lots. He further states that the applicant has to figure that all out and may need to also do an Amendment to an Approved Subdivision. Alex goes on to state that they do not have 300' of frontage, but that is how it was approved in 1990.

Ray asks if the approved lots were approved as Commercial lots. Alex states Note 1 on the Subdivision states Commercial.

Jim S. asks if they want to keep it as two lots or if they want to combine them; is there a reason to keep them separate. Jim Willey addresses that by stating there is a reason to keep them separate, a part of it is financial.

Jim S. states we have some issues with the buffers on this project as earlier. The landscaping is improved. He asks if this will be fenced. Jayson states it will. Jim S. asks how high the fencing will be. Jim W. states it will be 6' green chain link.

Jim S. states that to address the concerns of the abutter, you may wish to provide a letter about the traffic. He next inquires if the driveway has been approved for the two uses by DOT. Jayson states he will check on that.

Lynne asks if this is 24-hour access. Jim W. states it is.

Jim S. asks if there will be access from the ends of the buildings or strictly from the long sides of the structures. Jayson states it has not been laid out yet.

Ray questions the buffer stating it doesn't have 40'. Alex states the approved subdivision states 40' on the side as well.

Jayson states there is a drainage swale along the back. Ray asks where the filtration system is located. Jayson points it out on the plan.

Ray asks if the gravel will be counted as impervious. Jim S. states that will all be covered in the DEP approval. Alex states that the original approved Site Plan still needs to have additional landscaping.

Jim W. states some of the sideline and backline buffer still need to be checked. He continues that their surveyor is coming out to flag Brown Avenue and the backline then he will know what we can leave and what we have to add. Jim S. states that will come in to show their trees that will be preserved and we can count that as some of the buffer.

Stan states he is just wondering where you are putting the big gravel section, will you be utilizing that as storage as well. Jim W. states that the front portion is where we have the wood processing operation; we will probably put the firewood processor over there, but it probably won't be left there.

Lynne asks if they are going to have any vehicles stored on the lot for the winter. Jim W. states they are not.

Jim S. states the Board can accept the application and start the clock ticking or just simply table it.

Stan states he doesn't think this is fair to the other applicant (Carver) even though it is a little different. Ray states there is some concern about dust. Jim S. states there is a pretty good tree buffer. Jim W. states a good way to control dust is 3/8" stone, which we will probably put down.

Lynne asks the Board what they want to do.

The applicant inquires as to filing deadline. He is informed it is next Monday, August 20th by noon. Jim S. states since it is just a buffer, he would give them an extra week and explains that the Board also likes to see how far along in the approval process things are with DEP.

Ray states that without information from DEP we don't know how we can process this for stormwater, etc. Jim S. explains how the DEP process works.

Stan moves to table this matter to a future meeting upon submission of the additional information.

Ted seconds.

Any discussion? None.

All in favor? 5 yes (Ted, Stan, Ray, Jim & Lynne) – 0 no – 0 abstain

Lynne states the last matter on the agenda is D. M. Roma Consulting Engineers has filed a Sketch Plan on behalf of RE-PETE, LLC for a proposed Minor Subdivision to include four (4) lots and 550' of new roadway to provide access to said lots. The property is commonly known as Map 3, Lot 33 located on Roosevelt Trail. The property is located in the Commercial and Stream & Wetland Protection Districts.

Jayson Haskell presents the sketch plan for review. He states the applicant is proposing a 4-lot approximately 2 acres per lot with 30 acres remaining for future development subdivision. They have received MDOT approval for the proposed entrance. He continues that the wetlands were mapped by Al Frick and Associates in 2015 and is under the DEP mitigation level. He goes on to say stormwater will be treated on-site and it will be the responsibility of each lot owner to provide specifications to the Town.

Jayson next states they will be requesting waivers to provide the HHE 200s as designs of these Commercial lots will be varied. He states they will provide test pits that each lot will be able to maintain a well and septic system. He continues that they are looking to get feedback if the Board has any initial concerns on the layout, etc.

Jim S. states the interesting issue will be stormwater. He continues that each lot when they come in for Site Plan will have to show stormwater measures at that time. Jayson states they prefer that because of unknown uses. Jim S. states you may want to look at that as where the ponds etc. are located may affect future development. Jim S. also suggests they provide two test pits per lot rather than just one, well exclusions, some note about separation of wells and septic, erosion control measures. Will all lots be cleared or left for the individual applicants? This wetland on front of lots 1 & 3 and some wetlands in the rear on the remaining part, are there any vernal pools? Jayson states they have to get that from Al Fick.

Jim S. informs the Board that this is just a Sketch Plan and that the Board has to just inform if they have concerns or are in basic agreement on the project.

Ted asks if they are putting in basic roads before they sell the lots. Jayson states they are.

Jim S. asks what the applicant thinks will be stormwater treatment measures. Jayson states they are going to treat it from the road runoff.

Alex states they will have internal access to each lot so it can be less than 80' and they will also have to look at the wetland setbacks as well. Jim S. states they may need a waiver for wetland setbacks. Ray states one lot goes way back and may have to be reconfigured. Alex states there may be a definition in the ordinance that gets them out of it if it's not a "wetland of special significance".

Lynne states to Alex that Kindred Farms has had people parking on Route 11 pulling partially into the little blocked off opening. Alex and the Board discuss this. Ray states he would think the Town could petition DOT to put up some "NO PARKING" signs on Route 11.

Stan moves to adjourn.

Ray seconds.

Any discussion? None.

All in favor? 5 yes (Ted, Stan, Ray, Jim & Lynne) – 0 no – 0 abstain