

**Town of Otisfield
Planning Board Minutes
Town Office Annex
October 19, 2021
7:00 PM**

1. The meeting was called to order at 7:00 PM by Chair – Karen Turino.
2. **Attendance:** Members present were Chair – Karen Turino, Vice Chair – Stan Brett, Pauline Flagg, Otis Brown & Alternate/Recording Secretary - Scott Arn. (Absent - Herb Olson)
Secretary: Tanya Snow
Code Enforcement Officer: Fred Collins
3. **Announcement of Quorum:** Board has a quorum.
4. **Approve Secretary's Report:**
 - A. Regular Meeting Minutes from September 14, 2021. *Motion to accept minutes. OB/PF – Unanimous.
 - B. Site Walk Minutes from September 21, 2021. *Motion to accept minutes. OB/SB – Unanimous.
5. **Discussion & Comments from Public:**
 - A. None.
6. **Residence - Based Business Applications:**
 - A. None.
7. **Shoreland Zoning Applications:**
 - A. Rick Micklon, Maine Building and Development representing John Wroblewski, Map U9, Lot 10. Foundation expansion on Loop Road. Letter of authorization submitted. Applicant would like to add a 7 x 32 addition to a home, meeting all setback requirements except the 100' from the lake but the square footage would be under the allowable 1,500 sq.ft. CEO confirmed the setbacks and has no issues. *CEO doesn't feel a site walk is necessary and has visited the property multiple times. All agree no Site Walk is necessary. *Motion to accept the Shoreland Zoning application as presented. SB/PF – Unanimous.
8. **Miscellaneous Applications:**
 - A. None.
9. **Subdivision Application:**
 - A. Evan Jones, Jones Associates, Inc. out of Auburn representing Dennis Strout; Bell Hill Road, LLC; Map R7, Lot 02. Preliminary preview of a Major (5 lot) Subdivision. 42-acre parcel on Bell Hill Road. Applicant has paid the Application Fee of \$2250.00 and an Escrow fee of \$625.00. A notice to abutters was sent identifying project and location. Site Walk was held Tuesday, September 21st @ 6:00 PM. PB members met at the Bell Hill Road Site.

Subdivision Ordinance (page 10)

7.2. Submissions, The Preliminary Plan Application shall consist of the following items.

***Starting at # 23 TONIGHT.**

23. The area on each lot where existing forest cover will be permitted to be removed and converted to lawn, structures or other cover and any proposed restrictions to be placed on clearing existing vegetation.
*** It is shown on the Phosphorous Control Plan. Buffers are noted on the Plan. Restrictions on the pounds per acre per year. All agree this has been met.**
24. If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation, as depicted on the municipality's Flood Insurance Rate Map, shall be delineated on the plan. ***Discussed on Section 12, page 15 and Appendix E of the Preliminary Plan Application (PPA).**
***All agree this is N/A.**
25. A hydrogeologic assessment prepared by a Certified Geologist or Registered Professional Engineer, experienced in hydrogeology, when
 - a. Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers," by the Maine Geological Survey, 1985, Map Nos. 12 & 15.
***There is no sand and gravel aquifer involved on this property. Looking for a waiver. Found on Page 26, Appendix C: Significant Sand and gravel Map of PPA.**
***All agree this is N/A.**
 - b. The subdivision has an average density of more than one dwelling unit per 100,000 square feet. The Board may require a hydrogeologic assessment in other cases where site considerations or development design indicate greater potential of adverse impacts on ground water quality. These cases include extensive areas of shallow to bedrock soils; or cluster developments in which the average density is less than one dwelling unit per 100,000 square feet but the density of the developed portion is in excess of one dwelling unit per 80,000 square feet; or the proposed use of shared or common subsurface waste water disposal systems. The hydrogeologic Page 13 of 44 assessment shall be conducted in accordance with the provisions of Section 11.12.A.I.
There are over 3 acres per lot, which is in excess of the 100,000 sq. ft per dwelling unit. Therefore, 7.2.D.25.b. does not apply. Found on Page 12, Section 9 of PPA.
***All agree this is N/A.**
26. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. Trip generation rates used shall be taken from Trip Generation Manual, most recent edition, published by the Institute of Transportation Engineers. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.
Found on Section 10, page 13 of PPA. * All agree this is N/A.
27. For subdivisions involving 40 or more parking spaces or projected to generate more than 400 vehicle trips per day, a traffic impact analysis, prepared by a Licensed Professional Engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets which may be affected, and recommended improvements to maintain the desired level of service on the affected streets.
Found on Section 10, page 13 of PPA. *All agree this is N/A.
28. Areas within or adjacent to the proposed subdivision which have been identified as high or moderate value wildlife habitat by the Maine Department of Inland Fisheries and Wildlife or within the comprehensive plan. If any portion of the subdivision is located within an area designated as a unique natural area by the comprehensive plan or the Maine Natural Areas Program the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.
This has been submitted. Section 11, Page 14, also found on the Habitat Map in Appendix D of PPA.
Nothing associated with this property.
***All agree this is N/A.**

29. If the proposed subdivision qualifies for the simplified review procedure for phosphorus control, the plan shall indicate the location and dimensions of vegetative buffer strips or infiltration systems and the application shall include a long-term maintenance plan for all phosphorus control measures. If the proposed subdivision does not qualify for the simplified review procedure, the following shall be submitted.
***All agree, they did a full Phosphorous Control Plan. Found in Appendix F, Page 33.**
- a. A phosphorus impact analysis and control plan conducted using the procedures set forth in the Maine Stormwater Best Management Practices Manual Volume II, Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development, published by the Maine Department of Environmental Protection, March 2016 revision or newer.
 - b. The contour lines shown on the plan shall be at an interval of no less than five feet.
 - c. Areas with sustained slopes greater than 20% covering more than one acre shall be delineated.
 - d. Test pits indicating hydrogeologic soil groups need to be placed in areas to be developed and used for phosphorous controls
- *All agree 29; a-d, are met.**
30. Location of farm Land.
This area is in Tree Growth. No farmland found. *All agree this is N/A.
31. Liquidation harvesting.
*** The Phosphorous Control Plan submitted. Cutting where allowable has already taken place. All agree this is N/A.**
32. Delivery mode and location for mail and approval from the local postmaster of the same.
***Individual lot owners will determine their mail delivery with the local Post Office. This is N/A.**

Items for discussion:

- Section 7.2, C; In addition, one copy of the plan(s) reduced to a size of 8½ x 11 inches or 11 x 17 inches, shall also be provided.
***Reduced copy of plan for file (Submitted prior to tonight)**
- Section 7.2, D, 3; The corners of the five (5) lots shall be located on the ground and marked by monuments.
***All agree this will be done after the final approval. *Markers approved by the CEO will be a condition of approval.**
- Section 7.2, D, 5; A copy of any deed restrictions intended to cover all or part of the lots or dwellings in the subdivision.
***Conditions; Trailers, manufactured housing cannot be a condition. *CEO the Town cannot put conditions like this on the applicant. Applicant may put this as condition, but PB cannot make him.**
- Section 7.2, D, 10; A high intensity soil survey by a Certified Soil Scientist. Wetland areas shall be identified on the survey, regardless of size.
PB asked for Ross Cudlitz review at 09.14.21 meeting. CEO found it not to be necessary, as the wetlands were delineated and done by a Wetland Scientist. If it is developed in the future, it would need to come back before PB.
***All agree this is N/A.**
- Section 7.2 D, 11; The location of any trees larger than 24 inches in diameter at breast Page 12 of 44 height shall be shown on the plan.
After Site Walk all agree, they saw nothing in the subdivided area approaching that dimension.
***All agree this is N/A.**
- Section 7.2 D, 15; The location and size of existing and proposed sewers, water mains, culverts, and drainage ways, and other underground utilities on or adjacent to the property to be subdivided.
***Applicant doesn't have any of the above proposed.**
***All agree this is N/A.**

*All PB Members agree everything that had been asked for previously has been met.

* Items that were deemed Not Applicable from Section 7.2D

#s 10, 11a, 14, 15, 17, 18, 19, 21, 22, 24 a & b., 25 a & b., 26 a & b., 27, 28, 30, 31 & 32.

* Motion that we deem this **PRELIMINARY PLAN APPLICATION** complete as presented with the exception of what is noted as N/A listed above and with one condition on the markers to be determined with CEO approval. OB/PF – Unanimous.

Section 7.1 Procedure; F. Upon determination that a complete application has been submitted for review, the Board shall notify the applicant in writing of its determination. The Board shall determine whether to hold a public hearing on the preliminary plan application.

***Motion that we not require a Public Hearing based on the simplicity and low impact on the Town and surrounding lots. OB/SB – Unanimous.**

Section 7.1, Procedure; H; Within thirty (30) (calendar) days from the public hearing or within sixty (60) (calendar) days of determining a complete application has been received, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Board and the applicant, the Board shall make findings of fact on the application, and approve, approve with conditions, or deny the preliminary plan application. The Board shall specify in writing its findings of facts and reasons for any conditions or denial.

***Findings of Fact (FOF) and Conclusions of Law will be done at the next meeting.**

Section 7.1, Procedure; I; The Board shall notify the road commissioner and fire chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways, and the size and construction characteristics of any multi-family, commercial or industrial buildings. The Board shall also notify the Superintendent of Schools of the number of dwelling units proposed.

***TS will be notifying the Road Commissioner, Fire Chief and Superintendent of SAD 17. All agree.**

***TS will notify applicant in writing that we have a completed PRELIMINARY APPLICATION with the condition on the markers to be determined with CEO. All agree.**

***TS will notify abutters that there will not be a Public Hearing but that they may reach out to the CEO if they have any questions. All agree.**

***Applicant requesting to be on next month's agenda to come in with a final plan for this major subdivision.**

10. Upcoming Dates:

A. Planning Board Meeting November 9, 2021 at 7:00 PM.

11. Discussion & comments from Code Enforcement Officer:

A. None.

12. Discussion & comments from Board:

A. Pauline requested a bigger binder to put her Ordinances in. TS will order her one. Pauline will not be at December meeting.

B. Updated PB contact list. Will be submitted for next meeting.

13. Unfinished Business:

14. Adjournment: With no further business, the meeting was adjourned at 9:15 PM. PF/OB -Unanimous.

Respectfully submitted,
Tanya Snow, Secretary

Karen T. Turino

Approved by: Karen Turino, Chair
Otisfield Planning Board
Approved on: November 9, 2021.