

**Town of Otisfield
Planning Board Minutes
Town Office Annex
November 9, 2021
7:00 PM**

1. The meeting was called to order at 7:01 PM by Chair – Karen Turino.
2. **Attendance:** Members present were Chair – Karen Turino, Vice Chair – Stan Brett, Pauline Flagg, Otis Brown, Herb Olson & Alternate/Recording Secretary - Scott Arn.
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 October 19, 2021. *Motion to accept minutes. SB/PF – Unanimous.
5. **Discussion & Comments from Public:**
 - A. None.
6. **Residence - Based Business Applications:**
 - A. None.
7. **Shoreland Zoning Applications:**
 - A. None.
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. Final Application for a Major (5 lot) Subdivision. This is a 42-acre parcel on Bell Hill Road. Applicant has paid the Application Fee of \$2,250.00 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. Preliminary Plan was deemed complete with the noted N/A items and one condition on the markers at the October 19th PB meeting and the PB made a motion not to require a Public Hearing based on the simplicity and low impact on the Town and surrounding lots. TS notified applicant in writing that we have a completed PRELIMINARY APPLICATION with the condition on the markers to be determined with CEO. TS notified Abutters about NO Public Hearing but mentioned they could reach out to CEO for any questions. TS notified the Road Commissioner, Fire Chief and Superintendent of SAD 17 based on the Ordinance requirement and has not had any feedback or concerns.

Findings of Fact (FOF) and Conclusions of Law for determination of a Complete Preliminary Plan - 11.09.2021. (Separate Document)

***Motion to accept the FOF as presented. KT/OB (5) for (1) abstain HO**

ARTICLE 8 – FINAL PLAN FOR MAJOR SUBDIVISION

8.1 Procedure:

A. Within six months after the approval of the preliminary plan, the applicant shall submit an application for approval of the final plan at least three (3) (business) days prior to a scheduled meeting of the Board. Applications shall be submitted by mail to the Board in care of the municipal offices or delivered by hand to the municipal offices...

***All agree this has been met.**

B. Fees: ***Motion that the PB not require applicant to pay any additional fees due to the simplicity of this proposal. KT/OB - Unanimous.**

8.2 Submissions:

*Restrictions added to the plan by applicant *no mobile home should be allowed on the premises at anytime.

*Phosphorous plan: buffers / restrictions have been added to the final plan. *3 restrictions - Mobile home, Buffers and export will be recorded on the Deed.

8.2S. Taxable Assessed Value Increase Estimate: There will be no construction or improvements as part of the subdivision plan. The Town's Tax Assessor will determine the increase in Value once a building is put on the property. An estimate cannot be given by the applicant. ***Motion that 8.2 S has been deemed N/A.**

8.2T Method of construction Debris Disposal: Since there will be no construction, there will be no construction debris. ***Motion that 8.2T. is N/A.**

***Motion that the Final Plan Application is deemed to be complete as submitted. OB/SB – Unanimous.**

ARTICLE 11, (Page 20, Performance Standards).

11.1 Pollution.

A. The proposed subdivision shall not discharge waste water to a water body without a license from the Maine Department of Environmental Protection. There will be no wastewater created by the proposed Subdivision Plan.

***All agree this is N/A.**

B. Discharges of stormwater shall be treated to remove oil, grease, and sediment prior to discharge into surface waterbodies. When the subdivision is within the watershed of a great pond, the stormwater shall be treated in order to remove excess nutrients. There will be no stormwater generated by the proposed Subdivision Plan.

***All agree this is N/A.**

11.2 Sufficient Water.

A. Water Supply.

1. When a subdivision is to be served by a public water system, the complete supply system within the subdivision including fire hydrants, shall be installed at the expense of the applicant. The size and location of mains, gate valves, hydrants, and service connections shall be reviewed and approved in writing by the servicing water company or district and the fire chief.

***All agree this is N/A. No Town water and Lot owners will be responsible for their own drilled wells.**

2. a. Individual wells shall be sited and constructed to prevent infiltration of surface water, and contamination from subsurface waste water disposal systems and other sources of potential contamination.

b. Lot design shall permit placement of wells, subsurface waste water disposal areas and reserve sites for subsurface waste water disposal areas in compliance with the Maine Subsurface Wastewater Disposal Rules and the Well Drillers and Pump Installer rules.

c. If a central water supply system is provided by the applicant, the location and protection of the source, the design, construction and operation of the system shall conform to the standards of the Maine Rules Relating to Drinking Water (10-I 44A C.M.R.231).

***All agree 2; a – c is N/A.**

B. Water Quality.

Water supplies shall meet the primary drinking water standards contained in the Maine Rules Relating to Drinking Water. If existing water quality contains contaminants in excess of the secondary drinking water standards in the Maine Rules Relating to Drinking Water, that fact shall be disclosed in a note on the plan to be recorded in the Oxford County Registry of Deeds. The applicant is not supplying water to the new lots.

***All agree this is N/A.**

11.3 Impact on Existing Water Supplies. In meeting the standards of Section 11.2.A, a proposed subdivision shall not generate a demand on the source, treatment facilities or distribution system of the servicing water company or district beyond the capacity of those system components, considering improvements that are planned to be in place prior to occupancy of the subdivision. The applicant shall be responsible for paying the costs of system improvements to the district's or company's system as necessary to alleviate existing deficiencies. There is no existing water supplied to any of the new lots by the Town. ***All agree this is N/A.**

11.4 Soil Erosion.

- A. The proposed subdivision shall prevent soil erosion from entering waterbodies, wetlands, and adjacent properties. The Application is only to divide the 42 acres into 5 lots. There will be no soil disturbance. ***All agree this is N/A.**
- B. The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages. There will be no disturbance of soil, construction or clean up as part of this Final Plan. ***All agree this is N/A.**
- C. Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations. ***All agree this is N/A.**

11.5 Traffic Conditions. When conflicts exist between this Section and a Driveway Permit or Entrance Permit issued by the Maine Department of Transportation, the most stringent or restrictive shall apply. This Final Plan does not include anything more than the subdivision of the property into individual lots. Future Lot owners will be constructing four (4) residential dwellings within the subdivision, having minimal impact to traffic on existing roads.

***All agree this is N/A.**

- A. In general, provisions shall be made for vehicular access to the subdivision and circulation within the subdivision in such a manner as to:
 - 1. Safeguard against hazards to traffic and pedestrians in existing streets and within the subdivision;
 - 2. Avoid traffic congestion on any street; and
 - 3. Provide safe and convenient circulation on public streets and within the subdivision.***All agree this is N/A.**
- B. More specifically, access and circulation shall also conform to the following standards.
1-7. ***All agree this is N/A.**

11.6 Sewage Disposal.

- A. Septic Systems. Test pits have been done by a Licensed Site Evaluator and are marked on the Plan. Future Wastewater Disposal Plans will be the responsibility of individual Lot owners.
***All agree this is N/A.**

11.7 Solid Waste. If the additional solid waste from the proposed subdivision exceeds the capacity of the municipal solid waste facility, causes the municipal facility to no longer be in compliance with its license from the Department of Environmental Protection, or causes the municipality to exceed its contract with a nonmunicipal facility, the applicant shall make alternate arrangements for the disposal of solid waste. The alternate arrangements shall be at a disposal facility which is in compliance with its license. The Board may not require the alternate arrangement to exceed a period of five years.

Individual Lot owners will be submitting Plumbing Plans to the Town's Plumbing Inspector.

***All agree this is N/A.**

- 11.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline.** The subdivision of the property alone will have no impact on the listed concerns. ***All agree A – D. are N/A.**
- 11.9 Conformance with Shoreland Zoning Ordinance and Other Land Use Ordinances.** All lots shall meet the minimum dimensional requirements of the Shoreland zoning ordinance for the district in which they are located. The proposed subdivision shall meet all applicable performance standards or design criteria required by the town ordinances. **1st part N/A and 2nd part regarding subdivision meeting standards has been met.**
***All agree this does apply and has been met.**
- 11.10 Financial and Technical Capacity.** ***All agree A&B are N/A.**
- 11.11 Impact on Water Quality or Shoreline.** Division of the property into lots will have no impact on any waterbodies. ***All agree N/A.**
- 11.12 Impact on Ground Water Quality or Quantity.** Lots are not developed. ***All agree N/A.**
- 11.13 Floodplain Management.** When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency: A – C ***All agree the Application's submissions are acceptable based on the 1987 Corps of Engineers Wetland Delineation Manual and this Standard has been met.**
- 11.14 Identification of Freshwater Wetlands.** Freshwater wetlands shall be identified in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, published by the United States Army Corps of Engineers. ***All agree this has been met.**
- 11.15 Storm Water Management.** The subdivision into lots as proposed has no impact on Storm Water. ***All agree A&B are N/A.**
- 11.16 Reservation or Dedication and Maintenance of Open Space and Common Land, Facilities and Services.**
***All agree A-E is N/A.**
- 11.17 Phosphorus Impacts on Great Ponds.** Sebago Lake is the watershed. All items dealing with Phosphorous are on the recorded plan. Restrictions will be recorded on Deed and Phosphorous Control Plan is included on Final Plan. ***All agree this has been met.**
- A. Phosphorous Exports. *All agree the Phosphorous Control Plan is acceptable.**
- A.4. Maintenance and Use Restrictions for Phosphorous Control Measures.....**
- a. Vegetative Buffer Strips. These are recorded on the Final Plan. ***All agree this is acceptable.**
- b & c. There are no Infiltration Systems or Wet Ponds. ***All agree are N/A.**

***Motion that ARTICAL 11 - PERFORMANCE STANDARDS are acceptable as presented or N/A as noted. KT/OB – Unanimous.**

ARTICLE 12 - DESIGN GUIDELINES. *All agree this is NA.

***Motion that ARTICAL 12 is N/A based on ARTICAL 11 Standards having been deemed acceptable or NA. OB/PF – Unanimous.**

ARTICLE 13 - PERFORMANCE GUARANTEES. All fees have been submitted to the Town and there will be no additional costs to the Town for the Final Plan. ***All agree that all of Article 13 is N/A. KT/OB – Unanimous.**

ARTICLE 14 - WAIVERS

14.1- 5. *All agree this is NA.

ARTICLE 15 - APPEALS

DISCUSSION;

PB members agree there was only one Condition for a Complete Preliminary Plan as moved at a prior meeting. It was that the type of Lot markers were to be determined with CEO approval. CEO & applicant have met and agreed on the type of markers that will be placed. (Survey pin with markers and numbers). ***All agree that this Condition for a complete Preliminary Plan has been satisfied.**

SUMMARY OF FINDINGS OF FACTS AND CONCLUSIONS

*** Motion that Findings of Facts were agreed upon and accepted. KT/PF – Unanimous.**

*** Motion that we approve this (5) lot Major Subdivision Final Plan. KT/PF – Unanimous.**

*** PB members signed the (3) Final Plans as presented by applicant. (As of January 2020, courts no longer use MYLARS).**

10. Upcoming Dates:

A. Planning Board Meeting December 14, 2021 at 7:00 PM.

11. Discussion & comments from Code Enforcement Officer:

A. None.

12. Discussion & comments from Board:

A. Updated PB contact list distributed at tonight's meeting.

B. December 14th Pauline will be in Florida.

13. Unfinished Business:

14. Adjournment: With no further business, the meeting was adjourned at 8:45 PM. PF/OB -Unanimous.

Respectfully submitted,
Tanya Snow, Secretary



Approved by: Karen Turino, Chair
Otisfield Planning Board
Approved on: March 8, 2022.