

# Standish Town Hall

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## Planning Board Meeting Minutes 11-05-2012

### Standish Planning Board Meeting Minutes November 05, 2012

The meeting was called to order at 7:00 pm by Chairman Brian Libby. Present were Alta Harding, Carol Billington, Steve Nesbitt, Bruce Smith, Bud Benson, Town Planner and Jackie Dyer, Secretary to the Planning Board. Absent was Wayne Newbegin.

The first item on the agenda was the approval of the October 01, 2012 meeting minutes. A motion was made by Mrs. Billington and seconded by Mrs. Harding to approve the meeting minutes. All in favor.

The second item was the approval of the Finding of Fact for Brian Leavitt/dba Leavitt Earthworks ( Boundary Road pit) for the 5 year gravel pit renewal. Mr. Nesbitt made a motion to waive the reading, seconded by Mrs. Harding. All in favor. A motion to approve and sign the Finding of Fact was made by Mr. Nesbitt and seconded by Mrs. Harding. All in favor.

There was no old business.

#### New Business:

#### **Item # 1 New Cingular Wireless PCS, dba AT & T Mobility Corp., Map 9, Lot 38A ,Oak Hill Road      Site Plan Amendment**

Carrie Preble, Consultant to At & T Wireless, was present to represent the applicant. She explained that what the applicant wants to do is to add some equipment to the tower. The tower there is approximately 180 feet tall and they would like to add three new antennas, there are currently six now, bringing the total to nine. This addition would be so there would be more service for people using blackberries, I- pads, I - phones, e-mail and other technology. Three antennas would be added to the tower at the same height as all of the others there now and also the addition of 6 remote radio heads and a surdreser. There will be another GPS antenna added along with the one there now so as to give better service. Nothing on the ground will be changed; there will be no additional parking spaces added or any new structures. There would also be the addition of an equipment rack inside the existing structure. They have added photos to the applications along with spec sheets and an emissions requirement study. Mr. Benson said they are asking for a performance bond, not sure of the amount, but requiring it from the applicant. Ms. Preble said that they don't own the land and the performance bond should come from the land owner. She said she has contacted the owner via e-mail. Mr. Benson feels that prior to the signing of the Finding of Fact at the next meeting, this can be worked out with the Town Manager, as far as the amount that the Town would require. Mrs. Billington asked Mr. Benson if he had any idea how much the performance bond might be. He said it would all depend on if a crane had to be brought in, but said he wasn't going to offer any amount as to what it might be. There has never been any bond in place; this original approval was done in 1992. There is now a new ordinance in place where there has to be a performance bond in place, in case the life of the tower should happen and the tower would have to be taken down. Mr. Benson said he didn't see the tower failing anytime soon, but would like to see the performance bond in place, so when it does ever happen and needs to be taken down, it will be in place. Ms. Preble said again that she has contacted the owner of the tower and would be happy to facilitate what needs to be done between them and the Town. She has been involved with estimates for this before and would be glad to do so again. Mrs. Billington said that the Board should make this performance bond as part of the Finding of Fact approval. Ms. Preble said she hasn't worked on a performance bond for a tower removal in a very long time, but would be willing to do so. She said she had done some equipment bonds for their own equipment, but would start working on this. She hesitates in putting a cost amount out there as she is not sure what it would be. She said she would contact an engineer and have him do a report and a cost estimate so the Board could see what it would be.

Mrs. Harding asked about taking the tower down and Ms. Preble told her there was a lot involved and the owners of the tower need to be contacted. There was no further discussion. Mrs. Billington made a motion to find the application complete, seconded by Mr. Nesbitt. All in favor. The Board felt that there was no need to go over all of the site plan requirements. Mr. Benson said that he has a draft Finding of Fact and the Board should look that over .He also referred the Board to his memo with the site plan

elements that he has highlighted. Mrs. Billington said that where the Board had already found the application complete, then they would need to accept the waiver on the elements. Mr. Nesbitt made a motion to approve the application with the following conditions of approval :

- 1. The owner of the tower shall be required to place in escrow an amount sufficient to cover the cost of tower removal, with this bond to be reviewed every 10 years. The amount and type of performance guarantee shall be submitted by the owner and then must be reviewed and approved by the Standish Town Manager. These requirements shall be placed on the site plan as conditions of the use prior to signing the plan and finding of fact.**
- 2. This approval is dependent upon, and limited to, the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant (either orally or in writing) and that any variation from the plans, proposals, and supporting documents are subject to review and approval by the Planning Board, except for minor changes which the Code Enforcement Officer may approve.**

Mrs. Billington seconded the motion. All in favor.

## **Item # 2 Charles Bragdon/Rebecca Hawkes (Snug Harbor Assoc.), Map 49, Lot COM Shoreland Zoning Application for culvert replacement in Sebago Lake**

Heather True from Cumberland County Soil and Water Conservation District was present to represent the applicants. She said they basically work with local resources and entities to protect the soil and the water. She said they are asking to replace an existing culvert that is rotting and rusting away and is quite old. Mr. Charles Bragdon came to them to see about replacement for his culvert located on Kimball Drive at Snug Harbor. He wanted them to help with the process and oversee all of the permits, erosion control, and anything necessary to replace the culvert. She said she is currently working on the Sebago Lake Implementation project and is currently in Phase II. This project runs through the state under the Clean Water Act and Chris Baldwin, an engineer, is also involved. They are trying to prevent any type of erosion that goes into the lake and nearby streams. They will oversee the replacement of the 42" culvert with a 48" culvert and prevent any erosion that might occur. There were no questions from the Board.

Mrs. Billington said that the proposed culvert looked like it was going to be a big improvement from what is there now. Heather said that right now there is no water flowing through it at this time, but the culvert will be good for what traffic comes across. Mrs. Harding said that the culvert looks as though it slopes down on both ends. Chris Baldwin said that it does and this was beveled on both ends to meet the ground slope. He said this is typically called an equilibrium culvert and is usually full of water, but the water level varies as the lake levels do also. There were no comments from the public.

Mrs. Harding asked if the culvert is working now and Heather told her that the water seems to go beyond it instead of through is as the culvert is old, worn and rusting. Mr. Libby said he doesn't feel the need for a site walk. A motion was made by Mrs. Billington and seconded by Mrs. Harding to find the application complete. All in favor. A motion was made by Mrs. Billington to approve the project with the following condition: The project would be inspected by the Cumberland County Soil and Water Conservation District. Mr. Benson said that all shoreland zoning applications lapse and expire and he has recommended one year to start the project. Heather said they are planning on doing this next year in either September/October 2013. Motion was seconded by Mr. Nesbitt to approve the application. All in favor with the following conditions :

- 1. The construction of this project shall be inspected by the Cumberland County Soil and Water Conservation District Design Engineer to confirm the project is constructed and stabilized as designed.**
- 2. This approval and any permits issued under this approval shall lapse and become void unless the start of construction or operation as defined in § 237-16. Administration. F "Expiration of permit." A permit of the Zoning Ordinance begins within one year from the date of this approval. The Planning Board may extend this permit upon a showing of hardship, provided that the written request for extension is made before the expiration of the one year period.**
- 3. This approval is dependent upon, and limited to, the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant (either orally or in writing) and that any variation from the plans, proposals, and supporting documents are subject to review and approval by the Planning Board, except for minor changes which the Code Enforcement Officer may approve.**

There was no further business. Mr. Nesbitt said the Ordinance Committee meeting is scheduled for November 20, 2012

beginning at 7:00 pm. Meeting was adjourned at 7:23pm.