

Standish Town Hall

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Planning Board Meeting Minutes 06-02-2014

Standish Planning Board

Meeting Minutes

June 02, 2014

The meeting was called to order by Chairman Brian Libby at 7:02pm. Present were Steve Nesbitt, Lester Ordway, Alta Harding, Carol Billington, Alberta Byrnes, Town Planner Bud Benson and Jackie Dyer, Secretary to the Planning Board.

The first item on the agenda was the approval of the May 05, 2014 meeting minutes. Mrs. Billington said that the minutes had to be amended as there was an error that said an item was to be tabled to the May meeting and it should have said to the June meeting. Mrs. Billington made a motion to accept the amended minutes seconded by Mrs. Harding. All in favor.

Communication :

Item #1 Aaron Menard, dba Sweeties Ice Cream, Map 32, Lot 15-Proposed driveway opening on Pequawket Trail(Rt.113)

Mr. Libby said Aaron was not here yet, so the meeting will move forward and the Board will hear from him if he does come in.

Old Business :

Item #2 General Dynamics(for Cingular Wireless) Map 9, Lot 38A, Oak Hill Road Site Plan Amendment-Modification of Equipment

A representative from AT&T (Cingular Wireless) was present to represent the applicant. They are proposing to add another microwave dish to the existing tower so that they get more coverage for the areas. He said they had provided a structural analysis stating that the tower would be able to hold the dish with no problems. He had also provided a letter about the RF exposure stating that there was no danger from emissions from the tower and he had also provided a copy of the bond stating what the removal cost would be if the tower needed to be taken down.

Mr. Libby asked for comments from the Board. Mrs. Harding said she felt the application was pretty straight forward and had no problem moving forward with approval. The AT&T rep said that the tower would be more functional and service would be better.

Mrs. Harding made a motion to approve the application with the previous conditions of approval. This was seconded by Mrs. Billington. All in favor.

New Business :

Item #3 Steven & Deborah Paul, 50 Watchic Rd. 19, Map 30, Lot 14- Shoreland Zoning Application

Peter Biegel from Land Design Solutions was present to represent the applicants. He said that the Paul's had bought the camp a few years ago (1997) and wanted to make improvements to it. The camp is approximately 1300 square feet on a non conforming lot. He said he thought they were originally in the flood zone, but when the survey was done, they were classified as a C-minimal flooding.

He said when they bought the camp; they had put in a new septic system. He said they wanted to do some renovations, but found when they started; the camp had some structural issues. They were under the impression that they could do some foundation repairs, but the foundation had many issues also. The camp ended up being demolished, all but the front porch, which they took off and placed aside to use on the new structure. The foundation had many issues also and ended up crumbling and falling in (over 50 percent). At this point, the CEO stopped the work and told the contractor that he needed to now come before the Planning Board with a Shoreland Zoning application.

There is a half foundation left and the new septic system, which they would like to be able to use. They do have their own well, which is pretty close to the camp. There is also an existing garage on the site. They would like to keep the existing building footprint,

but know they have to move back from the water. The architect was able to pull the new building back from the water by 9 to 10 feet. This entailed shaving some off from the existing garage. They want to rebuild, but know they have to get approval. They also want to pave a portion of the gravel driveway and have a space they can turn around in and not have to back out of the driveway. They do have a sediment control plan in place on the architectural drawing with a crushed rock border for control of water and sediment run off.

Mr. Biegel said the existing porch was something they would like to attach back to the new proposed building. He said there are some corrections he needed to make on the drawings to make them work. He said they are working on the revegetation plan also. He has also sent a letter off to the Maine Historic Preservation council as to the site. So far, he has not heard anything back from them.

Mrs. Harding asked if the dwelling was going to be a full time or seasonal one. Mr. Biegel said the Paul's live in New Hampshire and this is a retreat for them, so it would be seasonable. He said the septic system was installed as a seasonal system.

Mr. Libby said that a site walk is definitely in order and one was scheduled for Monday, June 09, 2014 at 6pm with a workshop directly after. All Board members and Mr. Biegel were agreeable.

Item # 4 Jan Butterfield, 30 Cape Road, Map 6, Lot 32 -1B1- Sketch Plan

Bruce Lewis from Lewis and Wassina was present to represent the applicant. Jan Butterfield was also present. This was a 40 acre subdivision that was done approximately 14 years ago. The Butterfield's now own approx. 21 acres and would like to give the land to their two sons. There were some deed restrictions on the subdivision. If the lots are to be divided; a road needs to be built to Town standards. This road would have to be paved and accepted by the Town. Land has now become more valuable and the applicant would like to be able to build a new home on a lot in the back and then give the rest to their children. Mr. Lewis said he had met with Roger Mosley and the new road would have to go almost too where the Butterfield's driveway is now. Because of the frontage, there could not be a separate driveway entrance. Mr. Lewis asked if the Town always accepts roads and could they guarantee that? Mr. Libby said it had to be built to standard. Mr. Nesbitt asked if the Town had ever not accepted a road and Mr. Libby said he couldn't recall any. He said there is no guarantee, but it's pretty standard they usually do.

Mr. Benson said this would be an amendment to a previously approved subdivision with the existing frontage along Cape Road(Rt.35A). He said the entrance to these lots would have to be where they are now as you need to be able to see both distances on the road. Mrs. Butterfield said her older son would stay in the existing home, she would build a retirement home and the oldest son would have the back lot. Mr. Benson said because of the deed restrictions, they would need to let the Town Attorney get involved and they would have to get a release from the other land owners saying they had no objection. She said she didn't feel this would be an issue.

Gerald Axelsen, a neighbor was present and said he just wanted to see what they were proposing to do. He lives across from the Butterfield's. Mr. Lewis showed him the proposed plan. Mrs. Butterfield told him they would be using the same driveway entrance and not changing anything but the division of the land.

Mr. Libby asked for any other comments. Mr. Benson said this was just a discussion and not a decision. This will be further discussed at a workshop on June 09, 2014 at 7pm.

Communication :

Item #1 Aaron Menard, dba Sweeties Ice Cream, Map 32, Lot 15-Proposed driveway opening on Pequawket Trail(Rt.113)

Aaron was present to represent himself. He is proposing to relocate his driveway to Sweetie's off from Rt.113, which is what he originally wanted to do. He says the Rt.11 drive had been okay, but with that being closed due to bridge replacement; he said people seem to have a hard time in knowing how to get to his entrance. He would eventually like to close the Rt.11 entrance due to safety reasons. Because of the size of his lot; he is allowed to have two curb cuts.

Roger Mosley had met with him last week and said he had no problem with his new proposed entrance. He felt that with the slope of the land, a culvert would not be necessary. He is proposing to build a 16 foot wide driveway, which meets Town standards.

Mrs. Byrnes asked where the curb cut on Rt.113 is and Aaron showed her on the site plan. He said he would lose a couple of parking spots when he does this, but would find a place on the lot to add them back in. He said he has more than the road frontage

needed. He feels that with the entrance on Rt.113, it would eliminate the safety hazards with children and people walking back in the driveway and with cars coming in and out. Mrs. Billington asked if this would be more than a 10% impact. Aaron said he said that the study done several years ago, it showed that there were 4000 to 5000 cars going through on a daily basis. He said he felt that Sweetie's proposed driveway was not a 10% impact on Rt.113. Mr. Benson said this would just be an amendment to an already approved site plan and the reason that Aaron was here before the Board was because the CEO wanted the Planning Board to determine whether this was a 10% impact or not. This is not an amendment, just a discussion and to see if there is any standard that needs to be met. Mr. Ordway made a motion that this is not a 10% impact and Mrs. Billington seconded that.

Mr. Libby said that if the Rt.11 entrance is closed off, this would be nothing but a win, win situation. Aaron said the motive for this is mostly safety and also because he feels that he has lost business with the closing of Rt.11. Mrs. Harding said that after going there over the weekend, she also feels that this would be a good decision but wondered if a 20 foot driveway was wide enough for people to turn into. She felt that it needed to be wider, but Aaron said he only needs a minimum width of 16 feet. If he goes wider, than they run into a frontage issue as a telephone pole is in the right of way. He will make the turn into the driveway graded so that it is wider.

Mr. Nesbitt said that he feels that this request needs to go to a site plan review. He feels that it's more than a 10% impact and he feels a site walk is necessary. He said the issue is coming out onto Rt.113. Aaron told him that Mr. Mosley had been there and he found absolutely no issue with the proposal. He said Roger had already written a letter of approval. Mrs. Billington said the Board needs to take a vote and Aaron needs to be cut some slack. She said if the Board says, no then Aaron goes back to the CEO. She and Mr. Libby both said that they feel it's less than a 10% impact. Mr. Benson said this is the beginning of Aaron's ice cream season and this would be beneficial to him.

Mrs. Harding asked about the road closing signs and could they be moved. Aaron said that he had asked about that and that someone had already hit it. He said he feels that there will be other accidents there and it is certainly a hazard.

Mrs. Billington asked if the Board needed a site plan. No one felt that one was needed. The motion, already made to determine that this is less than a 10% impact, passed with 5 Board members for and one Board member against.

There was no further business. Mr. Libby thanked Mr. Nesbitt for his service as this is his last Planning Board meeting as he is not running for re-election. Mr. Benson thanked him also, as did the rest of the Board.

The meeting was adjourned at 7:50pm.