

Standish Town Hall

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Planning Board Meeting Minutes 07-14-2014

Standish Planning Board
Meeting Minutes
July 14, 2014

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

The first item on the agenda was the approval of the June 02, 2014 meeting minutes. Mrs. Harding made a motion to approve the minutes, seconded by Mr. Ordway. All in favor.

Approval of Finding of Fact :

General Dynamics (for Cingular Wireless) Map 9, Lot 38A, Oak Hill Road Site Plan Amendment

Mrs. Harding made a motion to waive the reading, seconded by Mr. Ordway. All in favor. Mrs. Harding made a motion to approve the Finding of Fact, seconded by Mr. Ordway. All in favor.

Old Business :

Item # 1 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 gave a brief over view of the project and also a presentation of some of the things in the project that have been changed. He has moved the cottage back a bit more than originally presented and has decreased the size of the garage. In doing this, he has been able to create a place large enough for the Paul's to drive in and turn their car around using a five point turn. The septic system will remain unchanged. They would like to keep the same design that the architect submitted. He has also added some crushed stone and gravel to help with water run off (2'x3'). He has slightly reduced footprint size and also the non vegetative area has been slightly reduced. They are proposing a drip edge around the cottage to help with rain water run off. This will not be a year round residence.

The Paul's would like to pave part of the driveway, to be used as a way to keep gravel and sediment from running into the lake. This is not a must have for them, but they thought it would be a big help with water run off. Mr. Libby said he feels the paving would be a great addition to the plan as it would help the water run off. Mr. Ordway said he agreed and felt the plan was well done. Mrs.

Harding said she did not agree and feels the cottage was not moved back to the maximum practical extent. She said she feels that people do not take enough care of the lakes and ponds. She said she feels people push the limits to be as near to the water as possible.

She did say, the plan was well done and she likes the design. She said she in favor of the paving as she was not before.

Mr. Libby said he feels they have moved back as far as they could. If they moved back anymore, they would have to go around the house to get to the garage. Mr. Biegel said they really need the driveway area they have to be able to turn a car around. He said they really can't move back anymore. Mrs. Harding said that everything has been followed that the Planning Board has asked for. She said this is a summer cottage and why does it need a garage. With no garage, the cottage could be pulled back more. Mrs. Byrnes asked about the garage also and this being just a summer home, why the need for the big garage. She too felt the plan was well done.

Mr. Libby read a letter from a neighbor of the Paul's, Judith Heggemann, that said both she and her husband are in full support of what the Paul's want to do to rebuild. Mr. Libby asked if there were any comments from the public and there were none.

Mr. Ordway made a motion seconded by Mrs. Harding the application is complete. All in favor. The following are the suggested conditions of approval:

1. Per standards found in 237-12 C (1) b the Planning Board approval of this site plan is limited to structure setbacks to the maximum practical extent. Existing structure, with scaled setback from apparent normal high water line of 7.2' ft, to be demolished and a replacement structure with proposed structure scaled setback of 16.6' ft. built on a new foundation.

2. The following plans and calculations must be submitted by the applicant and approved by the Code Enforcement Officer before permits are issued:
 - a. Structure expansion calculations per § 237-12 C. (1) (a), reconstruction
 - b. Maximum percent impervious lot coverage not to exceed existing per standards found in § 237-15 B.(4),
 - c. Storm water design to reduce runoff and encourage infiltration per standards found in § 237-15 J.(1),
 - d. Erosion & sediment control plan per standards found in § 237-15 Q.
 - e. Clearing and a re-vegetation plan (include plantings on the lake side of the property) per § 237-15 P. (2) (a)
3. Per standards found in § 237-15 B (3) , the applicant's proposed new structure may be within the FEMA delineated 100-year flood plain and will, at minimum, need an (Elevation Certificate) to prove to the Code Enforcement Officer that the lowest floor is at least 1 ft above the 100-year flood elevation. The site plan shows a proposed building foot print. The lowest floor elevation or openings of this building, including basement floor must be more than one foot above the FEMA 100 year flood elevation.
4. 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.
5. Plans approved by the Town for expansions under this subsection § 237-15 B must be filed in the registry of deeds of the county in which the property is located within 90 days of approval.
6. The approval is dependent on and limited to the plan and proposals submitted by the applicant either orally or in writing. Any variation from the plans or proposals is subject to review and approval from the Planning Board, in writing, except for minor changes which the Code Enforcement Officer may approve.

Mr. Ordway made a motion to approve the application seconded by Mrs. Byrnes. All in favor.

New Business :

Tompson Development, P. O. Box 240, Map 6, Lot 21-Subdivision Amendment- Josie's Brook (Lindsay Drive), Cape Road

Jamie Tompson was present to represent himself. He would like to take one large lot from Josie's Brook subdivision and divide it into three separate lots. Mr. Benson said that nothing is being added, just divided further into developable house lots with frontage on Lindsay Drive.

Mr. Libby asked for public comments. Stephanie Neptune asked if, when breaking up into three more lots, would this still be a private road and not a public one? She asked about the road and Mr. Benson told her that the rest of the road would have to be planned and accepted by the Town. This does not entail building a new road. The Board felt a site walk was necessary and one was scheduled before the August 04, 2014 meeting at 6pm.

Public Hearing :

Amendment to Standish Town Code, add Sebago Lake Village District with changes to Chapters 181 LAND USE REGULATIONS, and Article III District Regulations, Part 1, Site Plan Part 2, Subdivision Part 3. Chapter 252, STREETS AND SIDEWALKS

Notice is hereby given that the Planning Board will hold a public hearing on the above items as well as revision to the Town Zoning Map as needed to implement the new Sebago Lake Village District.

Mr. Benson said this is brought about as each village had done a comprehensive plan. The setbacks and lot sizes have been reduced due to this and the reason is to promote growth within the village. He said there are different street types, the village core, the fringe and residential.

Mr. Libby asked if there were any public comments. A lady asked what the fringe was as she said the map provided, was very hard to read and understand. She showed Mr. Benson where her house is on the map. He told her she is actually located in the core and just outside of her was the fringe. The core has a minimum lot size of 15,000 square feet with 100 gallons per day of sewage flow. The fringe has a minimum lot size of 20,000 square feet and also 100 gallons per day of sewage flow. There are many uses allowed in both the core and the fringe. In the core, the front of the buildings would be closer to the roads and right of ways. In the fringe, they would be further back. There are no frontages. The minimum lot size is what would be required. The building would have to be on the lot line in the front. This would entail any structure being newly built. In the fringe, the set backs are larger, but smaller than what they are now.

John Burn from Wild Ridge road asked how it would affect him and the other houses in the cul de sac? Mr. Libby told him that there would be no affect at all, only if he went to build a new building. Mr. Benson told him also that things would remain the same. This is for commercial use and residential as well. Mr. Libby said they would now be able to build on the front of their building, as before, they could not. Mr. Benson said the Portland Water District has been invited to be part of the planning and they are kept informed as to what is going on. The Town hears very little from them. The sidewalk plan on this has been changed to what it was. One sidewalk, which some village residents did not want, was moved from one side of the road to the other. In the new plan there will be

crosswalks at the intersections.

Wayne from Wild Ridge came forward and asked about what new uses would be allowed under this plan. Mr. Benson said there are many new uses in the core, but the further you get from the core; there are less and less permitted uses. He went over the list from the core uses that have need CEO approval. This is for Sebago Lake Village. He said he had been here for 15 years and had seen businesses come and go. Mr. Benson said it's up to the landowner if they want to do something to their property.

Sherry Nash from Oak Hill Road asked if sidewalks were to be built, who pays and who maintains. Mr. Libby said this is not something to be voted on, this is just a hearing and will go back to the Council. He told her there is nothing to buy and no tax payer money to be spent. This is just a public hearing and there will be other hearings also before this is adopted. Mr. Ordway said that the businesses that come in now and build sidewalks have to maintain them. Mrs. Harding said she didn't know the sidewalk vote had not passed and she feels sidewalks would be great and makes the Town look better. Mr. Libby said this is a public hearing and nothing to do with the sidewalk issues. Sabrina Libby, from SLV, said that she would love sidewalks too as long as they are maintained. She said the ones in SLV are not maintained and a lot of them are broken and dangerous.

Mr. Benson said that many towns and cities have sidewalks and it's the people and businesses there that maintain them. He said sidewalks going to the schools would be a benefit and the grant was going to pay 80% and the Town the other 20%. He said they would be beneficial and hopefully would some day be maintained when it snows, like the Town of Gorham. He also said they would be a health benefit to many as he feels people would use them to walk on to get from one place to the other. He said he was not really a supporter of sidewalks until a long time ago. He said there is so much obesity and other health issues and maybe having sidewalks would help them and give them access to other areas that would benefit them.

Elaine Ward from Rt.114 wanted to know what would be done with the 4 way intersection. She feels that the more traffic added there would be dangerous and the local people avoid it when it's congested. Mr. Benson said this would be under DOT and their decision to put up a light or something to make it much less dangerous. She said she avoids that intersection in the summer because it is so congested at times. She said she has seen cars go through the intersection and almost cause serious accidents because they are not paying attention. She also asked that if more businesses came in, where would the people park. She said they park on the sidewalks now making people walk around the cars and into the busy road. Mr. Libby and Mr. Ordway both said they feel that intersection is under a study now.

Mr. Burns came up to commend the Planning Board and Mr. Benson. He works for Gray Bar Electric and he said the planning that went into the Oak Hill project was well done. He said he feels people will be happy and impressed when that project is finished. Mr. Benson said that a lot of people in Standish worked on that project to make it a success. He said that it wasn't just the Planning Department but a joint effort of a lot of people and many volunteers, including Peter Biegel who was here tonight.

Mrs. Harding said this is just a tool used as a basis for what you can and can't do. This lays the standards so that when it all comes together, it all looks the same and very uniformed. These lay the ground rules for when development does come. Mr. Ordway said it sets the standard and he likes Wal-Mart, as long as it's in Windham! The comp plan is to allow more growth in and around the village areas.

There were no other comments. The meeting was adjourned at 8:11pm