

Planning Board Meeting Minutes 04-06-2015

Standish Planning Board Meeting Minutes April 06, 2015

The meeting was called to order by Chairman Brian Libby. Present were Alberta Byrnes, Lester Ordway, Alta Harding, Cindy Beckwith, Bud Benson, Town Planner and Jackie Dyer, secretary to the Planning Board. Absent were Carol Billington and Mike Willette.

The first item on the agenda was the approval of the meeting minutes from March 02, 2015. Mr. Ordway made a motion seconded by Mrs. Harding to accept the minutes as written. All in favor.

Approval of Finding of Fact :

- William and Deborah Ward, 178 Stuart Shores Road, Map 59, Lot 23, Shoreland Zoning Application

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

New Business :

- Natalie Bradway, dba Nat's House Daycare, 300 Northeast Road, Map 14, Lot 11-7
Site Plan Amendment for Day Care Home use.

Natalie Bradway was present to represent herself. She explained that she was in the process of putting in a new parking area. The area she had before for parking was removed when she had a new septic system installed and was not replaced. Mr. Benson said she has basically been operating without this and she is proposing to move the parking on the opposite of the house from where it was before. Mr. Ordway said he didn't see any issue with this.

Mrs. Harding wanted to know why it's taken the Town so long to have her come in before now, as this was approved almost 10 years ago. Ms. Bradway said that she had the parking on the other side of the house before and yes, she had to replace the septic. She said she didn't realize at the time that she had to replace the parking, because she was down in the number of employees and also that her mother had passed away. She put a 60'x90' septic in back in 2014. She didn't realize that she needed to replace the parking she lost when this was done. She said this was a misunderstanding as to replacing the parking. She said when the septic went in; she didn't realize she was not in compliance with the Town any longer, by not replacing the parking. She also said that the certified letter that was sent by the Town, she never got or her mother may not have given it to her. She said she did a sign in 2008 and nothing was ever said to her about the daycare. She said she didn't find anything out about it, until the lady from the State of Maine Licensing for daycare, came and asked her about her licensing application and why she wasn't in compliance

with the Town.

She said she has been operating for over ten years. Mr. Libby said Code Enforcement is not the Planning Board's issue. Mrs. Harding asked about a garage and Natalie said she does have a garage on the side. The driveway to the garage is paved. By the garage is where she had some parking spaces. She said people come and drop off their kids, turn in the driveway and then leave the same way. She asked if they can continue to do what they are doing and just keep parking spaces available. She said they do not drive in and back out onto the road. She knows that is a huge safety issue. She asked if the parking spaces are not used, why does she have to have them. Mr. Libby said that even if they are not used, they have to be made available as part of her site plan.

She said that one vehicle will enter and then leave when another one comes in. Mr. Benson said he drove by the day care today and there were a couple of cars parked in the driveway. He said that if they did back out onto the road, Ms. Bradway is just setting herself up for someone to get seriously hurt and she could be held liable. She said she will have the parking spaces available. Mr. Libby said they do need to be available. Mrs. Harding said she had a problem with the code as to making a small business owner spend a lot of money and on something that probably, no one is ever going to use. She said this has been working for ten years and why now? Ms. Bradway said there has never been an accident at her day care and she also wonders why Terri Childs on Blake Road, that runs a daycare, has no parking and everyone is out on the road.

Mr. Benson said that the CEO did do a letter to her and she responded to the letter. He said she knew the issue and didn't do anything about it. He told Ms. Bradway that she was now before the Board to rectify the issue that she did know about. She said she never received that letter. Mr. Benson said there is a copy of her letter in his memo dated after the date of the letter from the Town. He told her that she is trying to make this out to be the CEO's fault and not hers. She said she feels that this is just a miscommunication between her and the Town. She said she was told that the parking was needed and she thought it was for the amount of employees and her mother.

Mr. Ordway made a motion, seconded by Mrs. Byrnes that a site walk is not needed. All in favor. The following are the conditions of approval:

- 1) Parking area must be constructed as shown on new site plan by June 30, 2015. Individual stalls shall be (9x18') each stall shall have an adequate back out space of 24 ft. min.
- 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 for the plans, proposals, and supporting documents is subject to review and approval by the Planning Board, except for minor changes which the Code Enforcement Officer may approve.

Mr. Ordway made a motion to approve with the added condition that this will be completed by June 30th, 2015. This was seconded by Mrs. Byrnes. All in favor.

- Dennis Carey, 61 Sunningdale Drive, Map 45, Lot 9 Site Plan Application for approval for Sunningdale Lodge to become a Social Event Center

George Sawyer from Sawyer Engineering in Bridgton was present to represent the applicant, Dennis Carey. He gave a presentation as to what the Carey's would like to do.

He showed a site map of the Sunningdale property. He said that the Carey's purchased the

property and have made many improvements over the past couple of years. The main house was renovated as was the boat house four or five years ago. There are cabins on the property, tennis courts and a gathering hall. He said the cabins have been somewhat renovated. Some have been updated and some are very rustic and original. He said there is also a recreation building and what was the corral for horse's years ago, is now a parking area.

He said the entire site consists of 13 acres coming off from Cole Hill Road. He said their purpose is to have this as a special events center for weddings and other functions. He has people sign a contract as to what facilities they want to use as far as number of buildings, etc. There are 8 bedrooms in the main house and 5 of the six cabins have two bedrooms and the remaining cabin has only one. He said he has the design for the cabins which were done recently. He said he was speaking with Dan Hill and they were trying to find the septic design for the main house back in 2006 and installed in 2007. The main house and the care takers house each have their own septic system and the cabins share systems.

Mr. Sawyer said that the Carey's are out of the country and he has been unable to get in contact with them. He said that he is not sure he can answer many questions as he is unsure about some things. He said they should be returning in the next week or so. He said he is sure he doesn't have all of the answers as to the questions going to be asked at this time.

Mrs. Byrnes asked if there are cooking facilities in all of the cabins and also showers. Mr. Sawyer said they all have full bathrooms and limited cooking facilities. Mrs. Byrnes said she saw from the photos that some of them have full size refrigerators.

Mrs. Harding asked if the property had been rented out in the last year. Mr. Sawyer said yes and he believed it was 2 or 3 times. At one of the functions he said, things got a bit out of hand and some of the abutters were upset and complained to the Town. He was not sure what happened, but knew there was an incident regarding one or more of the neighbors. Mrs. Byrnes said it looked like the boat house was not really a boat house and Mr. Sawyer said it was not. This was renovated 4-5 years ago and came before the Planning Board. Mr. Sawyer said it does not hold any boats and it's a place to go to have a drink and sit down. He said it could be called a bar.

Mrs. Byrnes asked if there are any toilet facilities and if someone needed to use the bathroom, where would they go? Mr. Sawyer said they would have to go to either the main house or one of the cabins. She said if they were not renting a cabin, what then? Mr. Sawyer said it is his understanding that when an event was held, portable toilets were rented and brought in.

Mr. Libby asked for public comments. Pat Murray from Murray Drive spoke. She said they have a few things that they are concerned about. She said that this meeting was being held before the summer and many of the residents were either away or not able to be here. Mr. Libby said that this would not be the only meeting held regarding this application. She said she noticed in the application about the fire protection and said this was a concern with people smoking outside and asked if the fire department would be involved. She said she called Kranin realty and asked what could be rented at a time. She said she was told it had to be the entire sight for a fee of \$25,000.00 per week. She said that it stated in the contract what was off limits and she said she feels that it should also include the properties of the neighbors on Murray Drive and others.

She went on to say that the property was supposed to be monitored, as there were bottles and cans found along the road. She said the contract also said it was one person, the caretaker that is responsible for the property when an event is happening. She said they were given a notice that said if they had any concerns, they needed to call the caretaker first and then Kranin Real Estate if he couldn't be reached. She said who is going to call Kranin Real Estate at 2am, as no one will be there. She said if she calls and doesn't get immediate action when she calls, then she will call the police. She said she feels that if things got out of hand, that the Carey's should be held responsible

and also Kranin Real Estate.

She said they are concerned about the number of vehicles and also the tour buses that come in. She said there was no place for them to unload and then turn around. She felt that the residents should be able to walk safely on the road that they have walked on 50+ years and more for others. She said the traffic causes problems in the summer when the residents have to schedule doctor appointments and such. She feels that they should not have to schedule their appointments around an unknown event. She said they also have boats and moorings of their own. Would others at the event be allowed to have boats there and use of the launching/ docking facilities that the contract says is there? She asked the Board to take all of these concerns into consideration.

Brett Turner from Cole Hill Road spoke. He said that he is concerned with the number of added vehicles on the road and also how fast they go. He said that some cars and trucks by far exceed the boundaries of the road way and also won't slow down. He said there are a lot of near accidents on that road, especially in the summer. He said that when events are taking place, the traffic on that road increases a lot. He also said that with the Salvation Army Camp and now this, they have seen a huge increase over what it was ten years ago. He said that he also feels that a better definition of a social event center is needed.

Ted Tibbals from Murray Drive spoke. He said he lives in Scarborough during the winter months and then the summer months here. He said he will try and not duplicate any of the concerns that have already been spoken about. He said there is reference in the application about a boat launch. He asked what exactly a boat launch is. He said in previous years, boat launches have not been allowed and he thought this was by the DEP. He said he has noticed that as the homes have increased along Cole Hill Road that people have young children and he feels that the increased traffic caused by Sunningdale will be a hazard. He said that people on the road like to hike and jog, and people, including the Carey's caretaker, drive fast on the road. He said the Carey's told all of the neighbors and the CEO that this property was being renovated for family use. He said people have been misled by the Carey's. He said he doesn't understand after what they have done, why haven't they been penalized for the violations? He said most of the property is up on a plateau. He said they (the Carey's) did put in stairs to the water, but also feels that people will go off the beaten path and go over the grass, which would lead to erosion, which he feels is not beneficial to the lake.

Mr. Tibbals said that the boathouse was converted into a bar and lounge and with no toilet facilities there, he said you know what they are doing when they drink and where it's going. He said that there are no portable toilets down by the boathouse. He said he and his wife feel that this application is totally inadequate and also the contact information as to who they need to contact if there is a problem. He feels that there should be a well trained security guard on the premises when they have these events. He also said he feels they should have a fire watch because if a fire ever started, the fire stations are not close enough. He said he was informed that the notices were supposed to be sent earlier and even though he did get it, it's short timing especially with those that live out of state. He said this doesn't give people much time to get anything to the Town. He said he feels that the submission of this application was done deliberately by the Carey's as they knew everyone was either out of state or away and would not have the opportunity to voice their opinions.

Mr. Libby told Mr. Tibbals that as far as notifications, this would not be the only meeting regarding this application and the only notification from now on would be on the website. He told Mr. Tibbals that we have monthly meetings the first Monday of each month, unless it falls on a holiday.

The Board feels that Mr. Carey should be at the site walk and workshop to answer questions. Mr. Sawyer felt that Mr. Carey would be back in the country within the next couple of weeks. He said that Mr. Carey could answer so many more questions than he can. Mrs. Murray said she feels that

the Carey's want this approved as soon as possible so they can rent the property. Mr. Benson said he is not supposed to rent the property during this process and Mr. Sawyer said it is not being rented, but the web site is still up. He said Mr. Carey has already turned down more than one request to rent the property. Mr. Benson said he drove there today and they would be able to get onto the property. It was agreed by the Board that a site walk would be held on Monday, April 27, 2015 at 6:00 followed by a workshop after, in Council Chambers. All members of the public were invited.

Mr. Sawyer asked for copies of correspondence from the landowners that have been received. Mr. Libby gave him what he had from all of them.

There was no other business and the meeting was adjourned at 8:00pm.