

Planning Board Meeting Minutes 05-04-2015

Standish Planning Board

Meeting Minutes

May 04, 2014

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

The first item on the agenda was the approval of the 04-06-2015 meeting minutes. Mr. Ordway made a motion seconded by Mrs. Harding to approve the minutes as written. All in favor.

Approval of Finding of Fact :

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

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

Old Business :

Item # 1 Dennis Carey, 61 Sunningdale Drive, Map 45, Lot 9 Site Plan Application for approval for Sunningdale Lodge to become a Social Event Center

Dennis Carey was present to represent himself along with George Sawyer and Maggie Krainin from Krainin Realty. He thanked the Board for all they have helped him with. He went on to say that they are trying to put together some kind of response to Mr. Benson's memo and handed the Board the questions asked of him in the memo and his responses to them. He said they are trying to be very sensitive to all of the neighbors and do the right thing for all. He has responses to all questions, ie: noise, ATV's, etc.

He said he had worked together with Maggie Krainin as to getting this info together. Mr. Libby said it would be easier if he read the questions one by one and then also his responses.

He spoke about the road, some roads that really aren't roads, easements, etc. The following is what he handed out and his responses to the comments/questions asked in the memo :

RESPONSES TO MEMO 15-05f SUBMITTED BY ALTON BENSON

1) The applicant's site plan survey doesn't show an easement for the Long Point private Road. Is there an easement for Long Point Road through this lot?

It is not an active road. Would have to go back through the deeds to determine where the easements are.

Does the drive shown on the site plan running through this lot provide fire access from Sunningdale private road through this lot and back to the paved public Cole Hill Road?

No, it doesn't.

2) Drives necessary to access the main house and cabins should likely be labeled fire lanes to preclude parking.

Yes, it's part of the contract not to park on Sunningdale Drive or any Sunningdale roads. Will label roads clearly as fire lanes.

3) The Fire Dept. has issued a report and still has some questions. I believe the applicant needs a barrier free permit from the State Fire Marshal's office for each large gathering building rented. Fire department should be inspecting for lighted exit signs etc. The Lake is an adequate water supply only when the lake is not frozen. Conditions of approval may need to limit the seasonal use of the social events center use.

It's already limited - is only open 6 months, as there is no heat in the buildings.

Fire Inspector was there in Fall of 2014, indicated he'll be coming back this spring. We have completed all the items he wanted done. Regarding lighted exit signs in Rec Hall, they are there.

Need clarification, please -- what does 'barrier free' mean?

✓ 4) The Code Enforcement Officer (Dan Hill) has determined this is a conforming lot and the "social event center" is a permitted use with Planning Board site plan review. *19.5.15 memo*

Struggling with the definition of Social Event Center. Would appreciate further clarification of this characterization. We are a vacation rental with the ability to have guests for a day, and only in conjunction with a full week rental. No one-day events will be conducted other than for Carey family activities.

✓ 5) No new lighting is proposed.

✓ 6) No new buildings are proposed.

✓ 7) PARKING -

Inadequate information has been provided to make a decision on the quantity of off-street parking required. A parking table should be required and I understand bus parking has been used and appropriate parking stalls should be provided.

Parking stalls must be clearly delineated so as to prevent random parking and on street parking creating problems for emergency vehicle and access issues.

George Sawyer has delineated the parking spaces for 75 cars and 2 buses. There will be an attendant at the beginning of every event, telling people where to park.

How many overnight guests will the facility sleep? What is the maximum number of people (guests and service providers) that may be on the rental facility during any daytime event?

180 guests including the basic vacation rental group, plus maybe 8 service providers.

Sunningdale is a private way of approx 12 feet width. This road should be improved to permit vehicles to safely pass each other at a reasonable spacing. I would suggest a gravel surface 16' wide road section be created at minimum 100 yard intervals along the existing lane.

Will comply, assuming can get approval from landowners along the road.

A parking table should be added to the plan. Plan revision dated 4-24-2015 shows 33 parking spaces however the parking stalls may not be located within the 10' structure setback.

see previous comments

✓ 8) Parking stalls have been added to the plan but these areas will need to be better defined on the ground to permit a useful organized parking area.

A parking table should be added to the plan after the maximum number of guests has been determined. Inadequate information has been provided to make a decision on the quantity of off-street parking required. I understand bus parking has been used and appropriate parking stalls should be provided. Parking stalls must be clearly delineated so as to prevent random parking and on street parking that would create problems for emergency vehicle and access issues. How many overnight guests will be permitted to sleep at the facility and how many in each structure? What is the maximum number of people (guests and service providers) that may be on the rental facility during any one time night or day?

see previous comments

✓ How are guests informed of the limit of the rental facility?

Contract will tell guests not to go down Sunningdale Drive past our driveway. Will put markers up at the edge of the beach. Other parts of the property are not amenable to foot traffic.

✓ How is the offsite pedestrian or golf cart traffic managed?

See previous comment. It's already in the contract that ATV's and bikes are not allowed without express written permission. Will add golf carts. If any are allowed, it will only be with strict instructions as to not going beyond the bounds of the property.

✓ 9) Building structures -- no changes

✓ 10) In this rural setting, may be a need to better define the boundaries with fence or signage --

see (8) above

- ✓ 11) No changes in soil or drainage. Delineating parking area may create additional impervious,, but I believe there is considerable parking area existing that just needs to be defined on the site plan and delineated better in the field.

Yes, George Sawyer has completed that task, or will be done shortly.

- ✓ 12) No additional lighting proposed. New outside lighting would need to be concealed.

None planned at this time, but if needed, will be according to code.

- ✓ 13) Not proposing new buildings.

- 14) Information from Town Fire Marshall that needs to be incorporated has been answered already.

Each building will likely need to be approved by the State Fire Marshall's office for signage and as a barrier free structure. The fire dept has submitted a report, but I believe is still requesting additional information.

Requesting specifics as to what the state fire marshall would be looking for, so can address them.

- ✓ 15) If the facility has over 25 people per day for 60 days in a year period, then I believe the applicant will need to obtain a health inspection program license.

Need clarification. We see this as a vacation rental, the same as other vacation rentals that are allowed to hold a gathering, not a hotel or b&b. No meals will be prepared for the public -- all the event food will be brought in by the caterers, and the vacation renters will buy and cook their own food in the lodge. The lodge kitchen is only for the use of vacation renters, not for preparing event meals.

Although I know of no existing issues there has been inadequate information provided to confirm this standard is met because we do not know how many people may be on site at one time.

Need clarification: Does that refer to the Lodge or to the Rec Hall? Are there standards for us to review?

We also need to know how many bedrooms and how many days per year are they rented. I am not sure temporary portable will be adequate for this ongoing use.

What is a 'temporary portable'? The Careys do not know yet how many days/year will be rented. The traditional rental season in the Sebago Region is June through September, however there are occasionally requests for May and October. Keep in mind that none of the buildings are heated.

- ✓ 16) There are drilled wells and a dug well on site. I believe they would need to be approved as public drinking water supplies by the state. Per phone call with Jacobsen and Saunders. I believe the wells within this facility will need to become inspected by Maine Health Inspection Program/Drinking Water Program if the public is to use the drinking water from the well.

CEO
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There is a new drilled well and an old existing well.

The new well serves the rec hall and the cabins. The old well serves the Lodge, the cottage and the caretaker's cabin.

Both wells are tested annually in May, under Krainin's requirement. Bottled water is brought to the rec hall for events by the caterers.

✓ 17) Fire Department access when frozen?

There will be no winter use.

Road plowed to Lodge

✓ 18) Please provide evidence none of your systems are over 2,000 gallons per day, otherwise this section of the ordinance is likely applicable.

George Sawyer and Ken Morrell are providing septic designs. None of the systems exceeds 2,000 gpd. For events, renters are required to rent portapotties in sufficient quantity and design for the size of the group of additional day guests.

✓ 19) Special amusement permit required for noise level.

10:30 limit and general noise level is addressed in the contract, and also in Krainin's renter instruction booklet, and Krainin provides 'neighbor cards' with information how to reach them 24/7.

✓ 20) Boathouse - applicant is required to file written documentation regarding probable effects on public health, safety, erosion, habitat, access, etc.

This was part of the original boathouse approval back in 2009. Need clarification of what kind of toilet facility would be permitted/required if guests were allowed to sleep in the boathouse.

✓ 21) Boating Safety -- will try to accommodate neighbor's suggestion about boating safety in rough weather.

Mr. Carey went through them one by one and also his responses to each. In response to #3, Mr. Benson told him that the State Fire Marshall should come through and take a look at things. Mr. Carey said the Town Fire Inspector had been there a couple of times and seemed okay with things. Mr. Carey said that they will do whatever they need to do to comply with what the Town wants. He said they are continuing to struggle with what a "social events center" is, as said in the workshop. He said that whatever it is, they intend to comply, but just looking for some clarification.

He said they are looking at the property rental during the day time and then everyone leaves at night. Mr. Benson said that a social event center is "a place designed and equipped for the conduct of social gatherings and open to scheduled groups for financial consideration." This is stated in the memo on page 5. He said this is what Mr. Carey is applying for. Mr. Benson said this would not stop the Carey's from having special events of their own such as Christmas parties for family and friends, etc.

Mr. Carey said that Mr. Sawyer has redone the parking table and delineated each parking spot. There will also be signage directing people to the property and not beyond. He said they have plenty of space for parking and also for the buses that bring guests to the property. Mr. Benson said that parking should not be on the property line and should be put on the final plan. Mr. Benson said they also are asking how many people would be there at any one time. Mr. Carey said during the day it is around 180 people. There will be signage directing people where to park, as well as the buses. Mr. Benson said they need to put the setbacks on the plan as well as the parking table. There are usually 8 service providers per event.

Mr. Carey said as far as the road goes, they will comply with needed turnouts, etc. He said he felt that the other residents

did not want a 16 foot road. Mr. Benson said they need an easement over the road and also the ability for two cars to pass on the road at the same time, in specific areas so that emergency vehicles could pass. Mr. Benson said Mr. Carey might want to consult with his lawyer. Mr. Carey said Mr. Sawyer had looked at different locations on the road for turn outs and it looked like a possible 16 places.

Mr. Sawyer said he believed in the deed from long ago, there was an easement coming from Cole Hill Road to the property. He said a lot of the old easements back then, gave no definition in the deed as to width. He said it could have measured 20 feet at the time or 12 feet, no one knows. He said that is an issue that comes up quite often when they are looking at something like this and he doesn't believe it's a survey issue.

Mrs. Harding asked about the road and also the communication received from Mr. Tibbals. Mr. Benson said this just came in today. Mrs. Harding said that if the road is going to be widened every hundred feet or so, the maintenance of the road shouldn't be up to the other residents, but up to Mr. Carey. She said it's hard not to look at the others concerns as there is no home owner's agreement, but a consensual one. Mrs. Billington said she wants to know whose responsibility is what and should one of the conditions of approval be that there has to be some kind of an agreement between Mr. Carey and the other residents?

Mrs. Billington said that things that are supposed to be there are very undefined. Mr. Benson said it's hard to put the burden on one applicant when everyone will be using the road. He said there is a legal agreement that would create a road maintenance agreement that would force someone to participate in the maintenance of the road if they are using it. He said it might be simpler to just try and work with other residents. Mr. Carey says he knows there has been a fair amount of conflict in the past, as relayed by Mr. Tibbals to him. He wants to do everything he can do to avoid that and come to some agreement that will work for him and his neighbors.

Pat Murray said that she speaks for herself and her neighbors and they have never wanted a formal association. She said it forces people to do things they don't want to do and creates problems. She agrees with Mr. Carey that he has been trying to do the right thing all along and all of the families, except one, has no problem with it. She said she feels that Dennis is very approachable and will work with them and come to an agreement, without forming an association. She said there has always been an informal association, and as far as maintenance goes, she feels Mr. Carey would do a great job. He said he does not want to be the head of any association. Ms. Murray said there are 9 residences on Sunningdale and believes the length of the road is about one mile.

Mrs. Billington said that it seems that the high usage of the road is the neighbor's biggest concern. She also said that they are trying to determine and approve that Sunningdale be used as a social events center that will follow no matter who owns it. There is a condition of seasonal use and she feels this should be a seasonal use only. She said that it seems the road usage will have a very high impact on the abutters and the Board needs to be very careful on how the conditions of approval are crafted. Mrs. Harding said that maybe one of the conditions might be that the owners of Sunningdale participate in the informal road association and they should have to participate in the maintenance of the road. Mrs. Murray said that Mr. Carey's participation and help has never been a problem. Mrs. Harding said they are covering everything, so that in three years, for example, Mr. Carey were to sell Sunningdale, this would follow with the sale. Mr. Carey said he has no intention of selling. Mrs. Murray said this seems that with the higher impact of traffic on the road, it will cost everyone more for the road maintenance. Mr. Carey said he will do everything he can do for his neighbors, as he feels this is important to all of them

Mr. Carey said they have contracts with the renters and these will say that they can't go past his property lines once they are there. They will be told that they can't wander off the property. He will have signs coming from the road to the destination on Sunningdale, along with parking and an attendant. He said that in the contract, they have where they can park. He said he is a real stickler with parking and doesn't want the cars to show from anywhere. He said the ambiance of Maine is in the trees and the natural landscapes. Mrs. Harding asked if they have handicapped parking and Mr. Carey said there is a space right next to a ramp for that. He said it is very clearly marked.

Mr. Carey also said in the contract, it says no ATV's and will also add no golf carts. If they do want a golf cart, he needs to understand why it is needed. He said there was one once for an 85 years old lady that asked to be driven everywhere on the property during an event. Mr. Libby said as long as it's controlled and they have to stay on the property. Mr. Carey said all of the neighbors will have a card for their refrigerator that has contact numbers to be called 24-7. He said he also endorses calling the police if needed and things really got out of hand. He feels he could get there before the police could.

He said there is no extra lighting to be added, but it can be added if necessary. He said all of the walkways are lighted and they do string some lights in the surrounding trees. He said the Fire Inspector has been out and he seemed very pleased. Mr. Willette asked about access to the boat house in case of fire and Mr. Carey told him you could drive down or back down. He said he realizes the hill is a bit steep, but there is access.

Mr. Carey said he needs clarification on the health inspections. He said he serves no food, all of the food is brought in and this is required. The food is prepared off site and brought to the event to be served. Mrs. Billington said that the food preparation is something that could change down the road and cook in the lodge. She said if they don't meet the standards of approval, then cooking would not be allowed. Mr. Benson said food inspection is really a State issue and not the Towns to enforce. He also said that if the general public is invited to a facility, then they need to deal with that situation. He said there are really two separate issues and that's the lodge and the social events center. He said the two need to be separated. The lodge can be rented out, but not as part of the social events center.

Mr. Libby said the 250 feet from the water is not their concern, it back after that with the rest of the property. Mrs.

Harding said that a tent could be put up for events by the lodge. Mr. Carey said she is thinking about the old tennis court. They usually put their tents up away from the tennis court as they have better road access with the vehicles being used to bring the food in. Mr. Libby said they are not including the lodge and boathouse, they are separate from the social events center.

Mr. Sawyer said they will show the 250 foot line and the high water mark on the plan with a note that none of the social event activities can be near the 250 foot shoreline mark. Mr. Carey said he is very comfortable in keeping away from the shoreland zone and this should work out fine. He said as far as the wells go, there is a new well and an existing well, one serving the lodge and the other serving the cabins and the caretakers house. He said he has the water tested in Lewiston and it has passed every time. He said he would be happy to test twice a year, if that is needed. Mr. Benson said the testing is done differently for a drilled well as opposed to a dug well. Mr. Benson said he would be more comfortable if the State tests the wells and more frequently then what is done know. He said that this insures everyone's safety.

Mr. Ordway asked what well serves the main lodge. Mr. Benson said it is the dug well down by the water. The main kitchen, which this dug well serves, needs to be tested frequently. Mr. Carey said he would definitely do what is required and if that meant twice or more a year, so be it! Mr. Ordway said the dug well is not part of the social events center, which is what is in front of the Board and has nothing really to do with the application.

Mrs. Billington said she is confused on this application and she feels like the Board is doing a site plan review. She says it is a change in use and certain standards need to apply. She said they are talking about a lodge and boathouse and then onto a social events center as another use. She said they are all talking about the normal standards like concealed lighting, etc. Mr. Benson said any person that owns a cottage around the lake can rent it out anytime to someone. The social events center is separate from the lodge and the boathouse. The lodge and boathouse are a different use than the social event center.

Maggie Krainin from Krainin Realty in Naples spoke. She said the lodge is a vacationland rental. She said the kitchen is very nice, but not useable for 150 meals to be prepared and served. She said her realty requires the water be tested. No food would be prepared there for any other than for the vacation renters. Mr. Carey said he agrees with Mr. Ordway that the well should be tested twice a year. Mr. Ordway said that it needs to be agreed upon that the kitchen in the lodge is not used for preparing meals for an event. He said that would be a commercial use and the site needs to be seen as two different uses. Mr. Benson said a condition of approval might be that the lodge kitchen cannot be used for the social event center use. Mrs. Harding said it's not uncommon for a caterer to use an on sight kitchen for some preparation. Mr. Carey said that the caterers bring water in for their own use.

Mr. Carey said there will be no winter use of any of the facilities, other than his own family. He said his wife's dream is to have a big family Christmas there at some point, but not sure if that will happen. The road is plowed to the main lodge all winter for access and the caretaker is there.

Mr. Carey talked about the boathouse and its use. He said the original plan was okayed in 2009. If the couches in there are a problem, he will take them out and replace them with chairs. He also said they had thought of having a porta potty down there, but if it is requested they have a composting toilet, he would. He said in the whole facility there are 14 bathrooms. Mrs. Harding asked if a porta potty could be that close to the water. Mr. Benson said the CEO could work with a composting toilet. He said the dug well is right beside the boathouse. Mr. Carey would rather have the portable toilet, but Mr. Benson said he would have to work with the CEO.

Mr. Carey said they have two events scheduled. He has a family reunion and also a gathering with family for a retirement party. He is hoping to get more rentals and he also said his web site is up and running. He hasn't allowed for rentals until this application is approved. He said at events, there is a licensed bartender and that is also part of the rental contract.

There were no other questions from the Board and none from the public. Mr. Ordway asked how they craft the conditions. Mrs. Billington asked Mr. Benson if the Board has everything they need. Mr. Benson said the plan needs to be done with the parking table and other things on it. Mr. Ordway said they are not looking at the boathouse and the lodge. He feels what they are crafting for approval is the social events center. Mrs. Harding said when the boathouse was approved, there was nothing said about using it for sleeping. Mr. Carey said they put the couches in to fill up space and for people to sit. Mrs. Harding said she feels the couches need to be removed. Mr. Benson said they are not talking about the boathouse as part of the social event center and the CEO needs to deal with that. Mr. Carey said he will remove them if it makes everyone more comfortable. Mrs. Harding said she understands, but she also feels that people will make their way down to the shore. Mr. Libby said they need to go by definition in their code and the lodge is a personal use, as is the boathouse.

Mrs. Harding said that when they have an event, there is sometimes the loss of control and people will do what they want to. Mr. Libby said are we going to determine that the event center is a commercial use. Mr. Ordway said that anything outside of the shoreland zoning, the lodge and the boathouse, would be a commercial use. The lodge and the boathouse is a residential vacation rental property. This property is two different uses. Mrs. Billington asked about the approval of the lodge and boathouse. Mr. Benson said that the Board is not approving the lodge or the boathouse. The lodge and boathouse are permitted as a vacation rental and also of personnel use.

Mr. Carey said when this was a girls camp, they had huge structures in the water. Mrs. Harding said that if she was renting the property, she would want to use the waterfront for pictures, etc. Mr. Benson said the serving and catering would be outside of the shoreland zone. He said commercial use is "the use of lands, buildings or structures, other than a home occupation, defined below, the intent and result of which activity is the production of income from buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units." Mr. Libby said that is why the

lodge is being excluded from this application. Mr. Ordway made a motion seconded by Mr. Libby that the lodge and boathouse meet the definition of residential buildings or as dwelling units.

Mr. Sawyer said that he thinks cabin A is inside of the shoreland zone and Mr. Ordway said he would include that as a dwelling unit. He said the art building is right in the edge and should be left to the CEO. Mrs. Billington said she still was not comfortable with this application and needed more defining. Mr. Libby said the motion was made to exclude the lodge and the boathouse from the application. Mr. Ordway said that Mr. Carey could, at any time, rent the lodge and the boathouse as residential use. He said that's why he made the motion to exclude them from the application. Mrs. Harding said she didn't agree that this was outside shoreland zoning. Mr. Benson said Mr. Carey was renting to groups, for commercial use and the lodge for residential use. The lodge is rented along with the event part as two separate uses. Maggie Krainin said she gets requests from people looking to rent a property for a wedding, etc. She said it's up to the owner who he rents to. She feels that is just a regular vacation rental. The renters are the ones holding the events, not the property owner. She feels the whole thing is not a commercial use, but entirely a vacation rental.

Mr. Benson said he feels that the owner, Mr. Carey, is enabling the property to be used as a commercial use. Mrs. Krainin said she disagrees with that and if this is going to be approved; they need to divide the commercial use from the residential use. Mr. Carey said he has pictures and there have never been more than 25-30 people at the boathouse. They dance in the rec hall and have their meals there also. Mr. Libby said that they have no restrictions that the people can't wander to the boathouse and shore line. Mr. Libby said the motion on the floor is that the 250 feet including the lodge and boathouse is exclusive from the social events center. All in favor.

Mrs. Billington made a motion seconded by Mrs. Harding to find the application complete. Mr. Ordway asked Mr. Benson if the parking table could be put on the plan as a condition. Mr. Benson said yes, but there was still information needed for the application. He said the boathouse and facilities needed to be defined. He said that the Board might decide they need more information and Mrs. Billington said she was still not comfortable yet with the application. Mr. Willette asked about the port a pottys and Mr. Carey said they are mobile and on a trailer. He also asked about the one by the water and Mr. Libby told him that was up to the CEO. Mr. Ordway said he would like to see more on the plan, the 250 foot line and also the parking table. Mr. Carey said Mr. Sawyer would be doing that immediately. Mr. Ordway said the parking table is part of the approval. Mr. Benson said the parking table clearly defines the use: how many cars, buses, etc. and this would be of use to the next owner.

Mrs. Billington said the road was a great concern. What kind of safety measures would be put in place? What about the abutters and their concerns. Mrs. Harding said she wondered if this property could be advertised and reservations taken, as this is a loss of use and money for the Carey's. She said other people would look elsewhere. Mr. Libby said the property could still be used for lodging. Mr. Ordway said that the wording is very important and how they craft the conditions of approval. He said they shouldn't rush through it. Mrs. Harding asked about having a workshop and then a continued meeting on May 18th, 2015. Mr. Sawyer and Mr. Carey both agreed that would work. Mr. Carey said he would not be at the workshop, but felt he would be at the meeting. Mr. Sawyer said he would like the workshop and being able to go over things and have the plan done right. He would rather do a workshop rather than keep coming back and forth and then have the continued meeting on the 18th or even the first of June. Mr. Libby said it would be ideal to go to workshop. Mrs. Billington made a motion seconded by Mr. Ordway to table this application to a workshop and then a continued meeting. All in favor. A workshop will be held on May 11, 2015 at 7:00pm with a continued meeting on May 18, 2015.

New Business :

Standish Common, LLC, 190 Northeast Road, Map 10, Lot 47 Site Plan Application for "Joy All Around Daycare" at The Deeper Well Church

Ed Morgan was present to represent the applicant. He said that they are proposing to use part of the existing building to use as a Christian daycare facility. They are applying to the State of Maine for a license to have between 21-44 children. They would like to add a portable classroom when the daycare becomes full with children. There is a daycare already on site.

Mrs. Harding asked about the 6 new parking spaces on the back of the property and Mr. Morgan told her they are for handicapped access. He said that they put them there because it's a pretty long walk from the front of the building to where the main door is located. He said that 4 of them are handicapped spaces and the other two are for traditional parking.

Mr. Libby asked for public comments and there were none. He said even though this is an industrial zone, there was already a special exception for the existing daycare. He said he likes that a possible expansion is already on the plan, so they wouldn't have to come back again. Mrs. Billington said she didn't think they needed a site walk and everyone agreed. Mr. Ordway made a motion to find the application complete and this was seconded by Mrs. Beckwith.

Mrs. Harding asked about a view for the proposed classroom and how would it look when attached to the building. She said she felt this was an ugly building and she didn't want to see it made any worse. Mr. Morgan said they are looking for a portable classroom now through the different schools. He said they are just a square building and it would be attached to the building and made to look good. He said they are a raised building and the utilities there now would go through that building. Mr. Libby said that they are going to plant some more trees and make the site look better. Mr. Ordway made a motion that the application is complete, seconded by Mrs. Billington. All in favor.

Mrs. Billington said she felt the Board should go through the conditions of approval. He asked if they needed to go down through each standard. Mr. Libby said he felt the application is pretty straight forward. The following are the conditions

of approval:

- A. The provisions for vehicular loading, unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways will create hazards to safety nor will impose a significant burden upon public facilities.
- B. The bulk location and height of proposed buildings and structures and the proposed uses thereof will not be detrimental or will impose undue burdens on the public facilities.
- C. The provisions of on-site landscaping and screening do provide adequate protection to neighboring properties from detrimental features of the development.
- D. The site plan adequately provides for the soil and drainage problems that the development will create. NA
- E. The provisions for exterior lighting will not create undue hazards to motorists traveling on adjacent public streets nor are inadequate for the safety of occupants or site nor will such lighting damage the value and diminish the usability of adjacent properties. NA
- F. The applicant has provided reasonable evidence of his financial capabilities to complete the development as planned and approved.
- G. The proposed development will not create undue fire safety hazards by not providing adequate access to the site or the buildings on the site for emergency vehicles or by failure to safety ordinances or laws. The Fire Department shall file a written report with the Planning Board prior to the hearing.
- H. The proposed development has made adequate provision for sewage disposal.
- I. The proposed site plan will not alter the existing character of the surrounding zoning district or division to the extent that it will become a detriment or potential nu said zoning division or district.
- J. The proposed development has made adequate provision for water supply, including an adequate supply of water for fire-protection purposes. A sprinkler system w installed.
- K. No plan shall be approved by the Planning Board as long as the applicant is in default on a previously approved plan.

A motion was made by Mrs. Billington that standards A-K have been met with the added condition to Standard J that a sprinkler system will be installed. This was seconded by Mrs. Beckwith. All in favor.

- Van E. Hertel, Jr., 440 Boundary Rd., Map 12, Lot 3, Sub `Division Application, Proposal to add three more lots (Burnham Ridge Sub Division)

Matt Eck from Sebago Technics was present to represent the applicant. He gave a brief overview of the proposed sub division. This is to add 3 more lots to the subdivision on Boundary Road. There was one lot already sold and a home built there less than 5 years ago. There is an existing driveway that has an easement over it that would give access to the proposed lots. They are requesting a waiver from the sub division standard that would not require them to build a road that is required for a subdivision. There would only be the creation of one new access off from Boundary Road , that would be a shared driveway between lots two and three. Matt said he did receive comments from Mr. Benson about the lots. He said there is already a water supply coming past the property going into Nature's Way and also there is a fire hydrant that makes water accessible to the lots. They have already checked the fire hydrant status and the access. He said he knows they need to do another test hole to one of the remaining lots, but two have already been dug.

Matt said there was a question on the map about location. He said they did submit a location map and feels it is adequate and also they will submit a soil report when the last two test holes have been dug. He said they also submitted a deed along with the application. He didn't sign the copy of the plan, but will submit one right away. He said Mr. Hertel is not going to be building the homes himself, he is just the owner and developer of the land. The building envelopes have all been shown on the plan, but they are not sure where on the lots the owners would want to build. He said they are not preparing any

house plans and designs, so have not prepared any grading plans for submission. The outer boundary corners are already marked with surveyors markers and will not be removed. There are also some granite markers on the property.

Mr. Libby asked for questions from the Board. Mrs. Harding asked about the one new point of entry from Boundary Road. Mr. Eck said that he mentioned the road because that is a standard of approval, and yes, there would only be one entry added. Mr. Libby said the reasoning behind this is to eliminate curb cuts on the road. Mr. Benson said as you get more curb cuts on a road, traffic usually ends up slowing down. Mr. Benson also said this is a safety issue where people are traveling 45-50 mph. The curb cuts would be close to the road. The internal road preserves the rural character of the town and as you develop more and more roads, you lose character. Mr. Eck said they are only creating one new access and it would only add one new curb cut. Mrs. Billington asked Mr. Eck to point out where the new access would be. He showed the existing driveway and where the access would be if someone builds on it. It is an existing driveway and can't be changed because the people built there and own the land. This was less than 5 years ago.

Mrs. Billington said they almost never waiver on the standard of a road and she asked on what grounds. Mr. Eck said it's already there and this one entrance would be shared by two homes. Mr. Eck said it also is the cost of building a road as opposed to creating a new entrance. The easement would be for the abutter as the now owners already own the driveway.

Mr. Libby said a site walk is needed. Mr. Eck said there is some wet land on the property. A site walk was scheduled for Monday, May 11, 2015 at 6:00pm. There were no public comments. Mrs. Harding asked what the road frontage is and Mr. Eck said it's roughly 266 feet. Mr. Benson said it has to create a 200 foot lot width after the 50 foot set back.

Public Hearing:

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- Amendment to Standish Town Code, Chapt.181, Land Use, Multiple sections, regarding minimum lot size without public water

The above amendment was read by Mr. Libby. There were no public comments. Mrs. Harding asked what the reason was for this. Mr. Benson said this defines public water as what we think of as a water main rather than a public drinking water supply. He said that it is interpreted so someone can understand it. He says this is just basically a clean up of the previous ordinance.

- Amendment to Standish Town Code, Chapt. 181, Land Use, Multiple sections regarding the regulation of medical marijuana dispensaries and cultivation facilities

The above amendment was read and there were no public comments. Mr. Benson said this comes from the State and this came from the attorney. He said there could be a dispensary, but only one to the area. Mrs. Harding said she feels that this is a joke and when reading this all could do was laugh. She said she is concerned because they have limited it to only one. Mr. Benson said the dispensary can also have growing facilities. Mrs. Harding said she feels this should have been written by someone who knows something about it. She said if the State changes the law, Standish will stick with the strictest one. She continued by saying she wondered how many had read this. She wonders about the square footage and how large of a facility is needed to grow for the dispensary. Mr. Benson said if she has issues with this, it would be appropriate to define it now.

Mrs. Harding asked if Hannaford has a full time 24 hour call number in it's pharmacy, so that if there is a problem, is there someone to address it 24-7? She said she feels this is a little one sided as it's not to be seen from the outside. Mr. Libby said she could put this in writing and send it to the ordinance committee. She feels we are following something that we have no idea what it is.

Mr. Ordway said that he felt when the use of some of the places in Town were changed, he asked the Ordinance Committee to specifically address those facilities. Mr. Ordway said that we have medical marijuana growing facilities in Town that he doesn't know where they are and that's a good thing. He said one somewhere by his house was robbed. Mrs. Billington said this is treating it as though there is a high risk and conflict. Mr. Ordway said you can't compare alcohol to marijuana. He said with marijuana, you get high. Mrs. Harding agreed. She said that if someone has 2 or 3 drinks of alcohol, they are likely to get out on the road and kill someone. If someone sits down and smokes two or three joints, they are high and not likely to leave the house because they are stoned! There were no other comments.

Mrs. Harding made a motion to continue the meeting on May 18, 2015 for the purpose of the Sunningdale application. Mrs. Billington seconded the motion. All in favor. Meeting adjourned at 9:10pm.