

PLANNING BOARD MEETING
THURSDAY, FEBRUARY 10, 2022
RESOURCE ROOM

Attendance: Chair Tracy Sharkey, Vice Chair Jake Schultzberg, Les Stevens, Ernie Marks, Mike Greco, Mike Zwicker, Matt Benoit Community Development Director.

Absent – Aaron Socrat

Chair Tracy Sharkey opens meeting at 7:02 PM

1. (0:11) (7:02 PM) Public Comment: NONE
2. (0:13) (7:02 PM) ANR's: NONE
3. PUBLIC HEARINGS:

(0:16) (7:02 PM) Public Hearing Continued from 1/13/2022: Family Convenience Center Application for Site plan Review (SPR-211213) & Aquifer Special Permit (AQ-21221)

74 Main Street – Possible Votes

David Feist with CMG Engineering is present to go through the remaining comments from the peer review letter.

- First is the special permit related to the impervious cover, which has already been applied for and is all set.
- The Fire hydrant near the project site: the site is located right next door to the fire station and there is a fire hydrant right across the street
- Acknowledge that the WB-62 delivery vehicles the larger tractor trailers will not be accessing the site.

Chair Tracy Sharkey asked if the applicant would be open to having a condition to prohibit that larger type of delivery vehicles on the site. Ray Whitehead (applicant) stated he doesn't know how he would be able to control what the deliveries arrive in. Mr. Feist responded saying they could just put a WB-62 template on the site, and the Board is agreeable to that.

- The screening for the generator and the propane tanks located at the rear of the building, applicant didn't feel screening was necessary with the hill in the back of the property, but applicant is willing to provide some plantings if necessary. Mr. Feist asked what the Board like to see as far as the screening. The Board would like to see the front trees on main street removed because of site visibility and overhead lines. Board discussed replacing the trees with shrubs but decided that it would be more beneficial to remove the front 8 trees and just have grass and relocate the 10 trees near the snow pile area. Also, the board would like to see some shielding for the generator and propane tank, and Mr. Whitehead will do some plantings or fence to screen them from traffic behind the building.
- The existing 15-inch maple tree near the intersection of Riedell Road and Main Street will be protected so that it can remain unless it is in the way of construction.
- Site lighting spillage on the main road; last meeting the Board agreed that was acceptable.
- Related to the Town of Douglas Wetland Protection Bylaw, and the additional fee will be submitted
- Relating to the design of the stormwater basins to do with the infiltration rate. There was an error in the report and the licensed soil evaluator confirmed that it is sand and not Loamy sand.
- Questioning the 400 per cubic feet per acre

- Recommendation to have the overflow spillways to be set elevation 499, and they will make that revision to the plan.
- Fencing around the stormwater basins in the front, and what was submitted was fencing with wire backing four feet in height to surround both stormwater basins. The town does not require fencing around the basins so the Board will defer it back to the engineer to make that decision. Mr. Benoit suggests running it by Public Safety or the Police because it is so close to the right of way.

(31:47) (7:33 PM) Motion to continue to February 24, 2022 at 7:30 made by Les Stevens, seconded by Mike Zwicker. All members in favor.

(32:45) (7:34 PM) Public Hearing Continued from 1/27/22: Dark Stream, LLC.

Application for Site Plan Review (SPR-210923)

116 Davis Street – Possible Votes – Request to continue to February 24, 2022.

(32:55) (7:34 PM) Motion to continue to February 24, 2022 at 7:20 made by Ernie Marks, seconded by Mike Greco. All members in favor.

(33:30) (7:35 PM) Public Hearing Continued from 1/27/22: Coopers Town Road Realty Trust – Application for a Special Permit (SP-210701) and a Definitive Subdivision Residential Compound “Hawk Hill Farms” (RC-210701)

768 & 772 Northwest Main Street – Possible Votes

Jude Gauvin with Andrews Engineering presenting plans, the 3 issue from the last meeting were

- The bushes along the abutter's property line for the granting of the waiver
- Reduced the road grade from 12% down to 10% per the fire departments request
- Access to the landlocked parcel in the back, Town Counsel had an opinion and Mr. Gauvin believes this issue has been resolved.

Town Counsel joined remotely for any questions. Chair Tracy Sharkey asked Mr. Gauvin to read the review letter from Graves. Charles McCallum who owns the 40 acres that are landlocked is present at meeting and would like to know if the Board can recommend an easement to unlock the land. Town Counsel responded that they could recommend it but they cannot require it. Mr. McCallum is asking if the backland can be combined and then created into a separate residential compound. Town Counsel responded that if there was an amendment to this subdivision lot dimensions, but there cannot be another RCP developed.

(57:43) (7:59 PM) Motion to approve the waiver as requested for the buffer zone made by Jake Schultzberg, seconded by Les Stevens. All members in favor.

(59:29) (8:01 PM) Motion to approve the special permit for the reduced frontage for the one lot made by Mike Zwicker, seconded by Mike Greco. All members in favor.

(59:46) (8:01 PM) Motion to approve the Hawk Hill Farms definitive subdivision residential compound with conditions made by Jake Schultzberg, seconded by Les Stevens. All members if favor.

(1:00:32) (8:02 PM) Motion to close the public hearing made by Jake Schultzberg, seconded by Ernie Marks. All members in favor.

Mr. Benoit will have a draft decision prepared for the Board to sign at the next meeting.

4. Additional Business:

- a. (1:01:30) (8:03 PM) 61A First Right of Refusal, Oak Street Property – Possible Votes Mike Zwicker will recuse himself because he is an abutter.

(1:05:02) (8:07 PM) Motion to not recommend the first right of refusal made by Les Stevens, seconded by Ernie Marks. All members in favor.

b. (1:05:43) (8:07 PM) Pyne Sand & Stone, Earth Removal Permit Extension for Area E (ER-140129) – Possible Votes

Mr. Bristol from Pyne Sand & Stone to present. Mr. Benoit just wanted to make sure the bond was not expired and is already extended. He recommends a favorable vote to the Board.

(1:07:01) (8:09 PM) Motion to extend this permit for 1 year made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.

c. (1:07:34) (8:09 PM) JMT Sleepy Hollow Close Earth Removal Permit and Bond Release (ER-170809)- Possible Votes

Mr. Bristol from Pyne and Sand to present, he believes that the project was finished in 2020 but did not formally request the release of the bond.

(1:10:10) (8:12 PM) Motion to release the Earth Removal Bond and close out the permit for \$150k made by Mike Zwicker, seconded by Jake Schultzberg. All members in favor.

d. (1:11:37) (8:13 PM) Town Meeting Zoning Bylaw Review Considerations

The Economic Development Committee voted last evening to recommend to the Board to consider striking a section of the bylaw regarding earth removal – That excavation shall be made at less than 10 feet above the annual high-water table – Mr. Benoit would like to run this by the water district before the Board votes on it. Carol Gogolinski joined remotely to share how this issue came about. Mike Zwicker was wondering about checking with other towns and maybe engineers about this too.

(1:22:53) (8:24 PM) 55 Plus Residential Bylaw

Mr. Benoit was looking for board member feedback on 55 plus residential bylaw written or oral before it goes any further. Board reviewed what Mr. Benoit shared and discussed how they would like the bylaw to read for the 55 plus. Suggestion of putting it the flexible development bylaw as an additional section excluding the requirement for the affordable housing requirement. Mr. Benoit thinks there might be a mandate on offering affordable housing but is going to research that.

(1:39:08) (8:41 PM) Solar Bylaw

Mr. Benoit stated that the state came up with a template for the towns to use for solar regulations and has taken one from the Town of Auburn that he wrote in 2016 and did some edits for the board to review.

(1:47:53) (8:49 PM) Height Measurement Bylaw

The Building Commissioner gave some proposed language, with a diagram. This would go into the definition section of the bylaws. The Board will have feedback for the meeting.

(1:51:15) (8:53 PM) Mr. Benoit will have the changes to the residential compound and site plan review bylaws ready for review for the next meeting.

5. Ongoing Development:

- a. Whitin Reservoir Estates (MOD-120906) – Update: NONE**
- b. ASD Wallum Lake Solar, 269 Wallum Lake Road (SPR-181002): Storm water management update: NONE**
- c. Deer Crossing (DEF-030612) – Update: NONE**
- d. Evergreen Estates (DEF-061010) – Update: NONE**
- e. (1:52:14) (8:54 PM) Stone Gate Development (DEF-020319) – Request for public road acceptance**

We received a work program from the peer review consultant and a check from Mr. Rafferty to start the process of the acceptance for that road.

f. (1:52:45) (8:54 PM) Oak St Solar (SPR-200203) – Request for Peer Review bond estimates

We are going back and forth with a peer review consultant, there are some poll petitions. Mr. Benoit suggests making a motion to submit a letter to the Board of Selectmen citing the previous condition made and directing the applicant back to the Planning Board for the modification.

(1:54:1) (8:56 PM) Motion to submit a letter to the Board of Selectmen citing the previous condition made and directing the applicant back to the Planning Board for the modification made by Les Stevens, seconded by Jake Schultzberg. Mike Zwicker recuses himself from vote. All other members in favor.

g. Recommendation for Land Surveyor (Subdivision Monuments)

The main issue was locating the actual approved plans for Preservation Park, Conservation Drive, but Mr. Benoit found them they are in rough condition. Mr. Benoit reached out to Byron at Andrews Engineering to see if he could find something for him.

(2:05:00) (9:07 PM) Mike Zwicker brought up a discussion on the Select Board voting to change the hours on the marijuana licensing, and just wanted clarification on whether that was the Planning Boards purview or the Select Boards.

Upcoming Meeting: 2/24/2022

(2:07:51) (9:09 PM) Motion to adjourn made by Jake Schultzberg, seconded by Ernie Marks. All members in favor.

Respectfully submitted,

**Stephenie Gosselin
Recording Secretary**