

**City of Ellsworth
Planning Board Meeting
Minutes September 6, 2017**

Chairman John Fink, Vice-Chair Darrell Wilson, Secretary Mike Howie, members Jim Barkhouse and Roger Lessard, and alternate member John DeLeo attended the regular meeting of the Ellsworth Planning Board.

City Planner Michele Gagnon, Fire Inspector Mike Hangge, and Code Enforcement Officer Dwight Tilton also attended the meeting.

Chairman Fink called the meeting to order at 7:00 PM.

1. Adoption of Minutes from the June 7, 2017 meeting.

Mike Howie moved to adopt the minutes. Roger Lessard seconded the motion. There was no discussion. The motion passed unanimously.

On the request of Steve Salsbury, who was representing both applicants listed on the agenda, Chairman Fink agreed to change the order of business and hear the The Village project before the Our Way Development/Holt Industrial Park.

2. Preliminary Plan for a Major Subdivision titled The Village for Roy Lietz. The proposal is to create a 12-lot cluster land subdivision off the Bucksport Road and the Atlantic Highway located on a 140-acre parcel (Tax Map/Lot: 46/19), in the Drinking Water Zone.

Steve Salsbury from Herrick & Salsbury and Chip Haskell from CES represented the applicant.

Mr. Salsbury explained the project is a 12-lot cluster subdivision with a new access road coming onto Atlantic Highway. The small lots ranging from 10,000 SF to 13,000 SF will be sold. In exchange for the small lot sizes, a large common area will remain undeveloped. As a whole, the development will have the same density than a conventional subdivision located in the Drinking Water Zoning District. The access road is designed to come off Atlantic Highway. Changes were made from the sketch plan to bring the domestic water line from Route 1A hence the split between lots #3 and #4 needed to provide the right-of-way space for electric and water utilities.

**Call to Order @
7:00 PM.**

**Adoption of minutes:
APPROVED.**

One of the comments on the TRT report pertains to the modification of the homeowners' agreement to include stormwater management language consistent with the study and report.

Planning Board member Darrell Wilson asked how is it ensured that the "common area" would never be developed. Mr. Salsbury explained that the owners will all have a 1/12 interest in the "common area." Mr. Salsbury further mentioned that there were no proposed restrictions on future use of the "common area" other than not developing it. Mr. Wilson remarked that the language for the "common area" read "future development in or beyond" the subdivision area. Mr. Wilson asked Mr. Salsbury to expand the meaning of the word "beyond." Mr. Salsbury responded that more development could happen on Mr. Lietz's land but not on the "common area." Mr. Wilson asked for clarification about allowed uses in a cluster subdivision "common area." Planner Gagnon explained that in the Subdivision Ordinance, Ch. 28, section 12.9, the "common area" is to be use for recreation or open space for the benefit of the owner of the cluster subdivision, not general development. Planning Board member DeLeo remarked that per the ordinance the intent of the "common area" appears to be an undeveloped area.

Darrell Wilson asked about the cluster subdivision requirement that requires that all development be connected to a public water supply and a public sewer system or to a central collection and treatment system. He observed that the plan showed test pits on all lots and that it appeared that the lots were not connected to a central collection system. Planner Gagnon explained that the lots are connected to the public water system and that the state requires a minimum lot size of 20,000 SF to ensure that there is enough land to install a septic system 100 feet away from all wells and in some cases to install a replacement system. The proposed project has shown that all lots have soils (test pits) able to support a septic system in addition to having sufficient space to support a second one in case the first one fails. Planner Gagnon referred to the definition of Cluster Subdivision in the ordinance where it states that the "common area" has to be open space. Chairman Fink confirmed that the intent of the ordinance is clear and that the "common area" needs to be open space. Steve Salsbury indicated that he would make sure it is clear in the application.

Darrell Wilson remarked that per the ordinance the setbacks could also be relaxed. The City Planner asked that the applicant provide a table of the dimensional standards that should be met for that zoning district and what are the dimensional requirements the developer intends to impose. Mr. DeLeo specifically asked for sideline setbacks.

"Common land" needs to be held as open space.

Add table with required and proposed lot dimensional requirements.

Roger Lessard asked that it be clarified if the intent is to sell the lot or built and lease. If they are going to be sold then the application needs to be amended as presently it says it is going to be leased

Clarify – lots to be leased or sold.

John DeLeo asked the Code Enforcement Officer if the sight distance of 200 feet was met for the Atlantic Highway speed limit. He observed that it seem not to be meeting the sight distance and that the road could be moved to gain more distance.

Determine Atlantic Highway speed limit and move road.

John DeLeo mentioned that on page 14, the Vegetated Buffers of 25' x 50' should be labeled 1,250 SF instead of 2,500 SF.

Correctly label the vegetated buffer area.

The public hearing was opened and closed at 7:30 PM, as there were no comments.

Public Hearing @ 7:30 PM

Darrell Wilson motioned that with regards to the Preliminary Plan for Preliminary Plan for a Major Subdivision titled The Village for Roy Lietz. The proposal is to create a 12-lot cluster land subdivision off the Bucksport Road and the Atlantic Highway located on a 140-acre parcel (Tax Map/Lot: 46/19), in the Drinking Water Zone, we find that the application is complete. This includes waiver of the cluster development requirement for public sewer or central collection based on the special circumstances of this project, as it does not affect the public health or safety by granting that waiver. John Fink seconded the motion, there were no discussion and the motion passed unanimously.

Preliminary Plan for a Major Subdivision titled The Village: Complete.

Waiver for public sewer/central collection system under cluster subdivision: Granted.

3. Preliminary Plan for a Modification to an Approved Subdivision Plan, and the creation of a Minor Subdivision Plan and of a Major Use Site Development Plan titled Our Way Development/Holt Industrial Park Amendment for Danny J. and Theresa M. Quinlan. The proposal is: a) to split a 2.65-acre parcel off the Bucksport Road (Tax Map/Lot: 26/2) into two lots both including one residential structure and add two apartment units to the existing duplex; and b) to split a 3.72-acre parcel accessed off Our Way (Tax Map/Lot: 26/2-4) into two lots both including a residential structure, in the Urban Zone.

Steve Salsbury from Herrick & Salsbury represented the applicant.

A few changes to the plan were made based on the received TRT comments.

Mr. Fink asked if the Meeks easement matter was resolved. Mr. Salsbury indicated that they are still working on it. Mr. Fink added that this would be needed for the final plan.

Meek easement to be resolved for final plan.

Darrell Wilson asked for clarification on the Meeks easement matter. Mr. Salsbury explained that the right-of-way is undefined and the deed just says along the existing road. Recently the actual right-of-way was relocated. The plan is to define both the width and the location of the right-of-way, as show on the plan and write it up in the deed. The plan is for Mrs. Meeks not be responsible for the maintenance of the road. City Planner Gagnon explained that the existing and proposed location of the water utility is not clearly depicted on the plan. She also pointed that the location of the septic systems is missing.

The public hearing was opened at 7:58 PM. Jeffery Dyer, the owner of Forest Ridge Campground (abutter), offered some history about the boundary line changes. He explained that the boundary line change occurred when he purchased the property in 2012. A road extended off Our Way into the campground. Part of the road was owned by the campground. Three quarter of an acre of land, on the back portion of the proposed lot, was putting the campground property boundary line come up to the Quinlan garage. Mr. Dyer exchanged the three quarter of an acre part for half of an acre off the Bucksport Road.

The public hearing was closed at 8:00 PM.

Darrell Wilson motioned that with regards with the Preliminary Plan for a Modification to an Approved Subdivision Plan, and the creation of a Minor Subdivision Plan and of a Major Use Site Development Plan titled Our Way Development/Holt Industrial Park Amendment for Danny J. and Theresa M. Quinlan. The proposal is: a) to split a 2.65-acre parcel off the Bucksport Road (Tax Map/Lot: 26/2) into two lots both including one residential structure and add two apartment units to the existing duplex; and b) to split a 3.72-acre parcel accessed off Our Way (Tax Map/Lot: 26/2-4) into two lots both including a residential structure, in the Urban Zone, the board finds that the application is complete under the site development ordinance and the subdivision ordinance. Mike Howie seconded the motion, there was no discussion and it passed unanimously.

Depict existing and proposed water and sewer on plan.

Public Hearing opened @ 7:58 PM.

Public Hearing closed @ 8:00 PM.

Preliminary Plan for a Modification to an Approved Subdivision Plan, and the creation of a Minor Subdivision Plan and of a Major Use Site Development Plan titled Our Way Development/Holt Industrial Park Amendment: Complete

With no mylars to sign, Darrell Wilson motioned to adjourn the illustrious meeting. Jim Barkhouse seconded the motion, and with no discussion, the meeting was adjourned.

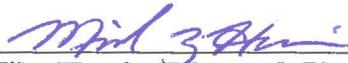
Meeting adjourned @ 8:02 PM.

The meeting adjourned at 8:02. PM.

Minutes prepared by: Michele Gagnon, City Planner.
Minutes approved by:

Agendas and minutes posted:
ellsworthmaine.gov

10-4-17



Date

Mike Howie, Ellsworth Planning Board, Secretary