

Planning Board Meeting Minutes

Town of Lyman

May 3, 2017

Members Present: Chairman Roderick Tetu, Vice Chairman Donald Hernon, Joseph Wagner, Cecile Dupuis and Kelly J. Demers; CEO Patti McKenna

Others in attendance: Pat Perron, Katherine Allen and Brad Lodge

Chairman called the meeting to order at 7:00 p.m.

Mr. Wagner moved to acknowledge Mr. Demers as a full voting member for this meeting, seconded by Vice Chair, all in favor.

START 7:00 PM LEO BELANGER (MAP 10 LOT 33): Mr. Belanger with Mr. Paul Gadbois, PE, approached the Board following the site walk. Mr. Gadbois explained the six corrections made to the plans based on the previous meeting as follows: Under #4 of Reclamation he removed the language about a performance bond and made a spelling correction; Note 12 spelling correction; Hours of Operation removed emergency item C; added the language for a paved apron at 100' however he will change it to 150'; added the 100' setback from the Pump Road; and he added the gate to the plan.

CEO asked if they confirmed if there were any drilled or dug wells within 100' and 200'. Mr. Gadbois has not confirmed that yet, however Mr. Belanger said they measured "quite a long distance and didn't go onto the neighbor's property without her permission." Katherine Allen said her well is to the right of her house. The cell sizes will remain the same. CEO mentioned they need to add to the construction plan the methodology of how they plan on excavating and Mr. Belanger said, "an excavator and a dump truck."

Chairman stated that the biggest obstacle is to be able to pass two vehicles, side by side, especially with a ten-wheeler on one side and another vehicle coming from the opposite side due to the narrow road. Mr. Belanger said they can widen it. Ms. Allen said it's a private road. The Fish & Game owns to the center for half of it and the other half is owned by Mr. Bergeron (the owner of this lot). Chair does not know how he (the applicant) can widen the road without the owner's permission. Mr. Gadbois said he can speak with Fish & Game. Mr. Belanger said it's such a short distance they can see all the way to the entrance and just won't pull out until the vehicle goes by. He said that people have the right to fix the road to fit the needs. That whole stretch is the right of way and Mr. Belanger believes it's about 50 feet wide. Mr. Gadbois said there are stone walls on both sides of the road and in reviewing the Fish & Game surveys they use the walls as boundary lines for the road. Mr. Demers said if two vehicles are coming, who decides who proceeds and who is backing up especially in the winter.

Chair said there's a natural buffer that needs to be there and since they will be permitting the entire parcel, there will be restrictions on opening only a certain amount at one time. Buffers usually consist of natural wood, but there's none of that now since trees were taken down. Mr. Gadbois said

they would need to increase the buffer on the edge of the clearing. That would reduce the amount of gravel excavated. Mr. Belanger asked about getting permission from the abutter. Chair said he is sure she can see it from her house. The ordinance reads a natural buffer is required. They discussed berms or planting trees. Even with a berm they'd have to plant something on top. Ms. Allen was asked what she prefers. She said trees would be better with the landscape however the berm would buffer the noise. They are talking about the length from near the entrance to the lot down to the wetlands/gate on Pump Road where it was clear cut. Chair said that maybe a four-foot berm with four-foot trees would be sufficient. Mr. Belanger wants it to be specific so he knows what he needs to provide. Mr. Gadbois discussed a couple of rows of staggering trees. CEO said the applicant should provide the Board with the plan on what they feel would be appropriate. Chair said the lot is a flat, clean lot.

CEO recommended waiting for the second half of the checklist until after the public hearing so they can condition it based on comments made. Chair said the narrowness of the road is still a concern for him.

The applicant will do the following:

1. Determine the rights of the road. Discussed section E.2 on page 62 of the ordinance and section K on page 64. They will need to be able to pass two vehicles, perhaps provide turn outs half way down. Ms. Allen said at one time the road was crowned but now it's quite flat. There are shallow ditches on both sides. Need to crown and widen the road and allow ditching to prevent potholes. Applicant will bring in a proposal for the next meeting.
2. Planting of berms and/or trees for buffers for the width of the clearing. (shed to the gate)
3. Method of mineral extraction; any crushing or screening.

Chairman asked if there was anything else the Board wanted the applicant to provide. None noted. If the plans are complete at the next meeting, the Board will schedule a public hearing. They were set for the May 17 agenda at 7:00 so Mr. Gadbois will do his best to bring everything in by the 15th. Ms. Allen asked who will be notified of the hearing, and CEO said it was every abutter within 500 feet.

Completed at 7:30 pm.

START 7:30 PM CRIPPLE CREEK SUBDIVISION/MAURICE ST. CLAIR (MAP 3 LOT 78):

Brad Lodge and Maurice St. Clair approached the Board requesting a slight change. Mr. Lodge said the Board approved their 4-lot subdivision about a year ago and would like to amend it. They requested moving the access easement. The original plan shows the access easement going through Lot 78-2 and they propose moving it to the far left along the boundary line and straightening it. They have a buyer for the lot who'd prefer it moved over. Mr. Lodge said they originally wanted it this way however they were having trouble finding suitable soils but now they are going to use the algae system which is only 17 feet wide. The hammerhead is the same size and the width is still 50 feet. They have sold all the lots but this one. Mr. Demers asked if there was any wetland being affected and the applicant said no. CEO said all of this was previously discussed. Mr. Lodge said it just gives more opportunity for a building envelope on this lot.

Mr. Wagner asked if the owner, Bishop, the abutter on that side, has been notified. The answer is no however they were notified during the original process last year. The Bishop property is all trees now so that creates the buffer. That lot might not be buildable due to all the ledge. Mr. St. Clair said that Guillemette Brothers of Sanford used to own this parcel in the 1960's and they stripped all the top soil which caused issues in getting suitable test pits and that's why they had a difficult time getting a septic system to pass for lot 1. Chair asked about whether a public hearing is required and CEO said that it's not necessary and it wasn't required for Sawtelle Acres. They are only changing the easement, not the number of lots or anything huge. Mr. Wagner moved that the Board approve the minor changes as proposed, seconded by Mr. Demers, all in favor of moving the access road. Mr. Lodge will bring in the mylar for our next meeting for signatures and the Board will sign the paper copies at that time.

MINUTES: Vice Chair moved to accept the minutes of the February 15, 2017 meeting as presented, seconded by Mrs. Dupuis, four in favor, one abstention. Mr. Wagner moved to approve the minutes of the April 19, 2017 meeting as written, seconded by Mr. Demers, all in favor.

MAIL: Maine Townsman magazine

NEW BUSINESS: CEO said that perhaps we will have a preliminary subdivision on Rt. 35 to pass their ideas by the Board before making final plans.

OLD BUSINESS: Table Commercial Design standards discussion.

OTHER BUSINESS: The Board signed the most recent Funky Bow plans that show the parking areas.

Set Meeting Agenda:

AGENDA for May 17, 2017

7:00 PM Leo Belanger

Next Possible preliminary for subdivision

May 25, 2017 Public hearing set for 7:00 pm for discussion on the zoning ordinance changes.

Monthly Report to Select Board: None

ADJOURNMENT: Chairman moved to close the meeting at **8:00 pm**, seconded by Mr. Wagner, all in favor.

Respectfully submitted,

Irene C. Single, Clerk

Roderick Tetu, Chairman

Donald Hernon, Vice Chair

Joseph Wagner

David Dulong

Cecile Dupuis, Secretary

Kelly J. Demers, 1st Alt.