

**Parsonsfield Planning Board Meeting
Tuesday, September 19, 2017
Minutes (Draft)**

Planning Board Members in Attendance:

Carl Nance, chair
JP Espinosa
William Ryan
Nate Stacey
Richard Sullivan

CEO David Bower in Attendance

Also in attendance:

Mark Fisher, Tom Greer, Nathan Wadsworth, Corey Lane, Dan Hennessey, Gerard Clifford, Stephen Anderson, S. Tiffany Brendt

Chairman Nance called the meeting to order at 7:00 and reminded attendees to behave in a respectful manner during the meeting.

Welcome New Planning Board Members

Chairman Nance welcomed new board members JP Espinosa, Nate Stacey (formerly alternate members) and Richard Sullivan.

August Minutes Reviewed and Approved

The board reviewed the minutes from the August 15, 2017 meeting. The minutes were unanimously approved.

Site Plan Review: Mark Fisher, 450 North Road, Map R-5, Lot 30

Application for Commercial Composting Operation

(The Board held preliminary discussions of Mr. Fisher's proposal during the August meeting. This was the Site Plan Review.)

Discussion

Mr. Espinosa: Regarding how the smell will affect the neighbors, asked Mr. Fisher to clarify the amount of compost he intends to produce.

Mr. Fisher: When he ran the same business in Alaska, he produced 3,000 cubic yards per year after 10 years and estimates it would take a couple of years to get up to that amount. The composting area would stay at least 200 feet from the property borders.

Vote:

Chairman Nance moved that the application is complete. He was seconded by Mr. Espinosa. The board voted unanimously that the application is complete.

Next steps:

Letters to abutters will be mailed
Site Walk is scheduled for Saturday, October 14 at 10 AM
Public Hearing scheduled for Tuesday, October 17 at 6 PM
Ads for 2 issues of the Shopping Guide will be submitted

Preliminary Application for Subdivision: Watson Woods, Map R-8, Lot 37

Pinkham & Greer Civil Engineers for NateSellsRealEstate, LLC

Revised proposal on corner of Route 160 and Hussey Road

Tom Greer of Pinkham & Greer presented an overview of the project. They made quite a few changes from the last time:

- New lot configuration and reducing number of house lots
- Creation of a common open space. The open space will be owned by the lot owners of lots 1-12 and be kept in a natural condition with no future development of the area allowed.
- Provided a book to make documents easier to find

Mr. Greer also noted the Fire Chief's letter is important to discuss

Discussion:

Mr. Stacey: Asked Mr. Greer to provide a survey showing the land isn't on the Plantation.

Mr. Bower: The Plantation never crosses Route 160, so none of the proposed land is on the Plantation.

Mr. Bower: Question about building envelopes

Mr. Greer: The building envelopes are shown with thin dashed lines.

Mr. Ryan: Asked about site lines for driveways. On the previous site plan, he thought they were marked.

Mr. Greer: Can provide potential driveways, but each lot will get its own approval

Changes on Lot 1:

Mr. Greer stated that Lot 1 has been moved so it has more frontage on North Road. He will clean up the statement in the application. He also mentioned that some lots may need clearing.

Leavitt Plantation Boundary Issues

Corey Lane: Ms. Lane had a conversation with David DeGruttola, District Forrester for LandVest. He is the contact person regarding questions and concerns about the Leavitt Plantation. Mr. DeGruttola has been looking into the potential boundary issues and previous tree harvesting done by NateSellsRealEstate that may have crossed onto Plantation land. She noted that the issue has not yet been resolved.

Mr. Bower: Nowhere does the Plantation cross North Road.

Mr. Wadsworth: The land was surveyed by a licensed, professional surveyor. It was owned by the Watson's of Harpswell for many years and they had done previous harvesting.

Mr. Ryan: According to official maps, the Plantation doesn't cross North Road.

Endangered Species and Environmental Impact

Mr. Stacey: asked for clarification on any endangered species within the project area and the impact of the homes on the environment.

Mr. Greer: The report from The Fish and Wildlife Service states there are 2 threatened species:

- (1) Small whorled pogonia, a flowering plant, and
- (2) Northern long-eared bat

He states the small whorled pogonia is not likely on the property, and that there is a blanket ban on cutting trees during June and July to protect the long-eared bats, but despite efforts, the population is likely to be doomed. He will obtain a letter from the State verifying the pogonia statement and will send it to David. This letter will be added to the contingency for approval.

Green Space

Mr. Ryan: Asked about the percentage of green space

Mr. Greer: A little more than 56%, including the wetlands that run down the middle of the area. An option in the future would be to form a land trust to manage the green space.

Curb Cuts

Tiffany Brendt: Asked about the proposed curb cuts along 160 and Hussey Road

Gerard Clifford: The Farm and Forest guidelines state a 100 feet setback. You can't take away the aesthetic and cultural value of the trees.

Mr. Greer: All the homes would be set back 100 feet.

Ownership of Green Space

Mr. Sullivan: Would the open space be owned by each homeowner?

Mr. Greer: Each deed would have text in a covenant stating it would remain open and natural. When you buy a lot, you would own 1/12 part of the covenant against development.

Land Gift to Keith Sargent

Mr. Espinosa: Questioned the legality of the plot of land given to Mr. Sargent.

Mr. Bower: Referred to the Subdivision Ordinance, Article 3, Definition of Subdivision (excerpt):

A division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood, marriage or adoption or a gift to a municipality or by transfer of any interest in land to the owner of land abutting that land does not create a lot or lots for the purposes of these regulations, unless the intent of the transferor in any transfer or gift is to avoid the objectives of these regulations. If real estate exempt under this paragraph by a gift to a person related to the donor by blood, marriage or adoption is transferred within 5 years to another person not related to the donor of the exempt real estate by blood, marriage or adoption, then the previously exempt division creates a lot or lots for the purposes of this definition. The grant of bona fide security interest in an entire lot that has been exempted from the definition under this paragraph, or subsequent transfer of that entire lot by the original holder of the security interest or that person's successor in interest, does not create a lot for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of these regulations.

Marking of Test Pits

Mr. Stacey: During the previous site walk held for this project, there was inadequate marking on the land. Mr. Stacey asked Mr. Greer if the test pits and building envelopes are marked.

Mr. Greer: Test pits are flagged, envelopes are not

Mr. Stacey: Asked that the test pits be clearly marked for the site walk

Tree Buffer Set Back

Chairman Nance: Question about tree buffer

Mr. Greer: There is a setback requirement. They will put the 50 foot restriction in the plan. Within 5 years the undergrowth will grow back.

Vote

Mr. Espinosa motioned to approve the application as complete and was seconded by Chairman Nance. The board unanimously voted that the application is complete and can go to the next steps.

Next Steps:

Letters to abutters will be mailed

Ads for Shopping Guide will be submitted

Site Walk scheduled for Saturday, October 14 at 11:00

Public Hearing scheduled for Tuesday, October 17 after the hearing about the compost project

Before the site walk Mr. Greer will mark the corners for lots 1, 9 and 10 and will mark the ones near the vernal pools.

As for the letter from the fire chief, the fire chief would prefer not to put fire tanks in. Mr. Greer would like the Planning Board to support the idea of not having fire tanks.

Other Business

Marijuana Ordinance

Mr. Espinosa has taken the liberty of drafting a potential question to be offered to the public. It is based off of the state statutes and is similar to letters of other towns regarding social clubs, retail establishment, testing and growth of marijuana. He will send out his draft to each Planning Board member and asked for input. Once complete, Carl could send it to the Selectmen and they would set up a Public Hearing to discuss the issue.

Green Space of the Watson Woods Project

Stephen Anderson: expressed concern that not enough details are provided in managing the conservation area of the Watson Woods Project. All sorts of issues can come up and more details need to be provided about the restrictions.

Mr. Espinosa: There will be a lot of research done before the site walk is held. Today’s vote was to see if the application is complete, but going forward we need to see if the plan meets the town’s vision.

Conservation Commission

Mr. Ryan asked for volunteers for the conservation commission.

Mr. Stacey made a motion to adjourn and was seconded by Mr. Ryan.
Chairman Nance adjourned the meeting at 8:18.

Approved

Date

