

**Parsonsfield Planning Board Meeting
Tuesday, June 20, 2017
Minutes (Draft)**

Planning Board Members in Attendance:

Carl Nance, chair
Todd Crooker
William Ryan
John Wagner
JP Espinosa, alternate
Nate Stacey, alternate

CEO David Bower in Attendance

Selectman S. Tiffany Brendt in Attendance

Also in attendance:

Stephen Stearns, Dawn Barrett, Rodney Barrett, Deb Sobczak, John Sobczak, Dan Davis, Corey Lane, Darla Dee Gould, Doreen Hennessey, Daniel Hennessey, Dana Gould, Nathan Wadsworth, Jeff Wright, Gerard Clifford, Stephen Anderson, Karen Norton, Charles Ewing

Chairman Nance called the meeting to order at 7:00.

Introduction and Welcome of New Board Members

The Board welcomes new regular member William Ryan and new alternate members JP Espinosa and Nate Stacey.

May Minutes Reviewed and Approved

The minutes from the May 16, 2017 meeting were reviewed. Mr. Wagner motioned to approve them and was seconded by Chairman Nance. May minutes were unanimously approved.

Site Plan Review

Dawn Barrett, 20 Federal Road, Map U-4, Lot 4, Proposal to Open a Child Care Center

Ms. Barrett has submitted an application to open a child care center to host 12-20 children from ages 0-12. The application included a letter from the property owner David Gilpatrick and a sketch plan. The building has its own septic system. Ms. Barrett plans to build a fence in the back for a play area. She plans to meet with the Saco River Corridor in July and asked for a list of abutters.

Questions from Board

License

Mr. Wagner: Asked if she has a license to operate. Ms. Barrett replied no; she has submitted an application to the state and should hear back by the end of the week.

Mr. Crooker: The building is only 25 X 30. How are you going to put 20 kids in such a small building? Is there is the bathroom? Does it meet state regs? Ms. Barrett replied the building meets the state regs but did not have the documentation to give to the board.

Mr. Crooker: Ms. Barrett is putting the cart before the horse; we don't have anything from the state saying the building is adequate to house the amount of children. The town cannot

approve until she has the state approval. Expressing frustration, Ms. Barrett was told by the state that she needs approval from the town before getting state approval.

Play Area

Mr. Crooker asked about plans for a play area. Ms. Barrett plans on having a grassy, fenced-in play area behind the building.

Parking

The local ordinance will require 4 parking spaces (one space per 4 families).

Fire and Safety

Mr. Espinosa: Asked if Ms. Barrett has received written approval from the Fire Department and asked her to list what needs to be done. The board mentioned that the local fire chief of Kezar Falls, Kenny Burbank, would be willing to come out and inspect.

Plans for Improvements

Ms. Barrett's husband, Rodney, will make the improvements, including:

- (1) Add a back door as an additional fire exit
- (2) Repair the floor and install new carpet/tile
- (3) Add a sink for food prep
- (4) Install a small business sign

Ms. Barrett requests the board approve the application before sinking the money and effort into the improvements. She also would like to start advertising. Mr. Wagner suggested she wait until the board looks at the site.

Site Walk

The Planning Board will conduct a Site Walk on Saturday, July 15 at 8:30 and will discuss the application again at the next meeting on Tuesday, July 18.

Wadsworth Subdivision

Chairman Nance: After hearing the comments and concerns at the Public Hearing, the board needs to review the waivers so we have a clear understanding of what we need.

Mr. Crooker: Proposes we deny the whole thing and let the applicant go back to the drawing board. Some of the speakers at the Public Hearing had substantive comments, and he believes the board has legal standing to deny the preliminary plan.

Mr. Stearns asked for a list of specific items and give the applicant time to address them. Among the items:

- (1) The project is too big; the number of lots should be reduced to 7
- (2) Require perc tests, sewage disposal plan and well water tests
- (3) Specify curb cuts
- (4) Specify building envelopes
- (5) Documentation on endangered plants species and wildlife impact
- (6) Address the mess the loggers left
- (7) Hussey Road is too narrow to handle the traffic
- (8) Soil density tests

Mr. Crooker: it was unacceptable to try and simply sell 15 house lots and pass the burden of regulations onto the town. There are too many bugaboos in the project for the board to accept. He doesn't like how the border issue was handled. He suggested the applicant hold off and come back with something more rational and less large.

Mr. Stearns: There was previously little guidance with respect to approval and asked for more guidance on the specifics of what was being asked.

Mr. Crooker: He has a file on every subdivision done in the town, and doesn't think there has been case where the high density soil tests and water and sewer plans were voided. During the site walk, Mr. Stearns had told Mr. Crooker there has to be a 50 foot buffer for driveways, which would mean rebuilding the stone walls. They would have to change the contour of the land just to get a driveway in.

Mr. Wadsworth: Is willing to have a shared driveway between lots 1 and 2. Why can't we go through this step by step?

Mr. Wagner: At the Public Hearing it was suggested that Mr. Wadsworth had done illegal cutting. He also thinks the shape of the lots needs to be reconsidered: In the midst of the 60 acres, how about a common area that is kept wild? He suggests the center of the development be commonly owned, then turned over to an association as a conservation area.

Mr. Wadsworth: Has no problem with that. He would be happy to do that. This is the kind of guidance he needs from the board.

Mr. Ryan: The issues from brought up at last month's board meeting haven't been addressed. Instead of trickling down the problems, we're giving you more time to do more damage. He doesn't have a problem with outright denial. It would give Mr. Wadsworth the opportunity to reflect on his own.

Mr. Crooker: Some people don't want to follow rules and regulations. There is a domino effect when it comes to indigenous plants and animals. He would like the applicant to change this unacceptable sketchy business and make sure there is a full bore map. The state doesn't care and they leave a lot of this to local control. These curb cuts are very important; the state road is a mess and will always be a mess. He moves to deny the application.

Mr. Wadsworth: What about the soil test? (He had asked for a waiver on the high intensity soil test.)

Mr. Crooker: We've got to get a botanist in there.

Mr. Espinosa: Section 23 regarding hydro needs to be addressed, test pits, state regs on subsurface hydro.

Mr. Ryan: Regarding fire, as a planning board we can take or disregard the fire chief's recommendation. If we're talking about green space, then we need to have updates on the changes.

Tiffany Brendt: would like an answer in the property boundary dispute. Mr. Sargeant signed a quit claim deed which was drafted by attorney Bonnie Gold.

Motion to Vote:

Mr. Crooker motioned to deny the preliminary plan and was seconded by Mr. Ryan.

Mr. Wagner: There should be more discussion, because it may be illegal. It makes more sense if we table.

Mr. Crooker: The applicant hasn't been totally honest. If we feel we haven't been given all the information in a timely manner, we just go over the same material. They should go back and start over again. They should come back with a more detailed plan that matches the guidelines of the ordinance.

Chairman Nance: Wants to be fair to the townspeople and fair to the owner.

Mr. Stearns: Is there a time frame that prohibits them from coming back?

Mr. Ryan: If we do an outright denial now, then the applicant will have to pay double for the application fee later. He wants to make sure that things are being followed procedurally.

Mr. Crooker: Emphasized that it gets complex once the applicant doesn't do X amount of things. He referred to the cutting involved just prior to the application. The plant life and wild life reports are going to take time. But there is enough wrong with this that we can deny. They are the ones that came in with an incomplete application. We could waive the application fee if that's the case.

Mr. Wadsworth: The feedback this month is 20 times what we got last month and feels they could come back in a month.

Mr. Stearns: A month seems like a lot of time, but we don't have a lot of interaction with the board. Plus there are contradictions in requirements of the ordinance, for example the scale of the drawing and the specifics of storm water management.

Mr. Crooker: You need to read up on the subdivision ordinances. When you come back, you can still request waivers.

Vote:

Mr. Crooker, Mr. Nance, and Mr. Ryan voted in favor of denying the preliminary plan.

Mr. Wagner and Mr. Espinosa voted against

Chairman Nance: When the application is re-submitted to the board, the fee will be waived and there is no time limit for resubmission.

Mr. Wagner left at 8:56.

Deb and John Sobczak, Renovations at 4 Miller Avenue

Mrs. Sobczak has a camp on West Pond and had submitted plans to make it accessible for her elderly parents. During the time she have been waiting for approval from the Planning Board, both parents have passed away. However, the Sobczak's want to continue with the renovation plan, as there continues to be deterioration. For example, the wood on the end of the porch is rotting. At one point Mrs. Sobczak was told she could request a special town meeting, but it's been 3 years now. She can't line up any contractors because the town meeting is in September. When she came to a Planning Board meeting in the fall, she was told the local Shoreland Zoning updates would take 3 months. She asked the Board to approve her application, as it would be in compliance with the State ordinance.

Discussion

Chairman Nance: We can't do anything until the town approves the ordinances in September. At this date, we can't realistically call for a special town meeting before then.

Mr. Sobczak: We're asking for Parsonsfield to be compliant with the State of Maine regs and adopt what they have.

Mr. Crooker: We can't do that until after the September vote. We talked with SMPDC about this. We can comply with the old regulations, but can't comply with the new ones until after the town has approved them.

Mr. Espinosa: Is new to the board and asked for clarifications on renovation plan. (The local regulations say it's not just the footprint of the building, but also the volume. Since the plan is to go up, the state would allow it, but the town would not.)

Chairman Nance: We are doing our best to be in compliance, and there isn't enough time to call a special town meeting. If the new zoning ordinance is passed in September, then the Planning Board can address the application. If the town doesn't pass it, then it's out of the Board's hands.

Mr. Sobczak: Doesn't want their request to be forgotten and doesn't want it to go another year.

Mr. Bower: The town has to meet the State standards, but they can be more restrictive.

Mrs. Sobczak: Does she have to start a new application?

Mr. Bower: That's up to the Board. It may not even have to come to the Board

Marijuana

Mr. Crooker: Would like to put something on the agenda at town meeting regarding marijuana.

Chairman Nance: Will send the new board members the Waterboro options.

Tiffany Brendt: Has been to a few meetings and will send information to the board.

Power needs of marijuana growth centers

(Discussion about amps, transformers and power surges here, but note taker couldn't keep up with the details.)

Ms. Brendt will send the information she has to the board members, and suggested a separate meeting on the subject to compose a list of options for the town meeting in September.

Mr. Crooker: There is a moratorium until February. If we don't make it to the September town meeting there is still time.

Chairman Nance adjourned the meeting at 9:23.

Approved

Date