

**OGUNQUIT PLANNING BOARD  
SITE VISIT  
NOVEMBER 1, 2011**

**JOSEPH LINDSEY – 49 Bittersweet Lane – Map 21 Block 6 – Subdivision – Sketch Plan Application. Eight (8) Lot Subdivision of 18.4 Acres in the Farmland District.**

**A. ROLL CALL – 9:15 a.m.**

Mr. Pinkham noted for the record that this Site Visit constitutes a regular Planning Board Meeting and that all Rules of Order will apply.

The Roll was called with the following results:

Members Present:     Tim Pinkham, Chair  
                              Robert Coles, Vicechair  
                              Craig Capone

Members Excused:    Don Simpson

Also Present:           J.T. Lockman, Southern Maine Regional Planning Commission  
                              Paul Lempicki, Ogunquit Code Enforcement Officer  
                              Mike Horn, Conservation Commission Chair  
                              Doug Mayer, Conservation Commission  
                              Ken Markley, Applicant’s Project Director  
                              Joseph Lindsey, Applicant/Property Owner  
                              Hiroki Lindsey, Applicant/Property Owner

Mr. Lempicki informed the group that the Code Enforcement files for the existing house and foundation have been misplaced. He has contacted Mr. Maddox (the previous owner of the property) and asked for replacements of the plans.

Mr. Markely noted that the project involves 16.4 acres which come off of a right-of-way known as Bittersweet Lane. The proposal involves a 500’ cul-de-sac with approximately 8.4 acres of common land. The Homeowners Association will consist of the owners of the proposed ten new units who will own the common land until such time as it becomes feasible to transfer it to some form of conservation organization. The Association will also own, and be responsible for the maintenance of, the right of way, the cul-de-sac and any utilities contained within them. Bittersweet Lane will be transferred to a Road Association, the membership of which will be made up of the owners of the proposed ten units and any abutters who are going to participate. The Road Association will be responsible for the maintenance and ownership of Bittersweet Lane.

The group was directed around the property by Mr. Markley who provided a verbal description of the proposed project and the location of each lot and road layout.

Mr. Horn asked if the Applicant will be required to have a storm water study. He noted that there is some question about storm water runoff and continued runoff, and he pointed out the proximity of the Ogunquit River. He asked for more information regarding the possible increase of pollute-able areas.

Mr. Markley responded that they might meet the Department of Environmental Protection (DEP) criteria and they will go through the DEP if they are required to. They will know within the next week or two.

Mr. Mayer asked if the streets and driveways will be paved or if they will be kept pervious.

Mr. Markley responded that they would prefer to keep both Bittersweet Lane and the cul-de-sac pervious. Primarily due to the length of the roads, paving would significantly increase the storm water runoff.

Mr. Horn asked for the classification of gravel. Is it considered to be pervious or impervious?

Mr. Lockman responded that gravel is considered by DEP to be impervious, however it has a different coefficient for runoff than pavement. He also noted that Ogunquit's Subdivision and Zoning Regulations require paving by default. During the Preliminary Stage Mr. Lindsey will have to request a waiver from the Board if he does not want to pave.

Mr. Markely responded that they will be requesting such a waiver. He noted that they would like to use the DEP spec gravel which is already in place in front of 49 Bittersweet Lane. This gravel makes a nice clean, rough surface with very little dust. It also allows water to run off at a slower rate, and is better for the environment. Mr. Markley noted that it requires thousands of gallons of oil to manufacture asphalt.

Mr. Mayer noted that as more subdivisions are proposed within the Farm District it will be prudent to encourage more use of impervious surfacing.

Mr. Markley agreed and added that minimizing the width of the roads helps too, it also slows traffic.

Mr. Capone asked about the existing foundation's proposed use.

Mr. Lindsey responded that it was originally put in as a house lot, and later changed for use as storage. The current proposal is to bring it back to being a house lot.

Mr. Horn noted the wetlands abutting the foundation lot.

Mr. Coles asked if there will be two new culverts installed in addition to the existing culvert.

Mr. Markely agreed that there will be a total of three culverts, one existing and two new.

Mr. Horn reminded everyone that this subdivision is the first application since the cluster housing requirement was put in place. As a result this proposal constitutes a "test case" and may present as a more demanding situation. He noted that all of the water runoff eventually ends up at the Ogunquit Beach and as such the open spaces must be protected.

Mr. Markely agreed and added that most of the lots drain into a wet area and it may take hours or weeks for the water to make its way off of the subdivision, and by then it has had a chance to be filtered.

Mr. Mayer noted that the reason he asked for the size of the parcel is because the Ordinance states that 50% of the entire parcel must be set aside for open space. He suggested that the reduction of the 18 +/- acres to 16 +/- acres may not be correct.

Mr. Markley responded that they can sell off the Bittersweet Lane portion now or later, that eventually it will not be part of the subdivision, and that the proposed development only involves the 16 +/- acres.

Mr. Lockman agreed and noted that Mr. Markley had asked his advice on this question, and he (Mr. Lockman) suggested that they not include the existing Bittersweet Lane. He noted that several other properties have the right to utilize Bittersweet Lane, and while the proposed subdivision owners will also have rights to Bittersweet Lane, they only have exclusive rights to the cul-de-sac.

Mr. Pinkham stated that if the Ordinance states that the “entire” parcel must be considered, and the right-of-way is part of the parcel, then it must be included in the calculations.

Mr. Mayer agreed with Mr. Pinkham, he also asked if the Ordinance doesn’t require the primary source of water to be public water.

Mr. Lockman responded that it was his understanding that clustered subdivisions do not require hookup to public water. He agreed to look into this question.

**Mr. Capone Moved to Adjourn at 10:00 a.m.**  
**CAPONE/COLES 3/0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy  
Planning Board Recording Secretary

*Approved on November 14, 2011*