

**OGUNQUIT PLANNING BOARD
REGULAR BUSINESS MEETING
NOVEMBER 28, 2011 6:00 p.m.**

PUBLIC HEARING

1. WAYNE FETTE – BLACK BOAR INN – 277 Main Street – Map 7 Block 13-1.

Mr. Pinkham asked if there was anyone who wished to speak for, or against, this application. There being no one the Public Hearing was closed at 6:05 p.m.

REGULAR BUSINESS MEETING

A. ROLL CALL –

The Roll was called with the following results:

Members Present: Tim Pinkham, Chair
 Robert Coles, Vicechair
 Don Simpson

Members Excused: Craig Capone

Also Present: J.T. Lockman, Southern Maine Regional Planning Commission
 Paul Lempicki, Ogunquit Code Enforcement Officer

B. MISSION STATEMENT - The Mission Statement was read by Mr. Simpson.

C. MINUTES – November 14, 2011 Regular Business Meeting.

The Minutes of the November 14, 2011 Meeting were Accepted as Submitted.

D. PUBLIC INPUT – None

E. UNFINISHED BUSINESS –

1. WAYNE FETTE – BLACK BOAR INN – 277 Main Street – Map 7 Block 13-1 – Site Plan Review and Design Review for a pre 1930 structure. Proposed expansion of an existing c. 1960 addition.

Mr. Coles confirmed that the Board would also be granting a waiver so that the Applicant will not have to amend the Site Plan drawing. This waiver will be based upon the small size of the addition and the cost to amend the drawing. He asked how large an addition would have to be in order for an amended drawing to have to be submitted.

Mr. Lockman responded that if there is a property line change in a subdivision, a resurvey of that area along with an affidavit explaining the change would be filed with the Registry. In this case the

expansion is very small and it does not involve a property line change, so an affidavit alone will suffice. Any time a change is made to something that has been recorded at the Registry an instrument needs to be filed to track and acknowledge the change.

Mr. Pinkham noted that the proposed addition is located on the back side of the building and is not visible from Main Street.

**Mr. Coles Moved to Approve the Application for Site Plan and Design Review for Wayne Fette / Black Boar Inn – 277 Main Street – Map 7 Block 13-1.
COLES/SIMPSON 3/0 UNANIMOUS**

**2. JOSEPH LINDSEY – 49 Bittersweet Lane – Map 21 Block 6 – Subdivision – Sketch Plan Application. Ten (10) Lot Subdivision of 18.4 Acres in the Farmland District.
Site Visit held on November 1, 2011.**

It was noted that the Board has received several Memos from Department Heads however there was no comment from the Fire Chief regarding the proposed Hammerhead Turnaround design.

Mr. Simpson noted his concern about the proposed turnaround design and suggested the Board should wait for the Fire Chief's input before making a decision.

Ken Markley addressed the Board as the Applicant's representative. Mr. Markley responded that there are three designs for a hammerhead turnaround and the proposed design is one of the three designs. They believe their design will accommodate a fire truck's ability to enter, turn around, and exit from the property.

Mr. Markley noted that he was the designer for Windward Subdivision and on that project they used all three hammerhead designs.

Mr. Lockman informed the Board that at this point in the process they might approve the Sketch Plan application with the approval conditional upon the Fire Chief's sign-off on the proposed turnaround design. He noted that the purpose of the Sketch Plan stage is primarily to guide the applicant into the more detailed Preliminary Plan.

Mr. Simpson agreed that there does not appear to be any need to wait, and there is time for the Fire Chief to provide input regarding the hammerhead.

Joe Lindsey informed the Board that he spoke to Ed Smith about the proposed design and he (Chief Smith) stated that he was fine with the hammerhead.

**Mr. Simpson Moved to Approve the Subdivision Sketch Plan for Joseph Lindsey – 49 Bittersweet Lane – Map 21 Block 6, recognizing that the Board is still waiting for the Fire Chief's recommendations regarding the hammerhead turnaround design dated November 16, 2011.
SIMPSON/COLES 3/0 UNANIMOUS**

Mr. Markley referred to Mr. Lockman's Memo dated 21 November 2011 wherein he (Mr. Lockman) stated that "*The requirement in 9.20 states that in new larger subdivisions, a minimum of 10 percent of new dwelling units be set aside for affordable housing. The provision "kicks in" when ten or more new lots or dwelling units are created within a five year period. In discussions with the Land Use Office, I now understand that the Lindsey house (the existing house on proposed lot 1) was started in 2006. It appears, therefore, that only*

9 dwelling units will be created within a five year period. I would recommend that the Board discuss whether it agrees or not with my suggestion, that this section therefore does not apply.”

Mr. Markley agreed with Mr. Lockman’s analysis and he asked the Board to confirm that it does too.

The Board members unanimously agreed that they do.

Mr. Markley noted that the Ordinance requires the Board confirm what contour intervals he should use in the preparation of the Preliminary Plan drawings. He suggested that based upon the topography of the site he use two foot (2’) contours.

Mr. Lockman agreed. He noted that if this project should trigger a DEP Permit the DEP would require two foot (2’) contours.

The Board members unanimously agreed to the use of two foot (2’) contours.

Mr. Markley reminded the Board that at the last meeting it was suggested that Lot 2 may be within the 250’ Shoreland setback. After a review he has determined that this is correct. Approximately 1/3 of Lot 3 falls within the setback. He also noted that the only implication is that only 20% of that lot can be covered and the proposed plan falls within this restriction. When the Preliminary Plan is submitted this setback will be indicated. Mr. Markley also informed the Board that he has dug test pits over the entire site and the results indicate that on-site wastewater disposal is allowable.

Mr. Markley also informed the Board that due to the fact that the proposed subdivision is within 500 feet of the Town of Wells he has notified the Wells Code Enforcement Office.

Mr. Lockman responded that this requirement only comes into effect when the site actually crosses, or abuts, municipal boundaries. This project does not, however notifying Wells wouldn’t hurt.

Mr. Markley agreed and acknowledged that the Board’s approval is contingent upon the Fire Chief’s approval of the hammerhead design.

Mr. Markley informed the Board that Mr. Lindsey’s wife, Hiroki Lindsey is a licensed architect who is also LEEDS Certified, also Mr. Markley has a Master’s Degree in natural resources. The combination of these specialties allows them to design a low impact subdivision. The Applicant intends to produce a “green subdivision” with energy efficient homes placed upon an environmentally friendly landscape. They intend to include water gardens which will capture and slowly filter stormwater runoff. They also intend to request a waiver allowing them to reduce the driveway width from 20’ to 18’. It is their contention that this reduction will not only reduce vehicle speeds but reduce stormwater runoff. They will include trenches along the roadway and the driveways to capture rainwater. They also intend to include other “green” techniques.

Mr. Markley distributed copies of a handout from the American Association of State Highways and Transportation Officials regarding guidelines for geometric designs for very low volume roads. He asked the Board members to consider the recommendations in this handout when deliberating on his waiver request to reduce the width of the road from 20’ to 18’.

Mr. Markley suggested that the proposed subdivision will only generate 90 cars per day at the 20 mph speed limit they will be posting.

Mr. Lockman suggested that when the Applicant submits his Preliminary Plan Application he include a list of all of the Regulation Standards he intends to request waivers on. He should provide a brief paragraph outlining the reasons for each waiver request.

Regarding the request for narrower roads, Mr. Lockman suggested that the SMRPC Guidelines allow for 18' roads and Mr. Markley may want to review those guidelines.

Mr. Lockman also suggested the Applicant provide for a management company to oversee the maintenance of any water gardens or other "green" techniques which will require periodic long-term maintenance. He noted that over time homeowners, and even second and third generation homeowners forget about the purpose or even the existence of these things and they fall into disrepair from neglect. He recommended making the homeowners documents very clear regarding these things.

F. NEW BUSINESS – None

G. CODE ENFORCEMENT OFFICER BUSINESS – None

H. OTHER BUSINESS – None

I. ADJOURNMENT –

**Mr. Coles Moved to Adjourn at 6:50 p.m.
COLES/SIMPSON 3/0 UNANIMOUS**

Respectfully Submitted

Maryann Stacy
Ogunquit Planning Board
Recording Secretary

Approved December 12, 2011