

**MINUTES OF THE MEETING  
PLANNING BOARD  
May 21, 2015  
7:00 PM**

**MEMBERS PRESENT:** Robert Smith, Chairman; Ryan Crosbie; Robert Moynihan; Ed Bannister; & Lou Ann Griswold; John LaCourse, Selectmen's Rep.

**OTHERS PRESENT:** Jim Rozycki, Oyster River Cooperative School District; Steve Haight Engineering, PLLC; Thomas Bonaccorsi; Sally Novell; Paul Tuck; Walter Cheney; Emilie Cilley; Josh Cilley; Seth Peters; Attorney Chris Wyskiel; Mike Sievert, MJS Engineering; Peter Hoyt; Caren Rossi, Planning & Zoning Administrator

Robert Smith, Chairman opened up the meeting at 7:00PM.

- **Review and Approval of Draft 05/14/15 Meeting Minutes**

Bob Moynihan made a motion to accept the minutes.

John LaCourse second.

Vote: all, minutes approved.

- **Report of officers and committees**

Bob Smith, Chairman suggested we schedule a meeting to continue reviewing the site review regulations. This has been scheduled for June 23, 2015. Caren Rossi will contact Mark Beliveau and advise him of this as he has changes/amendments he is working on.

Lou Ann Griswold explained that the master plan subcommittee has finalized the draft questionnaire that will be sent out to the residents. She would like the Board to complete the survey at the end of the meeting to see how long it will take the average resident.

- **Review any correspondence**

None

- **New Business**

Consultation with the Oyster River Cooperative School District and Lee Church Congregational representatives regarding a joint project to install rain gardens in the parking lots.

Chairman Smith indicated that his is stepping down for this case because of a conflict of interest. Bob Moynihan will be acting as Chair.

Caren Rossi explained that they are here tonight asking for a waiver of the site review regulations. The project is being done by the school but it is on the church property, therefore they are not exempt from the regulations.

Jim Rozycki stated he is the facilities director for the Oyster River Cooperative School District. They have been trying to find a solution to the water in the parking lot for a while now. They have been working with the Lee Church and Steve Haight to come up with a solution. They believe they have.

Steve Haight, Haight Engineering gave an overview of the proposed drainage system/rain garden for the Lee Church parking lot. (In file). All of the required easement documents are in place, the school will do all of the maintenance.

Board members discussed that they felt the waiver would be appropriate.

John LaCourse made a motion to waive site review.

Lou Ann Griswold second.

Vote: all, motion carried, site review waived.

- **Old Business**

**A continued accepted Subdivision Application presented by Mike Sievert, MJS Engineering, Agent for Walter Cheney. The properties are owned by Southeast Gravel Corp & Cheney Lee Property, LLC. and are located on Pinkham Rd; Calef Highway and Newtown Plains Rd. They are known as Lee Tax Map #03-04-00; #03-01-00; #03-07-00; #03-09-00 #03-02-00; & #03-08-00. The applicant is proposing an Open Space Residential Development consisting of 31 lots -26 single family lots and 5 duplex lots. This is a possible final public hearing.**

Mike Sievert gave an overview of the project. 27 lots, 37 units total. Lots range in size from .2 acres to 8 acres. Average lot size is 2.1 acre. He provided the

road detail in a 3-d drawing. He explained that they have built the road up but are still requesting a waiver to the side slope for the road entrance. The road will be approximately 7' higher than it is now to achieve the 1 % slope. They are proposing individual wells and septic's. He has made the necessary changes to the plans that were the result of the review from Civil Consultants. They have been sent off to Civil Consultants for their review. He explained that he has consulted with Dr. Ballestero again and he agreed what is best for the area is the individual septic systems as opposed to community. This is what the most environmentally friendly way is. What they are proposing exceeds the state and town requirements' for septic's as well as for wells. He explained the soils in this project are the best soils possible for systems. They will be stone and pipe systems. He explained the neighboring distances for their existing systems. He did this by the lot line distances. The closest lot line is 100' from this lot line and that is lots 9-2 & 9-3. It is unclear where on those lots the systems are. The well sites also meet all the state and local requirements. He has done a study on the water flow direction and feels there is more than enough water for the development.

Ryan Crosbie would like to see some written confirmation that there will be adequate water. He feels more detailed information could be provided to make the Board more comfortable.

It was discussed that it might be best to have Dr. Ballestero come in and address the Board.

Lou Ann Griswold commented that the steepest grade is the road at the entrance.

Mike Sievert agreed.

John LaCourse asked why the duplex lots are closer to the road than the rest of the development.

Mike Sievert explained that it was a request of the fire chief for hose layout if there were a house fire.

Mike Sievert provided a letter to the Board regarding their request for an emergency access. He showed on the plan the 2 possible locations. (In file) The road onto Pinkham Rd (by the daycare) is the least desirable and would require the Town to give up some of the Towns land to accomplish this. This is because in order to put the road in with the steep slopes, they would lose a lot. The access road is not a requirement so therefore they would ask that the

town give them some land to accomplish the road and not lose a lot. The access onto Newtown Plains Rd would go over town land and come out onto Clay Lane. Mr. Cheney would still put the road in, but no land exchange would be needed. Both access roads would be gated.

The steep slopes and reclamation of the pit was discussed. Caren Rossi will get the legal requirements for the next meeting.

Bob Moynihan asked about the drainage easements and the 100' buffer requirement. He also wants to be sure the distances and bearings etc. are correct and clarified. He also asked that a note be added to the plan that the 100' buffer is not to be cut or anything built it. He also asked about the house styles that will be built?

Mike Sievert will complete all for the next meeting and bring the house styles.

Bob Moynihan asked about the grading of the lots and how we can assure they all get graded correctly. Language in the deeds etc.?

Caren Rossi suggested As Built drawings for each lot.

#### Public Comment

Tom Bonaccorsi, Pinkham Road, read a letter in opposition (In file)

Sally Novel, Newtown Plains Rd spoke in agreement with Mr. Bonaccorsi. She is concerned with water and if there is enough for the existing homes and the new homes.

Seth Peters, Old Mill Rd, spoke with concerns of the water amounts and the traffic on Pinkham Rd. He would like the entrance on Calef Highway. He also spoke with concerns of the septic systems.

Mike Sievert explained that what they are proposing exceeds the state and towns requirements for both the well and the septic.

Bob Smith, Chairman explained that the Police Chief does not want the entrance on Calef Highway and he explained the Board has a letter as such.

Josh Cilley, Pinkham Rd spoke with concerns of the width of the ROW as well as he doesn't feel the access has the 400' sight distance required. He also feels that the duplexes should not be allowed, just the single family homes as the

duplexes will change the rural character of the neighborhood. He also spoke with concerns of and the amount of water available. If their well goes dry, what recourse do they have?

Bob Moynihan explained that is a very tough case to prove and would be a civil matter.

Mike Sievert explained that the land isn't actually a ROW it is a strip of land that was left out originally for access when the other houses along Pinkham Rd were divided off from this parcel. He read the waiver request to the Board for the access. (In file)

Caren Rossi read a letter received from Mark & Terri Ersick, Pinkham Rd into the record. (In file)

Floor closed

Outstanding items

- Ask Dr. Ballestero if he can help the Board with what they are looking for with respect to the water amounts. Possibly have him attend the next meeting.
- Covenants
- Continue to work on and discuss the 2<sup>nd</sup> access
- Home styles
- Reclamation laws and reclamation plan
- Update plan showing the 100' buffer is a not cut no build area

Next meeting will be on Tuesday, June 23, 2015 at 7:00PM.

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**Master Plan update**

The Board members completed a draft Master Plan survey (In file) to see how much time it would take a resident to complete. They provided input to the committee. The committee will be making final changes to the survey and then they will be sent out.

Bob Moynihan made a motion to adjourn at 9:20PM  
Ryan Crosbie second.

Vote: all, meeting adjourned.

MINUTES TRANSCRIBED BY:

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Caren Rossi, Secretary

MINUTES APPROVED BY:

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Robert Smith, Chairman

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Ryan Crosbie

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Lou Ann Griswold

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Robert Moynihan

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Ed Bannister

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John LaCourse, Selectmen's Rep