



ORLEANS TOWN CLERK

K. DeLuz, Assr
12 FEB 24 3:25PM

ORLEANS PLANNING BOARD

November 22, 2011 - Minutes

A meeting of the Orleans Planning Board was called to order at 7:00 p.m. in the Nauset Meeting Room at the Orleans Town Hall. **Present:** **Chairman:** Chet Crabtree; **Vice-Chairman:** Steve Bornemeier; **Clerk:** Charles Bechtold; Kenneth McKusick and John Fallender. **Planning Department Staff:** George Meservey; and **Secretary:** Karen Sharpless. **Also Present:** **Board of Selectmen Liaison:** Jon Fuller. **Absent:** **Associates:** Paul McNulty and Andrea Shaw-Reed

PRELIMINARY PLAN - SAND HEAP TRUST I NOMINEE TRUST - 79 & 89 PORTANIMICUT RD

Phil Scholomiti (Ryder & Wilcox) presented a Preliminary Plan for a 2-lot subdivision prepared for the Sand Heap Trust I Nominee Trust for property located at 70 & 89 Portanimicut Road in the Residential District and Groundwater Protection District 3. Scholomiti noted that there are existing dwellings and a garage on Lot 1, and Lot 2 is currently an unbuildable vacant lot with no frontage or access. Scholomiti stated that the proposed re-subdivision of lots will provide access via a 30' wide panhandle from Portanimicut Road to Lot 2. Scholomiti described the portions of the Conservation Restriction which affect the lots in this Preliminary Subdivision Plan. Scholomiti stated that both lots meet the shape factor and the applicant has requested the following two waivers: 1) From the required 150' minimum frontage with the creation of a panhandle lot [Lot 2]; and 2) Topography from actual survey requirement.

Scholomiti referred to the following Board of Health comments in a memorandum dated November 22, 2011:

1. *The septic systems serving the proposed Lot 1 must be located and inspected per the Provisions of Title 5 and the Orleans Subsurface Sewage Disposal Regulations prior to the Planning Board endorsing the plan. If it is determined the septic system consists of cesspools, the septic system must be upgraded to meet the requirements of Title 5 and the Orleans Board of Health Subsurface Sewage Disposal Regulations. If it is determined that the septic system is located within 10 feet of the proposed property line, or located on proposed Lot 2, the septic system must be replaced, or otherwise addressed to the satisfaction of the Board of Health.*
2. *This land is subject to the provisions of the Orleans Board of Health Nutrient Management Regulations. Per these regulations, the proponent is not allowed to divide the land in a manner that would cause a lot to have a designated sewage flow greater than four hundred forty (440) gallons per day, or less, per forty thousand square feet (40,000) of lot area or ratio thereof. Prior to the Board of Health commenting on the Definitive Subdivision Plan, it must receive documentation showing that the two existing dwellings do not exceed this ratio.*
3. *The Board of Health requested the proponent to research the Conservation Restriction to determine if there is a conflict between the use of the land and the Nutrient Management Regulations.*

Scholomiti stated the applicant will abide by the Board of Health requirements prior to filing the Definitive Subdivision Plan.

Scholomiti noted a comment from the Water Department regarding concerns about an issue with possible conflicts with drainage and future underground utilities and stated there will be no conflicts

APPROVAL OF MINUTES: November 8, 2011

MOTION: On a motion by **John Fallender**, seconded by **Steve Bornemeier**, the Board voted to approve the minutes of November 8, 2011.

VOTE: 3-0-2 **The motion passed by a majority** (Kenneth McKusick and Chip Bechtold abstained).

ADJOURNMENT

MOTION: On a motion by **Steve Bornemeier**, seconded by **Chip Bechtold**, the Board voted to adjourn at 8:45 p.m.

VOTE: 5-0-0 **The motion passed unanimously.**

SIGNED:


(Charles Bechtold, Clerk)

DATE:

1-24-12

LIST OF HANDOUTS FOR NOVEMBER 22, 2011 PLANNING BOARD MEETING:

1. *Planning Department memorandum entitled, "Preliminary Subdivision Plan, Sand Heap Trust I Nominee Trust, Portanimicut Road", dated November 17, 2011.*
2. *Building Commissioner memorandum entitled, "Advisory Opinion, Service or Public Utility, dated November 7, 2011.*
3. *Planning Board Minutes for November 8, 2011.*