

**Town of Otisfield
Planning Board Meeting Minutes
October 15, 2013
FINDING OF FACTS**

9. Subdivision Application:

A. Russell Ouellette, Represented by Rick Rhea - Tax Map R-5, Lot 033-18 off Evergreen Drive, a FINAL plan is now under review for a (6) lot subdivision being called Evergreen Woods Subdivision. At prior meeting there was a Motion to deem this application complete with the condition that we receive the letter from OCSWS, that condition has been met. Tonight the PB members are reviewing;

**Town of Otisfield Subdivision Ordinance Article 11,
PERFORMANCE STANDARDS: 11.1 – 11.17.**

11.1 Pollution:

11.1 A.

FINDING: *Motion that the board finds that the requirement of Section 11.1(A) was **MET** to the Board's satisfaction. KT/HO

Discussion: This information was found on the new map, Major Subdivision Plan Note 7 as well as Ross Cudlitz Letter dated June 17, 2013.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous.

11.1 B.

FINDING: *Motion that the board finds that the requirement of Section 11.1(B) was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.2 Sufficient Water:

11.2 A, Water Supply, (1).

FINDING: *Motion that the board finds that the requirement of Section 11.2; A, 1. was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.2 A, 2 a.

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.2 A, 2 b.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. HO/SB

Discussion: Has to be inspected by the Town & follow State guidelines. This information was found in the Town's Building Ordinance and under # 8 of the Revised Covenants and Survey Plan. 10/9/13

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.2 A, 2 c.

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/SB

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.2 B. Water Quality

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. HO/SB

Discussion: This information was found in # 8 revised covenants as well as letter from Goodwin Well Drilling dated 05/17/13.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.3 Impact on Existing Water Supplies:

11.3

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.4 Soil Erosion:

11.4 A.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. BD/KT

Discussion: This information was found in the Erosion Control Drawing C100, Revised Covenants and Survey Plan dated 10/9/13 and under #7 on final map.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.4 B.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. HO/KT

Discussion: Found on # 6 & # 7 of the Revised Covenants and Survey Plan dated 10/9/13 and CEO will make sure this happens.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.4 C.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: This information was found in the Revised covenants & Survey Plan # 7.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 Traffic Conditions:

11.5 A. 1

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: Map shows lot 4 as specific driveway. Study was done for site distance and safety by Vafiades Engineering & Design. During site walk determined that there was little sight hazard except for # 4, which was mentioned on the map. HO/SB.

11.5 A. 2

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. BD/KT

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 A. 3

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. RJ/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 1

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 2

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: Found this information on traffic study provided by Traffic engineering book trip generation report 8th edition.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 3

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 4

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 5

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 6

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.5 B. 7

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.6 Sewage Disposal:

11.6 A. 1

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. RJ/KT

Discussion: Found soil test report in the preliminary application by Al Frick Associates. letter dated 2/4/13 , test pits are shown on map. map note 14, easement area for leachfield

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.6 A. 2

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: found soil test report in the preliminary application by Al Frick Associates. letter dated 2/4/13.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.6 A. 2, a.

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.6 A. 2, b.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: Found on new plan under lot 2, and mentioned under # 14 on the map.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.6 A. 2, c.

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/BD

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.7 Solid Waste:

11.7

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 Impact on Natural Beauty, Aesthetics, Historic Sites, Wildlife Habitat, Rare Natural Areas or Public Access to the Shoreline:

11.8 A, 1

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/SB

Discussion: Found in Engineering Report from Ross Cudlitz. Buffer zone found on map and also found in covenant # 3, in revised covenant # 6.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 A, 2

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: Found on #3 revised covenants and survey plan

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 A, 3

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/HO

Discussion: Final plan waived by PB

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 A, 4

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/HO

Discussion: Found on #3 revised covenants and survey plan

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 B, 1

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/SB

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 B, 2

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/SB

Discussion: Not applicable to this, none noted.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 B, 3

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/SB

Discussion: National Areas Program, found in the preliminary application. comprehensive plan map, on page 42. Maine Historic Preservation Commission dated sept , 2009. none identified.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 B, 4

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. RJ/SB

Discussion: Found that the lots are large enough to meet this requirement.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 B, 5

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. BD/SB

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 B, 6

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/KT

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 C, 1, a.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. HO/BD

Discussion: Found in Preliminary Plan under “Statement addressing unique botanical features and wildlife habitat”.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 C, 1, b.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. SB/HO

Discussion: Found in Preliminary Plan under “Statement addressing unique botanical features and wildlife habitat”.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 C, 2.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/BD

Discussion: Found in Preliminary Plan. And on map, env. Review of Fish And Wildlife And Observation Habitats 3.22.13

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 C, 3

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. SB/HO

Discussion: PAGE 82 of the Comprehensive Plan under important habitation. Shows no important wildlife areas. AVCOG map done by Inland Fisheries and Wildlife

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.8 D

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. BD/SB

Discussion: Not applicable to this as none exist.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.9 Conformance with Zoning Ordinance and Other Land Use Ordinances:

11.9

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/KT

Discussion: Not applicable to this because it's outside the Shoreland Zoning Ordinance, no other zoning in Town.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.10 Financial and Technical Capacity:

11.10, A

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/RJ

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.10, B, 1

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/BD

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.10, B, 2

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. SB/KT

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.11 Impact on Water Quality or Shoreline:

11.11,

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. SB/BD

Discussion: Found under the Phosphorus, Erosion and Sedimentation Control Plan C100, addressed by Ross Cudlitz letter dated 6/17/2013. Also found under the Oxford County Soil & Water Conservation letter as found in the preliminary plan, under the Revised Covenants & Survey Plan #6. Also under # 13 on the Map.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.12 Impact on Ground Water Quality or Quantity:

11.12.A.1 – 6

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. HO/KT

Discussion: Found on Engineering Plan showing basic soil types & Stormwater Mng & Phosphorus Control Report

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.12 B, 1.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. RJ/SB

Discussion: PB found that water is being distributed by individual wells and doubts 6 lots would deplete ground water.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.12 B, 2.

FINDING: *Motion that the board finds that the requirement of this Section was **N/A.** SB/RJ

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.13 Floodplain Management:

11.13 A-C

FINDING: *Motion that the board finds that the requirement of this Section was **N/A.** SB/KT

Discussion: Not applicable to this according to Floodplain Map in the Comprehensive Plan.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.14 Identification Of Freshwater Wetlands:

11.14

FINDING: *Motion that the board finds that the requirement of this Section was **MET.** SB/KT

Discussion: Found delineated on the Wet Land Map & on page 79 on the Comprehensive Plan

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.15 Storm Water Management:

11.15 A.- B.

FINDING: *Motion that the board finds that the requirement of this Section was **MET.** KT/SB

Discussion: Quantity & Quality met, found in the Stormwater Mgn and Phosphorous Report dated may 17, 2013.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.16 Reservation or Dedication and Maintenance of Open Space and Common Land, Facilities and services:

11.16 A-E

FINDING: *Motion that the board finds that the requirement of this Section was **N/A.** RJ/HO

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 Phosphorous Impacts On Great Ponds:

11.17 A, 1.

FINDING: *Motion that the board finds that the requirement of this Section was **MET.** BD/HO

Discussion: Found in the Vafiades Enginnerring and Design Report.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 A, 2

FINDING: *Motion that the board finds that the requirement of this Section was **N/A.** HO/BD

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 A, 3

FINDING: *Motion that the board finds that the requirement of this Section was **N/A.** BD/KT

Discussion: Not applicable to this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 A, 4, a.

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: Buffer strips were designated for each lot on the plan.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 A, 4, a, i. (a) & (b)

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. SB/HO

Discussion: Found Stormwater Mng Plan on page 4,

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 A, 4, b, ii Non-Wooded Buffers

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/SB

Discussion: Found Stormwater Mng Phosphorous Report

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 4, B INFILTRATION SYSTEMS

FINDING: *Motion that the board finds that the requirement of this Section was **MET**. KT/HO

Discussion: Found in leachfield and septic systems report. Also found in Revised Covenants # 8., Preliminary Application Section 5. As well as Town Plumbing Inspector will oversee this.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

11.17 4, C. Wet Ponds

FINDING: *Motion that the board finds that the requirement of this Section was **N/A**. KT/SB

Discussion: Not applicable to this. None proposed.

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

Chairman calls for a formal vote by the Board to approve the “FINDINGS OF FACTS”.

*Motion to accept the Findings of Facts. BD/SB

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

Discussion: PB members feel that applicant has met all of the Town Of Otisfield Subdivision Ordinance, - Performance Standards.

Chairman calls for a formal vote by the Board to approve this as “CONCLUSIONS OF LAW”.

*Motion that the board finds the above requirements were met to the boards satisfaction. BD/SB

Vote: 4 voting members: YES; 2 alternates: YES – Unanimous

Respectfully submitted,

Tanya Taft

Recording Secretary

Approved by: **Dan Peaco, Chair**

Otisfield Planning Board

Approved on: November 19, 2013