Town of Veazie Planning Board

Minutes of June 28, 2016

**Members Present:** Chairman Don MacKay, Andy Brown, Tony Cappuccio, Kent Tableman, Karen Walker

Others present: Barney Silver

**Call to Order:** Chairman MacKay called the regular meeting to order at 6:32 p.m. The Board had a quorum.

Open Public Hearing for subdivision application submitted by Barney Silver.

Public Hearing closed at 6:35 pm as no one present from public.

1. Approval of minutes – May 24, 2016 and March 31, 2016 site walk Tax Map 18 Lot 1. Motion by Andy Brown to approve minutes, seconded by Don MacKay. Discussion: None. The motion passed 4 to 0.
2. Old Business
3. Barney Silver submitted amended four lot subdivision plan with required information. The Board voted the application complete with the final plan showing lot numbers 15, 16, 17, 18. The seal of surveyor. Total acreage of remaining land. A true and magnetic north arrow.
4. The Board voted the application complete 5 to 0.

**Findings of Fact for Subdivision Approval**

Subdivision Name: Amended Silver Subdivision Date: 6/28/2016

1. POLLUTION The proposed subdivision will not result in undue water or air pollution. In making this determination, the Board shall at least consider:

A. The elevation of the land above sea level and its relation to the flood plains;

B. The nature of soils and subsoils and their ability to adequately support waste disposal;

C. The slope of the land and its effect on effluents;

D. The availability of streams for disposal of effluents; and

E. The applicable state and local health and water resource rules and regulations.

Met X Not Met \_\_\_ Waived \_\_\_

Based on elevation map, soils map, letter from Veazie Sewer District, and letter from Orono/Veazie Water District, the proposed subdivision will not result in undue water or air pollution.

1. SUFFICIENT WATER SUPPLY The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision;

 Met X Not Met \_\_\_ Waived \_\_\_

Based on letter from Orono/Veazie Water District there is sufficient water available for future development.

1. MUNICIPAL WATER SUPPLY The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be utilized;

 Met X Not Met \_\_\_ Waived \_\_\_

Based on letter from Orono/Veazie Water District there is sufficient water available for future development and will not be a burden to existing water supply.

1. EROSION The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land’s capacity to hold water so that a dangerous or unhealthy condition results;

 Met X Not Met \_\_\_ Waived \_\_\_

There is no new road construction and proposed house lots will not cause a reduction in the land’s capacity to hold water.

1. TRAFFIC The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed and, if the proposed subdivision requires driveways or entrances onto a state or state aid highway located outside the urban compact area of an urban compact municipality as defined by Title 23, M.R.S.A. section 754, the Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23 M.R.S.A., section 704 and rules adopted under that section;

 Met X Not Met \_\_\_ Waived \_\_\_

Four house lots have no direct access to state or state aided highways and will not cause unsafe conditions.

1. SEWAGE DISPOSAL The proposed subdivision will provide for adequate sewage disposal and will not cause an unreasonable burden on municipal services if they are utilized;

 Met X Not Met \_\_\_ Waived \_\_\_

Letter from Veazie Sewer District states four lots of subdivision will not create unreasonable burden on municipal services.

1. MUNICIPAL SOLID WASTE DISPOSAL The proposed subdivision will not cause an unreasonable burden on the municipality’s ability to dispose of solid waste, if municipal services are to be utilized;

Met X Not Met \_\_\_ Waived \_\_\_

Municipal solid waste is paid by taxes and will not cause an unreasonable burden on the municipality’s ability to dispose of solid waste.

1. AESTHETIC, CULTURAL AND NATURAL VALUES The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

Met X Not Met \_\_\_ Waived \_\_\_

Based on letter from Maine Historic Preservation Commission the proposed subdivision will not have an adverse effect historic sites, will not have adverse effect on aesthetic, cultural or natural values.

1. CONFORMITY WITH LOCAL ORDINANCES AND PLANS The proposed subdivision conforms with this Subdivision Ordinance and any duly adopted comprehensive plan, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans;

Met X Not Met \_\_\_ Waived \_\_\_

The proposed subdivision meets all criteria set forth in Ordinance and Comprehensive Plan.

1. FINANCIAL AND TECHNICAL CAPACITY The subdivider has adequate financial and technical capacity to meet the standards of this section;

Met X Not Met \_\_\_ Waived \_\_\_

The developer has demonstrated financial and technical capacity as no new road construction required and CES has provided survey.

1. SURFACE WATERS Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter 1, Article 2- B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water;

Met X Not Met \_\_\_ Waived \_\_\_

Development is not located in Shoreland Zone and will not adversely affect water quality.

1. GROUND WATER The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water;

Met X Not Met \_\_\_ Waived \_\_\_

The proposed four lots are upland and the lots will utilize a public water supply and adequate water is available as noted in letter from Orono/Veazie Water District.

1. FLOOD AREAS If the subdivision, or any part of it, is in a flood-prone area based on the Federal Emergency Management Agency’s Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by applicant, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.

Met X Not Met \_\_\_ Waived \_\_\_

No portion of subdivision is located in flood zone.

1. FRESHWATER WETLANDS All potential freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district. 14-A. FARMLAND All farmland within the proposed subdivision has been identified on maps submitted as part of the application. Any mapping of farmland may be done with the help of the local soil and water conservation district.

Met X Not Met \_\_\_ Waived \_\_\_

All wetlands have been identified on plans submitted.

1. RIVER, STREAM OR BROOK Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, “river, stream or brook” has the same meaning as in Title 38, Section 480-B, Subsection 9.

Met X Not Met \_\_\_ Waived \_\_\_

No streams, rivers or brooks have been identified on plan.

1. STORM WATER The proposed subdivision will provide for adequate storm water management.

Met X Not Met \_\_\_ Waived \_\_\_

There is an existing storm water management plan and lots will utilize existing plan.

1. SPAGHETTI-LOTS PROHIBITED If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, Section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1.

Met X Not Met \_\_\_ Waived \_\_\_

No portion of subdivision is in shoreland zone or abutting a stream, river or brook.

18. Lake phosphorus concentration The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond’s phosphorus concentration during construction phase and life of the proposed subdivision.

Met X Not Met \_\_\_ Waived \_\_\_

 No portion of subdivision is in shoreland zone nor abuts a great pond.

19. IMPACT ON ADJOINING MUNICIPALITY For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

Met X Not Met \_\_\_ Waived \_\_\_

No portion of subdivision crosses municipal boundaries and will not cause unreasonable traffic congestion or unsafe conditions with respect to existing public ways.

20. LANDS SUBJECT TO LIQUIDATION HARVESTING Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14.

Met X Not Met \_\_\_ Waived \_\_\_

No timber harvesting has taken place.

The Board voted 5 to 0 to approve subdivision application.

1. The Board discussed by-law updates & revisions
2. Additional Old Business
3. Discussion of Comprehensive Plan – Mark Leonard to meet with Dean Bennett and obtain his services.
4. Discussion of shoreland zoning ordinance with the change from Industrial Zone to Resource Protection of Tax Map 7 Lot 58.
5. The next Planning Board meeting will be held Monday July 18, 2016 at 6:30pm. There being no further business, the meeting adjourned at 8:20pm.

Respectfully submitted,

John Larson

Code Enforcement Officer