

September 30, 2015

STAFF REVIEW COMMITTEE NOTES

Staff present:

Anna Breinich (Planning and Development Director), Cathy Jamison (Tax Assessor), John Foster (Public Works), Dick Rizzo (Police Chief), Jeff Emerson (Fire Department Deputy Chief). Non-voting staff: Jared Woolston (Planner), Applicants present: Kevin Clark and Curt Neufeld, Sitelines PA (representative for client), Public present.

1. **Case # 15-047, Meadow Rose Farm Subdivision:** The Committee will review and provide a recommendation to the Planning Board regarding an **Amendment to the Approved Final Plan**, submitted by Two Clarks, LLC, for the creation of an additional one lot and revision to the conditions of approval. The subdivision is accessed from Church Road, located on a 71.4 acre lot in the **Rural Brunswick Smart Growth Overlay District, within the Coastal Protection 2 (CP2) Zoning District. Assessor's Map 17, Lot 126.**

Present for applicant:

- Kevin Clark (KC), Sitelines PA, verbal presentation of the proposed activity.
 - New sewer for five (5) lots
 - Revise condition #8 "conveyance... prior to building permit"
 - Create one (1) new residential lot from the approved Lot 1 and Lot 2, so-called and designating existing Lot 3 so-called, to Lot 13.
 - Question for sewer district: Which portion of proposed sewer system is maintained by sewer district? JW: Will ask Rob Pontau (Sewer District).
 - Question regarding lot numbering: AB: Suggest, "3A" and "3B" but no preference. CJ: Agree no preference.

Staff comments/questions of applicant:

John Foster

- Water district maintain the water main? KC: Yes, provide easement.
- Who owns hydrants? KC: Not sure. Water District?
- Who maintains sewer and pays for the sewer? KC: Question for Rob (Sewer District). Think only first five (5) lots pay.

Anna Breinich

- CMP approval? KC: Need 24 feet of vertical clearance; either raise pole or lower road. Prefer lowering road. Not sure when CMP will approve. AB: New lot crossing the CMP easement and building window needs to be approved by CMP or outside of easement. KC: Will revise plan and CMP easement will provide for new driveway. CMP easement crossing is preferred to avoid drainage area and wetland impacts.

Jeff Hutchinson

- Sewer line must be more than 200' from nearest lot proposed to have septic rather than sewer service because the building is not known (re: State sewer law compliance). KC: Okay.

Jeff Emerson

- Three (3) hydrants proposed, why not two (2)? KC: Engineering guidelines indicate max distance required three (3) hydrants. JE: 20-foot travel width (Fire code) KC: Yes, 16-foot travel two (2) foot shoulders.

2. **Case # 15-027, Spruce Meadow Subdivision:** The Committee will review and provide a recommendation to the Planning Board regarding a **Final Plan Major Development Review** Subdivision Application submitted by William Moore, for a proposed 33-lot open space

residential subdivision. **(Original Assessor's Map 13, Lot 34, 66-78) in the Mixed Use 5 (MU5) Zoning District and the Telecommunications Zone 2 Overlay (Lot 5).**

Present for applicant:

- Curt Neufeld (CN), Sitelines PA, verbal presentation of the proposed activity.
 - Sketch Plan in July
 - Unsold parcels proposed to be divided and sold as residential lots
 - Phase 1, 2 and 3 build out over 5-15 years based on market conditions
 - Kennedy Drive 1/3 constructed
 - 60-foot ROW to lot. 3,600 acres set aside as open space.
 - Conversations with Rec. Commission. Trails in areas previously cleared, 10' wide before, narrow to 4' wide bushhogged. Will depict trails on plan. Walked trails with GPS with Bill More and Tom Farrell. Proposed raised board walk (from forest regulation). Understand DEP will not look at proposed trails as needing anything (stormwater treatment); must minimize direct wetland impacts.
 - Have submitted permit application to DEP.

Staff comments/questions of applicant:

- Cathy Jamison
 - Proposed conservation area in tree growth? The idea is to grow trees so if not doing that there is a penalty. The lot boundary that is tree growth is not altered. The tree growth can be moved to open space if conserved. If conservation easement, all or portion, not conservation easement (homeowners association); open space is \$800 per acre, tree growth is ~\$100's. Deed restricted – tree growth to open space. Effective April 1 but paperwork needs to be in prior to Planning Board action. Must see the proposed 'open space' land on a plan.
- Anna Breinich
 - Lot 22 is all wetlands. CN: Lower taxes on useless land? Have not done calculations on wetlands (net area) CJ: Do calc on value, open space will change value. Include all open space. AB: Land is valued as commercial.
- John Foster
 - Owner of lot 22? AB: Homeowners association.
 - Owner of open space? AB: This is in-lieu of a recreation impact fee.
 - Who is maintaining trails? CN: Mark Walsh, will have language.
 - Same street profile as before, same drainage? CN: Slight change by lot 1. Need to bump an easement there. Front corner will change because getting more lot area, changed the grading.
 - Drainage easement? CN: Yes, like lot 23.
 - Did not bother to number lots? CN: Information on some.
 - Public street? CN: Yes.
 - Turnaround, lots after or at the turnaround shown on the plan. Move phase line or change where turnaround will be. Page 4, 5 doesn't work. The phase is okay – 15 years? 2030. AB: Standard ordinance allows phasing if timing is being met it does not have to come back for re-approval. CN: Turnaround is beyond the last lot in the phase. 25-28 is phase 2 so turnaround is beyond it. Two entrances is proposed.
 - Over 1,500 feet (road) proposed? CN: Yes, idea was to push it beyond the last entrance. JF: Two street names if two different ways that aren't joined.
 - Impact fee changes. Street lighting – don't do that for roadway? CN: Not proposed. In terms of technical review, DEP for stormwater and Site Law. Public work stuff

- hasn't changed. Will John review streets entrances and lights? JF: Little bit wider road than needed.
- Anna: Entrance permits? JF: State won't turn it over to the town until there are some homes on it. We can do entrance permits but not for the connections. CN: Correspondence from MDOT indicates the change (commercial to residential subdivision) is okay.
 - Mobile homes on plans? CN: Septic fields.
 - Drainage easement? Town owned? CN: Do not know. Will refresh memory. JF: Each access point as one. AB: Then it was commercial.
 - MDOT require street light at intersection?
 - Look at drainage. CN: Maintenance access? Need to spell out who is maintaining it.
 - Curt Neufeld
 - Owner Fire suppression – to Emmerson. Note for fire suppression? Jeff Emmerson: Legally it is okay (thinks so) long build out may be a problem if rules and laws change. May be an oversight if law requires fire suppression (In the future). CN: Cistern or sprinklers out there? JE: 2012 Code requires sprinklers. JH: Correction, 2009 Code. CN: retrofit if law changes? JH: Building code would not fire code. JH: Over an aquifer? CN: Yes. JE: Homeowners insurance would be lowered. CN: Note: delayed fire response. JW: Fire Dept. would try to get there, just not timely? JE: Not able to do anything when they get there. CN: Recommendation, houses shall have sprinklers? JE: Life safety system is recommended. Cistern is okay (not preferred).
 - Jeff Hutchinson
 - Sketch review process, possibility of common septic systems? CN: Impediment to marketing. Site evaluators did not think proposed (single) septic system was a problem.
 - Driveways, wells and septic will be tight. Driveway needs a 20-foot setback. AB: Building envelopes? May want to show that because it is more restrictive than the setback. JH: Well and septic locations reversed? CN: Well and septic located that way because of water table. JH: Easier to install if soils are approved. Recommend that note on the plan that driveways are subject to 20-foot setback. Locate driveways on 'tough' lots (not wide). CN: Sequencing or note on plan, clear for few reasons to make septic systems work up front. Buildable window is bigger that way. Septic system maybe in the bottom 1/3 or 1/2 of lot and pushed houses up to the street. Allowed more lot for building location. Well can be in wetland but septic can't. JH: No problem with septic in front, it is a lawn. Need well and septic separation. CN: Site evaluator may be able to reverse. AB: Shared driveways: 18, 20, 5, 6, 7, 8 (lots) may need shared driveways. JH: Easier to site well, septic and house – combined driveway is not subject to 20-foot setback. CN: Show driveway locations on plan. Cleaner than a note.
 - 8" x 11" of each lot for each deed would be good for the potential homeowner to have a plot plan. CN: Easy to do but cost is a factor. JH: Recommend plot plan for each lot.
 - Buffer along Old Portland road? CN: Was commercial, rather not. AB: Gateway coming into Brunswick (undisturbed corridor) Lot 1 and Lot 33 affected. Lot 21 is in buffer and easement. JH: 21 is a detention pond. JF: Must be a fence. CN: No standing water why do you need a fence? JH: Note, undisturbed setback. No clearing in the setback (Lot 22 too, even though it is open space.
 - Anna Breinich

- Purpose of lot line? Not 36 acres. Needs to be shown as conservation on plan. Delineate building envelopes vs setbacks if more restrictive b/c of natural buffers. CN: Show setback line and building line for the building envelop? AB: Show where you can build because there is a lot going on.
- John go over findings of fact? JF: May have done a letter back then (sketch plan)
- Curt Neufeld
 - Ownership of pond in findings of fact? JF: No.
- John Foster
 - Phasing plan? CN: Pretty sure gave phasing plan. AB: Two more amendments to the plan, one was phasing.
 - Monuments on corners must be updated with new lot lines. Turnaround, phase development is far future, must be built and dedicated to the town. CN: The turnaround is paved, it exists. JF: Must change phase line if already exists.
- Curt Neufeld
 - Dates: 20th or 27th? Prefer the 27th.
- John Foster
 - 1,500 foot waiver? CN: Could pull lot back and get 1,490 feet of dead end road. AB: Performance guarantee for whole road?
 - Per phase, what is required for building each phase? AB: Each phase needs performance guarantee. It was required last time, still required to get it built out. JF: Won't need it if built out. AB: Further recommended when... (reading condition).
- Cathy Jamison
 - Why phasing? 2 street names will require they have to change their addresses. DR: Concerned about road names and ability to respond (police response)
- Jared Woolston
 - Recreation Commission response in writing? CN: Not yet. JW: Rec. Commission. Section 519, get before Planning Board. CN: Will get it.
 - Waiver for profile of existing roads, John? JF: Route 1? Yes, all set.
 - Net site area steep slopes: Did you look at 5,000 square feet at 25% or more? CN: Only steep slopes are by interstate. JW: Application says, nothing over 20% (steep slopes) -- standard is 25%. Says, construction not around steep slopes. Begs question, where are the steep slopes? AB: Revise that.

November 12, 2015

STAFF REVIEW COMMITTEE NOTES

Staff present:

Anna Breinich (Planning and Development Director), Clinton Swett (Assistant Assessor), John Foster (Public Works), Jeff Hutchinson (CEO), Jeff Emerson (Deputy Chief) Tom Ferrill (Parks and Recreation Director) Non-voting staff: Jared Woolston (Planner), Applicants present: Curt Neufeld, Sitelines PA (representative for client), Public present: None

1. **Case # 15-027, Spruce Meadow Subdivision:** The Committee will review and provide a recommendation to the Planning Board regarding a **Final Plan Major Development Review** Subdivision Application submitted by William Moore, for a proposed 33-lot open space residential subdivision. **(Original Assessor's Map 13, Lot 34, 66-78) in the Mixed Use 5 (MU5) Zoning District and the Telecommunications Zone 2 Overlay (Lot 5).**

Present for applicant:

Curt Neufeld (CN), verbal presentation of the proposed activity.

- 2nd Round of SRC and changes discussed
- DEP comments received
- Septic systems and letter from Sweet Associates indicates nitrate plumes will be within each lot except lot 1 which abuts Old Portland Road; recommends moving septic system or smaller system.
- Rec. Department and Tom Farrell met regarding trail system layout, design and wetland crossings
- Discussed language for homeowner's docs and conditions for approval for trail maintenance by homeowners; no revised homeowner's docs yet but have language regarding maintenance and a letter highlighting maintenance.
- 1st phase of trail and escrow account with \$3,000.00 will be setup by the developer until such time that the homeowners association is large enough to maintain without an undue burden on the homeowners

Staff comments/questions of applicant:

Jared Woolston (JW)

- Phasing?
- CN – first phase includes first 12 lots
 - moved lot line to station 7+50
 - adjusted to less than the 1,500 foot dead end road maximum
 - summarized in table on the plan shows gap in the number

Anna Breinich (AB)

- Escrow is for the entire loop for Commerce Center and would advocate for the same
- Performance guarantee would
- CN – allow a non-conforming dead end?
 - AB – John Foster: Entire road for Commerce Center under performance guarantee
 - JF – We have it (yes)
 - AB – Does it matter in interim condition would exceed the max dead end
 - JF – how much?
 - CN - max length is just under 1,500 linear feet from the intersection and before it was 1,700 linear feet

- Two lots in the second phase is the difference
- The first 1/3 or so of the road is completed to base pavement; remaining section of road is base gravels. To complete road must remove organics, scarify.
- Cost estimate is ~\$80,000 for subsequent phases (\$150,000 - \$160,000) there is \$100,000 on account (Brunswick performance guarantee) for which will have to be made up for performance guarantee
- AB – Buffer? CN – buffers follow lot line Lot 1-12 use buffer downhill side of single family lot. DEP requirement; 15-21 use different bigger buffer; lot downhill of a single family road requirement made lot 13 with its own buffer (stormwater treatment buffer) multiple lots could go to same buffer with additional 5-foot buffer. C-soils allow buffer around wetland; infiltration forested buffer, meadow buffer, underdrain buffer
- AB – Note 7 on subdivision details – Jeff Hutchinson review?
- JH – No problem with note 7 (regarding septic system) Sitelines is showing that the septic and well can be located on each lot. CN – Well drilling rig may be as wide as 8-feet and should be able to walk past a house, establish a well and get out (maneuver). AB – concern about isolation distance after adjacent lots are constructed. CN – all lots are adjusted AB – note says only for reference (problem) JH: Need a note on the plan CN – Note: subsurface disposal systems must be located on the front of the parcel as indicated on the plan unless otherwise approved by the CEO that such change can be made without impacting the neighbors ability to located system on their lot and meet Maine state plumbing codes.
- Note 7 (Sheet 2) Any changes... open space approved by Director of Planning and Developmet and/or Planning Board in consultation with Recreation Commission

Clinton Swett (CS)

- Assessing Dept. added addresses to all of the lots with map and lot numbers.

John Foster (JF)

- Money in the escrow account from the last (commercial) development to be used for road maintenance and could be used for the trail inspection (Phase 1)
- Phase line (Phase Limit) is the slightly darker line? CN: Yes.; the turnaround (shown on the plan) cannot be used for a driveway; turnaround could be beyond the phase line.
- Inspection escrow is from the language from former approval from Commerce Drive; any time a subdivision is proposed that has a road for town acceptance, the developer must pay a consultant to inspect, 2% must be offered up front for inspection; the digital map of the subdivision to state plane coordinates must be provided to Public Works.
- Meadow buffers (and maintenance) are proposed in public way and an easement granted by developer to DEP and agree to requirements of meadow buffer; and proposing deed the road to the town and the Town Manager and the Council must consider acceptance; was referred to Town Manager this morning.
- Did we address who owns the open space? AB: Homeowners CN: Yes. JF: Drainage easement maintained by Homeowners, it is spelled out? CN: Yes. AB: Copy of the HOA will be sent to JF.

Jeff Hutchinson (JH)

- Both plans going to be recorded? CN – Yes, both plans because they are busy
- Unless trails are open to the public they must be located more than 75 feet from the stream; CN – argue the trails are not new; JH – the timber harvesting standards allow; JH – no parking for trails? CN – No. JH – public waterfront trails (does not matter if it is paved) but it is a structure and does not need to meet setback. If not public it must meet 75-foot setback. Recommend parking area for trail access; if public add note to the plan. CN – 60' ROW could provide for parking (future). JH: Trails aren't on both plans (for recording); CN: Both plans will be recorded
- JH: Trails and other lines are confusing. Couple notes or symbol to clarify
- Condition of approval to submit a copy of the deed with the building permit. Or a note on the plan should state. CN: Will include as a note on the plan. Conditions of approval as checklist items? AB: Include written notification, draft a letter to be sent to property owners (sample or example).
- Note 6: Condition of approval? Will be missed if not (advising res. Owners included in deeds. AB: Same condition for Commerce Center – future residential lot owners are provided written notification of being located outside of a fire hydrant district with the potential for a lengthy response time from the Fire Department in the event of an emergency in addition to a note on the plan – okay (Jeff Emerson), JE: Below insurance ratings in-town and could be moved up on the ISO ratings; will review note. JH: New owners need to know this.
- So many items in the deeds – condition for deed with building permit application? Or note #2 must be condition of approval. AB: Yes. CN: Boilerplate paragraph or two and tailored for depth of a buffer for each lot; Yes, fine with that. CN: Since conditions of approval are check list AB: Draft a brief letter that would go to property owners, a sample. CN: Yes, likes that.

Tom Ferrill (TF)

- Recreation Commission meeting, \$3,000 maintenance in escrow until homeowners association can fund maintenance.
- Town inspection prior to phase 2 construction
- Either trails are complete prior to Phase 2 or developer pays impact fee. CN: Trail must be done before Phase 2 building permits are issued.
- Conservation Commission did not endorse plan so Recreation Commission must review.
 - Anna: Jeff inspector?
 - Jeff: Recreation Department inspector
 - JF: Have road inspector also check trails? CN: Sure. JF: Part of the road inspection escrow work will include trail inspection.
- AB: Home Owners Association Documents. TF: Needs for the Recreation Commission Meeting. CN: Written except for escrow.

Jeff Emerson

- Note
- END

Planning Board Minor Development Review Report

Case # 15-046– 26 Back Cove Road (Assessor’s Map 36, Lot 4A):

In accordance with section 304.8.B of the Brunswick Zoning Ordinance, the Staff Review Committee reviewed and approved a Minor Development Review application submitted by Leonard J. Svetin to demolish an existing 18-foot wide by 31-foot long (558 square feet) seasonal dwelling and build a new 30-foot wide by 30-foot long (900 square feet) seasonal dwelling on a ~0.38 acre parcel (~1,635 square feet) located at 26 Back Cove Road. The minor development review application was approved on Wednesday, October 14, 2015. The project is located in the Farm Forest 3 (FF3) Zoning District and the Natural Resource Protection Zone.