

**BRUNSWICK PLANNING BOARD  
MEETING MINUTES  
DECEMBER 8, 2015**

**MEMBERS PRESENT:** Chair Charlie Frizzle, Vice Chair Margaret Wilson, Bill Dana, Jeremy Evans, Dale King, Soxna Dice, and Richard Visser

**STAFF PRESENT:** Director of Planning and Development, Anna Breinich; Town Planner, Jared Woolston

A meeting of the Brunswick Planning Board was held on Tuesday, December 8, 2015, in Town Council Chambers, 85 Union Street. Chair Charlie Frizzle called the meeting to order at 7:00 P.M.

**1. Case # 15-027, Spruce Meadow Subdivision:** The Board will hold a **Public Hearing** then review and take action on 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).**

Jared Woolston introduced the application for the proposed 33-lot subdivision. Curt Neufeld, of Sitelines, PA, representative, reviewed a PowerPoint presentation for the subdivision and open space project. Curt reminded Board members that the site was originally approved as a commercial lot in 2009 with 4 residential lots abutting Durham Road; these lots have sold. Charlie Frizzle pointed out an inconsistency in the number of lots in the application and the number of lots on the plan. Curt clarified that the proposal is for 33 lots, 32 residential lots for sale with one lot reserved. Curt said that the reserved lot, lot 33, is not for sale because it is encumbered with wetlands and has been set aside. Curt reviewed the phases, amenities, and waiver requests. Curt clarified the sewage requirements for Findings of Fact 411.8 per Soxna Dice's request. Dale King asked what prompted the DEP review. Curt replied that because there is already a permit for the parcel as it was originally intended for commercial use, the DEP permit needs to go back for an amendment. Margaret Wilson said that it was clear that in reviewing the homeowner's document that the public can utilize the trails / open space, but pointed out that there was no indication that the public could use the road. Curt replied that the road is being offered to the Town. Margaret suggested that language be placed into the homeowner's document for public access to be allowed for purposes of using the trails. Margaret asked when the trails will be put in. Curt replied that the intent is that they will construct the trails as they begin Phase I and will work with staff to identify the entrance to the trails at the end of the Phase I roadway until such time that the roadway is extended. In regards to the leach fields as noted on the topsoil's map, Margaret said that she believes that the leach fields cannot be located in the meadow buffer and pointed out that it appears as though Lots 6 through 12 are very close. Curt replied that she was correct and pointed out that there is language in the document that some lots may require a second test pit to satisfy the septic system field requirements. Margaret asked if they should amend the Conditions of Approval to note this conflict, but Charlie Frizzle pointed out that the septic systems will go through another separate

review. Anna Breinich asked Curt if staff was going to get an updated septic plan as requested and Curt replied that he has submitted a revised plan, but noted that the second test pit is not included. Curt said that the new map shows two sites for each potential septic system and each well to show the appropriate separation as requested by Jeff Hutchinson, the Codes Enforcement Officer. Jeremy Evans asked if staff has other open space trail systems maintained by homeowners association in Brunswick. Anna replied that there is one and pointed out that there has been much discussion on the ongoing maintenance of the trails and referred to the conditions.

**MOTION BY DALE KING THAT THE MAJOR FINAL SUBDIVISION PLAN DEVELOPMENT REVIEW APPLICATION IS DEEMED COMPLETE. MOTION SECONDED BY SOXNA DICE.**

Chair Charlie Frizzle opened the meeting to public hearing. No comments were made and the public hearing period was closed.

Members and staff discussed revised wording for the Findings of Fact.

**MOTION BY BILL DANA THAT THE BOARD WAIVES THE FOLLOWING REQUIREMENTS:**

1. Section 412.2.B.8 – Profiles and cross-sections and curve radii of existing streets.
2. Section 412.2.B.17 – Location of all existing trees over 10 inches in diameter, and locations of tree stands.
3. Section 412.2.C.6 Stormwater Management Plan.

**MOTION SECONDED BY SOXNA DICE, APPROVED UNANIMOUSLY.**

**MOTION BY DALE KING THAT THE FINAL SUBDIVISION PLAN IS APPROVED WITH THE FOLLOWING CONDITIONS:**

1. That the Board's review and approval does hereby refer to these findings of fact, the plans and materials submitted by the applicant and the written and oral comments of the applicant, his representatives, reviewing officials, and members of the public as reflected in the public record. Any changes to the approved plan not called for in these conditions of approval or otherwise approved by the Director of Planning and Development as a minor modification shall require a review and approval in accordance with the Brunswick Zoning Ordinance.
2. That prior to the sale of a lot, evidence is provided in the form of a final recorded Declaration of Restrictive Covenants and Easements dedicating a minimum of 50% of the 76.1 acre parcel as open space in perpetuity and establishing an on-going open space and trail system maintenance program as accepted by the Directors of Planning and Development, and Parks and Recreation. Said Declaration shall indicate that public access to trails and over the proposed roadway shall be permitted before and after acceptance by the town.

3. That prior to the sale of a lot, any changes required by the DEP to the stormwater management plan for the Site Law permit are incorporated on the final subdivision plan as needed.
4. That prior to the sale of a lot, the Site Law Permit is approved by Maine DEP.
5. That prior to the sale of a lot, lot owners shall be made aware, in writing by the developer, that their lots are located in a rural fire protection district with limited water supply which will likely result in lengthy emergency response times and increased insurance rates. A note advising homeowners shall be included on the deed in addition to the written notification.
6. That prior to the issuance of the first building permit for each phase, Solid Waste Impact Fees shall be paid as follows:
  - Phase 1 - 11 new units at \$2,844.16
  - Phase 2 - 11 units at \$2,844.16
  - Phase 3 - 10 new units at \$2,585.60.
7. That at the conclusion of Phase 1 or no later than the year 2020 an inspection of the trail shall be completed by Town staff. In the event that trail Loop A has not been constructed to staff satisfaction, the developer will have the option to complete the loop or pay the prorated recreation impact fee before the issuance of building permits for Phase 2. The same methodology shall apply to trail Loop B and Phase 3.
8. That prior to the sale of the first lot in each Phase, a performance guarantee shall be provided for the completion of Kennedy Drive, in accordance with the approved phasing plan in an amount per phase as determined by the Director of Public Works.
9. That prior to the sale of the first lot in each phase, granite monuments or an approved equal must be placed at all points of curvature or horizontal changes in the road right-of-way alignment of that phase and shall be installed to the satisfaction of the Town Engineer. The final plan shall detail the location of all such monuments.
10. That prior to the start of construction of Kennedy Drive, an escrow account equal to 2% of the total roadway construction value, including all utilities shall be established for inspection of the road and related storm drainage system to the satisfaction of the Town Engineer.
11. That one week prior to construction, a pre-construction meeting with the Public Works Department shall occur.

12. That prior to the start of construction, a digitized electronic drawing file of the complete final approved plans, in an approved format, shall be furnished to the Public Works Department.

13. That upon completion of Kennedy Drive, an "as-built" or set of record drawings shall be submitted in a form acceptable to the Public Works Department.

**MOTION SECONDED BY RICHARD VISSER, APPROVED UNANIMOUSLY.**

**2. Report on Staff Review Committee Minor Development Plan Approvals:**

Charlie Frizzle pointed out that these are approvals made by staff and asked if there were any questions. No members had questions.

**3. Zoning Ordinance Rewrite Committee (ZORC) Update:**

Anna Breinich said that the next meeting is December 16<sup>th</sup> from 1:00 to 4:00.

**4. Approval of Minutes**

**MOTION BY BILL DANA TO APPROVE THE MINUTES OF SEPTEMBER 10, 2015.**  
**MOTION SECONDED BY SOXNA DICE, MOTION APPROVED UNANIMOUSLY.**

**5. Other Business**

**Adjourn**

This meeting was adjourned at 7:56 P.M.

Respectfully Submitted,



Tonya Jenusaitis

Recording Secretary