

**Lebanon, Maine Planning Board
Minutes – Public Hearing -Regular Meeting
Monday August 7th, 2017**

Members Present

P. Philbrick – Chairman
D. Harriman – Vice-Chairman
S. O'Brien
A. James

Others Present

Lee Jay Feldman
Dana Libby
Aaron Wiswell
Faye Wiswell
Andy LePage
John Bozak
Deborah Dorey-Wilson
Jeremy Bradshaw
Gay Ehler

Chairman Philbrick asked for a motion to open the meeting. S. O'Brien made the motion to open the meeting. A. James seconded the motion. The meeting was opened at 6:10 pm by Chairman Philbrick.

Chairman Philbrick introduced Andy LePage as a potential member of the Planning Board.

Lee J. Feldman director of SMPDC, Southern Maine Planning and Development Commission, was in attendance representing the Lebanon Planning Board in regard to the proposed "Eastwood Condominiums" project. Chairman Philbrick had requested Mr. Feldman's assistance in answering some concerns that the Planning Board had in regard to the project. Mr. Feldman gave a brief overview himself on the review process. Mr. Feldman had reviewed the preliminary application and had been in contact with Dana Libby, who represents Far Investing Co, LLC in this project. Mr. Feldman and Mr. Libby discussed if the preliminary application is complete, has applicant submitted all necessary information, is the information that was submitted sufficient or is more needed. The Board will determine this when the checklist is completed. Once the application has been approved as complete, Mr. Feldman offered to assist in compiling information for the "Findings of Fact" document. There were additional questions raised concerning traffic issues stormwater, as well as performance standards.

Chairman Philbrick asked if there were any questions. Mr. Libby stated that he had information from his conversation with Mr. Feldman. Chairman Philbrick asked Mr. Libby to wait until the Public Hearing to present information so that he does not have to repeat the information twice. No additional questions were presented.

Mr. Wiswell from Far Investing Inc. LLC submitted check # 300 in the amount of \$ 4,800.00 for the Eastwood Condominiums project. \$ 4,000.00 of which is for an escrow for subdivision review and \$800.00 was for the application fee.

Check # 664 for \$250.00 was received by Gay Ehler for the costs associated with the public hearing for amending the previously approved subdivision "Woodland Estates". Mr. Libby from Corner Post Survey, who is representing Mrs. Ehler also submitted check # 22747 in the amount of \$21.90 for the difference in cost for the Public Notice in the newspaper.

The minutes of 5/15/2017 were reviewed by the Planning Board. S. O'Brien made the motion to approve as revised. Vice-Chairman Harriman seconded the motion. The vote was taken. The vote carried.

S. O'Brien presented a list of questions that the Comprehensive Planning Committee will be reviewing at their meeting this Wednesday for a survey. They have been reviewing the inventory categories in the old 1991 plan to see what will need to be updated, what information we currently have and what information is missing. Mr. Feldman stated that a lot of Towns are not creating plans with so many inventory categories. Mr. Feldman offered to speak with S. O'Brien in regard to this issue at a later time.

At 7:00 pm, Chairman Philbrick opened the Public Hearing on Eastwood Condominiums. Lee Jay Feldman was introduced to those in attendance as well as his role in this process.

Pledge of Allegiance

Chairman Philbrick invited Dana Libby from Corner Post Surveying, Inc. to present the project. Updated information was distributed to the Planning Board members to review. Lee Jay Feldman had previously reviewed the revised application and had submitted an overview answering the questions that the Planning Board had on this project.

The Department of Transportation permit will be valid for two years. This allows the Condominium development to have an entrance/exit off of Route 202/Carl Broggi Hwy.

The applicant reapplied for the Department of Environmental Protection permit by rule. The mailing was received on August 2, 2017. If there are any concerns or questions the DEP will contact Dana Libby directly.

A new plan shows existing coverage, existing impervious area and the new proposal of 8,800 to 10,500 square feet of fill, does not trigger approval from the state or need for stormwater permits.

Mr. Libby addressed the Board's concern in regard to the propane tanks located within the wetland setback. Proposed tanks are to be 500 gallon and will be underground. Dana Libby will address this issue.

S. O'Brien asked if a stormwater drainage was on the design. Mr. Feldman was also concerned as to where the water would be going as well. Mr. Libby informed Mr. Feldman that there was a set of plans in the package addressing stormwater that he had not seen. Mr. Feldman looked over the plans and determined that he is comfortable as to how the water will be directed for a project this size. The water will be sheeted with no pond collection.

The applicant was originally seeking a waiver for a High Intensity Soil Survey, however the survey has been accomplished. The High Intensity Soil Survey will be removed from the application.

The Hydrogeologic Survey will be waived. For it is not needed for this project.

A. James questioned as to why originally Stantec had the propane tanks listed at 1,000 gallons and now they are listed as 500 gallons. There was a concern expressed that the tanks would float. It was stated by Dana Libby that the tanks will be anchored and the plan should note that.

Chairman Philbrick asked if there were any other questions and or concerns.

A. James would like to see that the Condominium units will be governed by covenants and deed restrictions placed on the final plan. The Condominium Association Documents have been filed previously and recorded at the County registry.

Vice-Chairman Harriman had a question on the project being located on two separate lots. It was discussed that the tax map and lot sheets used by the Town for lot assessing do not show actual survey boundaries are not a survey. Mr. Libby creates the actual survey plan and certifies that it is accurate.

Mr. Libby per the discussion agreed to revise note seven to include lot 16D on the plan.

Mr. Bozak was curious about the septic design and asked for a description of it due to the soil being marginal for this type of building application according to the soil survey for the owner. A soil scientist has already inspected four test pits and has determined that the soils are adequate for the design of a conventional septic system.

Chairman Philbrick asked if there were any further questions and or comments in regard to the Eastwood Condominiums project.

There were no further comments or questions.

Chairman Philbrick stated that he was comfortable with accepting the preliminary application as complete with conditions. Chairman Philbrick asked for a motion to accept. Vice-Chairman Harriman made the motion to accept the preliminary application as complete with the condition that the following are placed on the plan: (1) The Condominiums will be governed by a Condominium Association and (2) note seven be revised to include 16D. S. O'Brien seconded the motion. The vote was taken. The vote carried.

Chairman Philbrick asked for a motion to close the Public Hearing. Vice-Chairman Harriman made the motion to close the Eastwood Condominium Public Hearing. S. O'Brien seconded the motion. The hearing was closed at 7:35pm.

Chairman Philbrick asked for a motion to open the Public Hearing on the Woodland Estates Subdivision revision. Vice-Chairman Harriman made the motion. S. O'Brien seconded the motion. The vote was taken. The vote carried. The public hearing opened at 7:40 pm.

The revisions of Notes 26.3 and 26.7 on the Woodland Estates subdivision plan were proposed by Dana Libby, who represents his client Gay Ehler.

The Lebanon Planning Board received the request for note revisions on the final plan of the Woodland Estates Subdivision previously approved September 1, 2016. The proposed revisions are as follows:

Note #26, subsection 3 shall be amended to read:

3. No lot in said subdivision shall be further divided without the approval of the Town of Lebanon Planning Board.

Note #26, subsection 7 shall be amended to read:

7. Single family dwellings only are permitted and shall consist of not less than 960 square feet of living space exclusive of basement and appurtenant structures and shall be no more than two stories. All dwellings shall be erected on a full foundation. Construction shall be accomplished with new materials and shall not include exposed barn board, plywood or similar materials. All exterior decks and stairs, other than brick or concrete stairs, must be painted or stained. Garages are permitted and may be attached, detached, or drive under.

Chairman Philbrick asked those in attendance if there were any questions and or concerns in regard to these revisions. There were no comments. Chairman Philbrick then asked if someone would like to make a motion to accept the revisions. Vice-Chairman Harriman made the motion to accept the revisions to

the previously approved subdivision "Woodland Estates" to both notes 26.3 and 26.7. S. O'Brien seconded the motion. The vote was taken. The vote carried. Final plan was signed and dated.

Mark Stuart came before the Planning Board inquiring if he could proceed with a Right of Way to properties he would like to split for family members. Mr. Stuart stated that he was waiting for the deed to be drawn since the last meeting. The Board informed Mr. Stuart that the Board needs to see a copy of the deed(s) before moving forward with a review along with an application fee.

Due to the next regular meeting date falling on Monday, September 4th, Labor Day, the next Planning Board meeting will be held on Monday, August 28th.

A motion to adjourn was made by S. O'Brien. The motion was seconded by A. James. The vote was taken. The vote carried. The meeting adjourned at 8:44 pm.

Minutes reviewed & accepted 12/4/2017