

**Fryeburg Planning Board Meeting
June 26, 2018 – Town Office**

Members in Attendance: Patrick Emery, Robert Ricks, Barry Woodbrey, Ed Price, Edy Kizaki

The meeting was called to order and it was determined that there was a quorum.

Approval of Minutes: Price made a motion to approve the May minutes, which was seconded by Ricks and passed unanimously.

Motion to decide if Board will consider Caregiver/Hand Blown Glass application this evening:

Price suggested the Board decide if they will consider the application tonight since it was submitted late. There was no further discussion and all voted in favor of considering it tonight.

Application for Land Use Approval for Fryeburg Academy Dining Hall Expansion: Mark Connor, principal of the architectural firm doing the expansion, described a new dining hall and renovation of the existing building into a student union. The new building will be approximately 10,600 square feet.

The total timeline will be 18 months to 2 years. The new dining hall would be open for fall semester of 2019. Next the civil engineer, Vinal Applebee spoke. The new logistics would be similar to what there is now as far as loading docks and deliveries, resulting in no increase in traffic or noise. There is currently emergency access off Bradley St for emergency vehicles to pass through campus and the fire chief cautioned them to maintain that access which they did, making it wider than it currently is. They are adding and connecting a couple of sidewalks. It decreases the chance of pedestrian/vehicle conflicts, although this is already minimized since deliveries don't happen during school hours. It is proposed that all utilities will be underground as they are now. A number of utilities will have to be relocated and will be reconnected. Building will be served by town water, for domestic use and fire protection. The building will be sprinklered. The buildings will be served by septic and the best location for the septic is currently being evaluated by Maine Land. The existing Frye Hall septic too has to be relocated. The fuel source for kitchen is 2 1,000 gallon above-ground propane tanks which will be enclosed in a fence to conceal them and there will also be an electrical transformer located near them which will also have a fence. Lighting is only some fixtures on building which will be downturned to not impact homes on Bradley. Fryeburg Academy (FA) is in receipt of code officer's memo and they are in agreement with her recommendations. Parking area will lose 20 parking spaces, some will be maintained for deliveries. They request a waiver for an alternative parking location. These staff parking spaces would be located across the street at Alumni Hall.

At Alumni Hall there are about 34 parking spaces and after reserving 9 for current staff it would leave 25 available spaces that will replace the lost ones. Erin Mayo, head of school spoke and introduced a trustee. The leadership and trustees have recently voted to demolish the back and additions to Alumni Hall leaving the historic building only. There will be additional parking available once done. Currently there is no function for the building and including some faculty apartments were vacated and it will be reworked. Mayo said it would be intended to fill that and other parking needs. Kizaki questioned septic plans and Applebee explained there are a lot of septic and the requirement is that they be separated by a certain distance so if necessary it will be pumped but they are investigating a couple places in the hope

pumping is not necessary. The two will be combined. There were no further questions. Emery made a motion to accept the application as complete and Ricks seconded it. Price made a motion to accept the application as complete provided the septic system will be approved when it is located. Kizaki added that the parking spaces be a condition of the approval and seconded. Emery then asked for a vote finding the application complete with no provision and it was unanimously approved. Price made a motion we hold a public hearing for the project at our next meeting on July 24, Kizaki seconded it, and it was unanimously approved.

Application for Land Use Authorization for Mark Lopez Gravel Pit: George Sawyer made a presentation of the plans. Mark Lopez was present..

The proposal is to open up a gravel pit, mostly sand actually, on a parcel which is about 4.5 acres and the pit area is about 2.3 acres. A displayed chart outlined the area for the lot and the excavation area. It is close to Rt. 302. This is all part of what was the Pratt property. It sits on the Denmark-Fryeburg town line. Lopez bought a property of 21 acres in Fryeburg and 70 acres in Denmark and some acres in Bridgton. The only part is didn't purchase is a small lot on the other side of Wilton Warren Rd which now has a house being constructed on it. There is an old house back up in the field on the Pratt property. Price asked if Lopez is breaking off that property and selling the house and barn and how many acres it is. Lopez responded yes he's selling it and it is about 6 acres. Sawyer stated they did a number of test pits, one 20 feet, one at least 16 feet, another down 11 feet, the information is provided. They didn't find any evidence of seasonal or standing ground water at the time they did the pits. On Wilton Warren Rd there is a bog area with some associated wetlands and a vernal pool. They have 2 reports, one on the wetlands and one on the vernal pool. The vernal pool is not considered significant by the report since bullfrogs eat all the other amphibians eggs. It is considered a wetland but not significant. There is a 75 foot setback from the wetland which they will use as the edge of the excavation. Ricks asked where they put their test holes and if there was no ground water. Sawyer stated there was no ground water when the pits were done. There is no water removal as part of the project. He shows the lines which are the proposed finished grade elevations. The state says they have to be 5 feet above the water table. They are making sure they stay above that and these choices as to how far they excavate is being determined by the test pits. Later they could dig down deeper and see if they can go farther, as long as they are staying 5 feet above the water table. Sawyer stated it's pretty deep, well-drained sand. He showed the contour lines for a 2.5 to 1 grading for a finished grade and it will stay at that elevation currently. Ricks asked about adjacent households. Sawyer states there is an old craft house. 125 to 150 feet away from the edge of the excavation, no one is living there now. The closest occupied home would be Tim Osgood, one house up a bit, and some further down on the other side. Weisman is the one building a home and he is aware of the plan, his father works for Sawyer. He bought the land already knowing about the plan. Woodbrey was concerned that people might use the location to go and shoot.. Lopez stated it will be a source of material for him for his projects in Bridgton and Norway, not a commercial pit, which it is not big enough to be. Ricks stated it would be desirable if the road could be closed off so people wanting to shoot would not go in there. Price asked how much material is Lopez looking to haul out per day, week, and month. Lopez stated it is going to vary, a couple months there might not be any, if he has a job going on there might be quite a bit, just depending on what he needs, there is not a set schedule. Removal would be during daylight hours. It would be in long-term use, more than 5 years. Sawyer showed that there is at least 75

feet and some place more to the property line. It will be clear cut a couple acre and maybe thinning the vegetation farther around it. Some of the bigger pine will be taken out but vegetation will be left along the road. According to Sawyer the wetland is only a little strip of land in the property. The logging road is just that and is now owned by Lopez and will be discontinued at some points, in the past the Pratts logged, especially in the Bridgton part. Clifford Hall's lots shown on the map was an old subdivision owned by Andrews and Hall purchased all those lots and there is only one house there now. Those parcels potentially could be developed in the future according to the tax map. Woodbrey made a motion to accept the application as complete, Ricks seconded it and it was passed unanimously. Price made a motion to have a public hearing at our next meeting and Kizaki seconded it. It was passed unanimously.

Land Use Application for the Old Saco Inn Events Barn: One of the owners, Bruce Moffit, explained an events barn post and beam building. The property is 65 acres total. They refer to a chart provided. The proposed building is 5,000 square feet and is above the floodplain. It would be 50 x 84 foot post and beam building built in the hammer truss design primarily for weddings but also for other events. It will have a 20 x 24 extension on the back for a commercial kitchen and restrooms. It will be a 4 season building with air conditioning and heating. They have proposed 50 parking spaces which meets the minimum requirement. 40 of them will be in a clearing just off their existing road, the other 10 will be adjacent to the building, 2 of which will be handicapped spaces. Behind the parking lot will be the septic system, the design is in the packet. They had the DEP, Jeff Kalinich, out to look at the site in April or March. He identified 2 wetlands that need to be protected. The one to the north of the proposed site needs a 75 foot setback to be protected, that is seen on the plan. The other one is a wooded wetlands to the east of the site. That one is a protected wetland as well but there is no setback requirement. There are some man made ditches that run through the area they are proposing to build on, DEP identified them as not protected and can be altered. The design also shows lighting at all 4 points of the big parking area and off the driveway that will allow vehicles and emergency vehicles to go up to the barn, and there is lighting on all 4 corners of the barn. Kizaki clarified the location of pathways. Price asked if all the parking spaces are new. Moffit stated that the Inn is about 2000 feet further down, and has adequate parking spaces. Kizaki asked if some events would have more than 200 guests. Would more than 50 cars just park along the little road? Moffit said they wouldn't really want people to park along the road but there is a grassy area on the other side of the ditch they are proposing for overflow parking and also they would encourage shuttle service from area hotels to keep car numbers down. Price clarified location of grassy area. Moffit stated the event space is planned for up to 200 guests. They have not hired an architect as yet, waiting for approval, but passed preliminary drawing around of where posts would line up on building, location of restrooms, commercial kitchen, and a bar location, doors on both sides of the building, access door through the kitchen to get deliveries, a major set of doors in front of building. They require 4 stalls in ladies room, one being handicapped accessible, and two sinks, as well as two stalls in the men's room, urinals and two sinks. A water fountain is also required and will be there. They are looking at various designs for the kitchen, most of the catering will be on site. Kizaki and Price asked about necessity of architectural plan review, code officer clarified it would be necessary in the commercial zone but not in this zone, according to the ordinance this zone requires the site plan only. Once all the code issues are identified as met, they will need a building permit to start building. Price stated this may be the first time the Board has had an application without an architectural rendering of the building design. Kizaki suggested the board condition the final approval upon review of the design. Ricks

stated that most buildings we need to review for design are visible to passers by but this one is hidden on the property. Code officer states it's always helpful to have the plans and understandable that the board and she herself wants to visualize it but the ordinance standards don't require it for approval. Moffit offers a look and feel sketch and some sample photos of buildings similar to what they are visualizing. They are taking care to meet the under 35 feet height restriction. Price makes a motion to find the application complete, Ricks seconds it. It is unanimously passed. Price states there is no need for a public hearing and makes it a motion. Ricks seconds it. Kizaki suggests we condition it on meeting the sound requirements. It passes unanimously. Emery reads the project description. Price asks if they will be drilling another well. Moffit says yes and it is not drilled yet, but will be as far away as possible. Kizaki questions erosion and sediment plan, and it is noted it is in it. Price motions we approve the plan with the following conditions: propane tanks be located and installed in compliance with Maine rules, lighting plan be submitted with building plan and CEO will make sure it's in compliance, that the applicant is aware of the noise standards and meet them, the refuse disposal will be a second dumpster in the existing enclosed dumpster building, the DHS stormwater permit will be obtained before construction, that the plan is approved by state fire marshal, that any DHS licenses for the eating facility and lodging facility be obtained. A vote was taken to approve the project with the conditions stated and unanimously passed.

Application for Land Use Authorization of Caregiver Office and Hand Blown Glass Store: The applicant described his proposal, provided samples of varying CBD products to be passed around and provided some sample marijuana testing results for review. There was a discussion about precedence when the vote about the public hearing was made. Price made a motion to accept the application as complete, Ricks seconded it, and it was passed unanimously. The application was accepted as complete. Price made a motion to set a public hearing for July 24, Woodbrey seconded it, and it was passed unanimously. A public hearing was set for July 24. The meeting will be at the Legion to accommodate multiple public hearings.

Property Maintenance Ordinance: Kizaki has been reviewing other town ordinances CEO had provided for town property maintenance standards and it was agreed by the CEO to put it on the agenda for August. One town resident has agreed to meet with Kizaki to discuss the various choices. It would be useful to have a couple people to discuss it in committee format.

Election of Officers: Woodbrey made motion to continue with officers as they are now. Kizaki seconded the motion and it passed unanimously.

CEO's Monthly Report: Report reviewed. The building near monument will be a coffee shop. A septic tank was installed on the Christian Scientist property Jennifer Regan property gave an easement to put the septic tank in as things are so tight there. Ricks made motion to accept CEO's report and Woodbrey seconded. Was unanimously adopted.

Beginning With Habitat Presentation Discussion: CEO has had trouble getting in touch, will ask Nels to contact them and schedule it. Ricks mentioned Conservation Committee will try and coordinate with Upper Saco Valley Land Trust to come and present as well. Could be large event. September will be the earliest. CEO concurred that the agenda is full until then. Kizaki suggested asking for a date to help

schedule. Ricks asked about a venue. CEO is confident of the legion, someone also mentioned the Performing Arts center at FA.

Other business: Price stated we got final marijuana ordinance. CEO provided an article that deals with storefronts and other legislative data about marijuana ordinance on state level. Ricks stated need for a more local perspective on the preservation discussion. Kizaki asked if the Board would be ready to doing a formal request to the select board consider scheduling the other two meetings of the 3 boards relating to water issues and the E&G update report. Ricks commented the selectmen made a political decision to end the meetings and we are not the body to initiate them again. Suggested we let the selectboard decide to reinitiate. Kizaki stated it was not due process ot have the ball dropped then and others agreed but suggested to sit back and wait to see what the selectboard does. CEO suggested the water trustees could re-initiate it. Price stated proceeding with Beginning with Habitat is useful to moving ahead. Kizaki mentioned need for water withdrawals spreadsheet for Planning Board to understand monitoring data. Ricks questioned the Planning Board role in monitoring. Kizaki stated in the E&G 2005 report it states the Planning Board is named as responsible for monitoring the reported withdrawals and for tasking the agents of the PB with measuring the water levels. Ricks agreed the report puts the responsibility of monitoring the withdrawals on the Planning Board. CEO stated we will have the E&G update in the near future. Some members recalled that we get spreadsheets, and Kizaki pointed out the data groups come in different forms. Ricks asked if we can get Luetje to send someone to speak to us. Price suggested we wait for the E&G report. Kizaki asked CEO if E&G can be requested again to possibly provide it with their report update, and CEO stated she would check with them. CEO suggested whoever wants the spreadsheet they should do it themselves, and Kizaki suggested she'd need to go to hydrology school to do so. Discussion ensued. CEO stated actually the figures of the elevations mean nothing because they pick out an elevation then provide the data for that, but it is not a complete understanding of the withdrawals. *[Data should rather be interpreted differently based on different elevations, each group of figures taken at an elevation point should be compared to those same elevation points at other times to understand actual change; added by CEO.]* Ricks commented that we need to know when we've reached a decision point. Price stated it was part of the original report and tells what factors will be that indicate the decision point. Kizaki asked him to provide her with the part of the report that states that. It was agreed to wait for the next E&G report and see what they provide.

The next meeting will be July 24th.

Emery made a motion to adjourn, which was seconded by Ricks and passed unanimously. The meeting was adjourned at 8:15 pm.