

**Fryeburg Planning Board Meeting
April 23, 2019 – Town Office**

Members in Attendance: Patrick Emery, Ed Price, Robert Ricks (arrived late), Barry Woodbrey, Edy Kizaki, Tom Rebmann (Alternate)

The meeting was called to order at 6:00 and it was determined that there was a quorum.

Emery made a motion to approve Rebmann as a voting member for the meeting which was seconded by Kizaki and passed unanimously. (Ricks arrived a few minutes later and therefore Rebmann did not subsequently act as a voting member)

Public Hearing- Application for Minor Subdivision- Autumn Woods: George Sawyer was present as the agent for the applicant and Mark Lopez was present as the property owner. Sawyer described the proposal for a 4 lot subdivision to be located off Wilton Warren Road. This is where a borrow/gravel pit was previously proposed. 4 lots will be created with a remaining lot being retained by Lopez as a woodlot. The proposed 4 lots have varying size and frontage.

There will be a deed restriction noting where each lot's driveway can be located. Sawyer also reviewed the sight distance waiver request for one of the lots. 360 ft. of sight distance is available as opposed to the 450 required for roads that have no speed limit posted. Kizaki questioned the driveway location. Sawyer responded that the proposed driveway location maximizes the sight distance. Kizaki asked if the police or a traffic expert had been consulted. Sawyer responded no, but said that in his opinion doing 45 mph is unlikely; 45 mph is the speed to use to calculate sight distance if there is no speed limit posted. The obtainable sight distance meets the MDOT Highway Design guidelines for 40 mph speeds. Sawyer also noted that it seems likely that most people will turn right out of the driveway, towards Rt. 302 and that the sight distance to the left is adequate.

Test pits show there are soils suitable for septic on each lot. Sawyer noted the location of a proximate wetland and stated that it is not a vernal pool. He presented the overall plan of Lopez's land as the Board had previously requested. 100 ft. of frontage would be established via a ROW across Lopez's land in Denmark.

Lopez spoke about the travel speeds on Wilton Warren Road and thinks that even 35 mph is quite fast on that road. There was more discussion about sight distance. Tree removal along the road was discussed. Woodbrey asked how far this is from 302 and the reconstruction. Sawyer responded that the construction on this portion of 302 was already completed.

Sawyer presented the erosion control plan and summarized, after an inquiry from Kizaki, that it includes a typical site development detail and a written plan that talks about site disturbance, silt fencing, and reseeded. He noted that the properties are relatively flat and sandy and that there is limited erosion potential.

Ricks inquired if there would be any foundation requirements or limitations. Sawyer said that there would be no imposed requirements. The lots will be developed by the new property owners however the soils and topo would not limit the foundation type.

Kizaki asked if each property owner would get the plan. Sawyer explained that the driveway locations will be set as a deed restriction. Kizaki asked if it was possible to add a deed restriction for the wetland setback as the CEO stated that it may be something the Board would want to require. Ricks stated that it

is a state requirement to meet the setback. Sawyer said the sliver of land within 75 ft. of the wetland would not likely be able to be developed anyways due to property line setbacks and the topography.

It was confirmed that the abutters of the entire property were notified. Return receipts were provided.

Kizaki asked about the potential future uses for the back lot. Lopez said it would be just a woodlot at this point. There was a discussion about the access to the back lot and the potential development. The CEO believes that by creating a ROW through Denmark, the frontage issue of the back lot is resolved.

The public hearing was closed.

Emery began a review of all of the applicable ordinance standards and reads the CEO's memo, which reviewed Sections 21 and Section 16.

Price made a motion to approve the application with the following conditions:

- A deed restriction be added to Lot 1 prohibiting development in the 75 ft. wetland setback so as to ensure the plan is adhered to as prescribed.
- The sight distance requirement will be waived with the understanding that each driveway will need a Driveway Entrance Permit to be approved by the Town.

Kizaki stated that she would like to see a traffic person, such as the police, say that the sight distance is safe. Sawyer pointed out that numerous driveways in the location also do not have sufficient sight distance. There was discussion.

Woodbrey seconded the motion. The motion passed with a 4-1 vote (Kizaki voted in opposition of the motion).

The process of signing the approved mylar was discussed.

Approval of Minutes: Price made a motion to approve the March meeting minutes. This was seconded by Ricks and passed unanimously.

Public Forum: N/A

CEO Report: The CEO presented a spreadsheet of permits issued and violation notices sent and answered specific questions. Price made a motion to accept the CEO report which was seconded by Ricks and passed unanimously.

Other Business: The next meeting will be May 28th at 6:00 p.m. at the Town Office. Ricks noted the progress of the dining hall addition at the Fryeburg Academy.

Price made a motion to adjourn which was seconded by Woodbrey and passed unanimously. The meeting adjourned at 6:42 p.m.