

Town of Searsmont
Planning Board Meeting Minutes
November 21, 2023
6:30 PM

1. Call to order: The meeting of the Planning Board convened at 6:30 pm. These minutes are a summary of the Board's discussions. A recording of this meeting is available at the Town office.

2. Roll Call - Members Present:

Christian Halsted, Chair
Jon Thurston
Sarah Crosby
Jon Robbins
John Lightner
Jack DeGraff

Others:
Walter Wetmore, CEO
Selectman Redman
Selectman Staples
Selectman Milinazzo
Jake Boyington
Ron Jackson on Teams
Adie Philson
Max Johnstone

3. Applications:

a. Building Permit Applications:

i. Totman property on the New England Road

1. Application says it's replacing an existing 40'x260' building but list dimensions of 85'x120'
2. C. Halsted called and confirmed they were confused and they do plan to use the original footprint of 40'x260'
3. Flat \$50 fee as there is no change in the footprint.
4. J. Degraff motioned to approve the permit, J. Robbins seconded. Motion passed 6 in favor, 0 opposed.
5. Replacing the existing building does not mean it has to look exactly the same. The LUO only looks at the footprint. They could increase the height up to 35'.
6. The footprint includes any roof overhangs.

b. Minor Site Plan Review Section 1102.5: Fire House Apartments project (J. Boyington)

i. C. Halsted confirmed the fees have been paid.

ii. Preserve and Enhance the Landscape -

1. The only change to the site will be the driveway added to the south side of the building.
2. There are no plans to remove trees.
3. There will be grass planted over the septic site to make it a lawn.
4. There will be silt fencing installed. There will be some excavation done around installing the septic system.
5. No questions or concerns.

- iii. Access to the Site Roads/driveways into the development shall provide for safe and convenient access –
 - 1. No change to driveway access to Route 131.
 - 2. Not more than 25' from the building on the back and west sides of the building; approximately 20' long.
 - 3. No change to the driveway to the salt/sand shed. J. Boyington does know what will happen to it in the future.
 - 4. No additional questions or concerns.
- iv. Internal Vehicular Circulation -
 - 1. The west side of the building will have room for cars to parallel park along the tree line on the side of the driveway leaving room for other cars to get in and out. It is tight but does meet the requirements.
 - 2. It is 39' from the building to the boundary line. 34' feet moving toward the river.
 - 3. J. Boyington walked the property line with the abutters to agree upon where the line is. J. Boyington agreed to rebuild the stone wall along the line in lieu of a fence.
- v. Conservation, Erosion and Sediment Control –
 - 1. We've already talked about erosion control and stabilizing disturbed soil – silt fencing.
 - 2. We've already talked about drainage and the portion of the site in the shoreland zone.
- vi. Site Conditions – other than the driveway/parking lot, the work will be inside so he just needs to not leave building materials lying around outside. He will be providing a dumpster for the tenants.
- vii. Advertising Features – there will not be any signage.
- viii. Special Features of Development – no issues – all the work will be inside.
- ix. Exterior Lighting - just typical porch lights.
- x. Emergency Vehicle Access – no issues or concerns.
- xi. Municipal Services – on a public water supply that serves 11 buildings in the center of town; no concerns.
- xii. Surface Water Drainage – no change to existing footprint so there are no issues.
- xiii. Phosphorous Export – does not apply.
- xiv. Ground Water Protection -
 - 1. Water use will increase in the building but the water supply should be able to handle that.
 - 2. No other concerns.
- xv. Air Pollution – no issues or concerns.
- xvi. Odor – no issues or concerns.
- xvii. Noise – no initial concerns but it could depend on the tenants. Searsmont does not have a noise ordinance.
- xviii. Sewage Disposal – there is an approved septic plan in the application.
- xix. Waste Disposal –
 - 1. Tenant waste disposal is up in the air right now. There may be a dumpster but maybe not since the transfer station is so close by.

2. The three-bay garage may be used as overflow for work from his main garage on Appleton Ridge Road but there are no plans to do major equipment repair work there.
 3. There is a floor drain in the old ambulance bay but it's not known where it goes. He may seal it up in the future when he pours a new floor.
- xx. Setbacks and Screening – already discussed rebuilding the rock wall which cover safety concerns as well as setback and screening.
 - xxi. Financial and Technical Capacity – no concerns.
 - xxii. Telecommunications facilities, Co-location – does not apply.
 - xxiii. Scenic Resources – does not apply as there is no change to the exterior building.
 - xxiv. J. DeGraff motioned to accept this plan, seconded by S. Crosby. Motion passed 6 in favor, 0 opposed.
 - xxv. The next step is to apply for the building permit.
- c. Site Plan Pre-Application Review for the town sand & salt shed.
- i. 24' wide paved driveway onto the property.
 - ii. Sand/salt shed building would be on the right-hand side and further in would be a transfer station. The attendants building would be moved from the current transfer station.
 - iii. They are considering adding a fire hydrant to supply water to the fire trucks on the driveway in before the sand/salt shed. This would require drilling a well and adding a pump house.
 - iv. They could possibly duplicate the water tank system here at the town office.
 - v. There would not be any offices or restrooms. There would be a porta potty like there is at the current transfer station.
 - vi. They are not currently looking to expand the size of the transfer station but there is room to expand if needed in the future.
 - vii. There are a lot of wetland notations on the site plan. The front area of the property is all wetland but further back where the sand/salt shed will be is higher elevation and more level ground. It does not include any federally designated wetland.
 - viii. There is a sand gravel water aquifer on the front portion of the property.
 - ix. Why is wetland impact denoted? They seem to be small areas. They can adjust the location of the buildings slightly to avoid the small wetland areas.
 - x. There is one significant impact area around the transfer station building.
 - xi. The wetland review was only around the front of the property as the town is not planning to use the back areas.
 - xii. The town can't officially apply for a Site Plan Review until they own the property.
 - xiii. It is not shoreland zone and it's not mapped as federal wetland. When we do the Site Plan Review, there will need to be more discussion about the denoted wetland areas and the pros and cons and the impacts.
 - xiv. Is there anything the board would need addressed if the town decided to purchase the property?
 1. The board would like to see where the water flows. Does it go to the St. George River eventually? It is in the watershed.

2. The aquifer is the biggest concern and the wetland areas are a close second.
3. The DEP says you can't build a sand/salt shed on an aquifer. This is not – it's 50' away according to the plan but how accurate are the measurements? How comfortable is the board with the shed being that close to the aquifer?
4. It will be up to the town to make a case, sell the project, and explain how they will mitigate the risks.
5. There is another property option nearby but it is also near the aquifer.
6. There is a junk yard on the aquifer, an LNG plant near the aquifer, and a lumber mill on another aquifer in town.
7. This property is the only space available that is easily accessible for the town.
8. A state geologist may be able to provide more information. C. Halsted would recommend the town hire their own consulting hydrogeologist to assess this plan to confirm the measurements and weigh in on the risks and concerns.
9. Is there a way to know how many wells in the area tap that aquifer? Selectman Redman has talked to a couple of different well-drilling companies and there are very few that will drill wells into sand gravel aquifers. He has also talked to DEP and they will not certify any water source in a sand gravel aquifers – it doesn't produce potable water.
10. The state should have surficial materials maps that will answer the question about how deep the aquifer goes. C. Halsted did a search and bedrock appears to be 47' below the surface.
11. When you drill a well into a sand gravel aquifer so they have to use casing and drill deeper to get below the aquifer. It is also riskier as the well would be a direct injection point into the ground water if there were ever a spill nearby.
12. Mitigation of any runoff from the facility would be an important point to address.
13. Mitigation of the wetland would also be important. Normally you would add a wetland offset wetland removed for a project but there is nowhere wetland could be added as most of the area is already wetland.
14. Even an individual wanting to buy the property for a house would have similar issues with putting in a driveway and building on that lot. It would be a little easier as it could be closer to the road and take up less overall space.
15. A 30' area around the sand/salt shed would be paved in addition to the 20' wide driveway.
16. A hydrogeological survey could cost upwards of \$30k.
17. The aquifer information on this site plan should be more up to date than the aquifer map in the town's existing Comp Plan.
18. The paving around the sand/salt shed is intended to prevent leaching. It would also be on a concrete foundation with paving inside.

19. This shed would hold all of the sand and salt for the town. The town previously had it stored in more than one location.
20. Once the town has purchased the property, they can submit an official application which would require a pre-application review. There is the possibility of a public hearing and then the final review.

[Correction: it was incorrectly stated during the meeting that the town needed to purchase the property before submitting a Site Plan Application.]

Per Section 1102.1B, Ownership Interest. The developer will furnish written evidence showing his interest (option, contract for sale, etc.) In the property to be developed to the Planning Board.

Providing a copy of the purchase & sale agreement will meet this requirement.]

21. The property is currently under contract with a signed purchase and sales agreement.
22. The town already has approval from DEP for the location of the shed and verbal approval from the DOT for the access to the state road. They are still working on approval to move the transfer station to a new location but do not expect it to be an issue.

4. Approval of Minutes:

- a. J. DeGraff moved to accept the November 7, 2023 minutes as written. J. Robbins seconded. Motion passed with 6 in favor, 0 opposed.

5. Treasurer's report: None.

6. Communications:

- a. C. Halsted shared the forestry plan for the Sheep Island project before the meeting.
 - i. Interesting that they wanted to put it at 24 points. Not an issue – it meets the requirements, but it seemed arbitrary.
 - ii. Should anyone from the board or the CEO go out and see the flagged trees? How do we confirm they did what they proposed after the fact? What would the board say if someone came in with a complaint about what was done and no one had seen it before or after.
 - iii. F. Therio (previous CEO) did follow up on this type of project in the past.
 - iv. The replacement of an old building near the shore, a potential gazebo, is not included in this permit.
 - v. The trees to be cut have been flagged. The applicant is waiting for the board's approval of the forestry plan to get started.
 - vi. C. Halsted, J. Robbins, and W. Wetmore would be the people to do the site visit and review the flagged trees. There was consensus from the board that there should be a site visit.
 - vii. C. Halsted will reach out to the applicant and let them know the plan looks good, but the board does want to do a site visit, and he will set up a day and time.
- b. C. Halsted did receive one inquiry about the Trillium Way subdivision near Levenseller. One of the owners is trying to split a lot and take half and give half to the neighbor on

the other side of the lot. They will need to come to the board with an amendment of the subdivision plan. The neighbor on the other side is outside the subdivision. The split lots may not meet the 3-acre minimum.

- c. C. Halsted will update the permit spreadsheet after this meeting.

7. Committee Reports: None.

8. Old Business:

- a. The new Building Permit application has been approved. C. Halsted is going to wait to share it with the office until the site plan for is also approved.
- b. C. Halsted fixed some typos in the Site Plan Application and updated wording discussed at the last meeting. He needs to add the links to the LUO differentiating major and minor site plans.
- c. S. Crosby moved to accept the revised Site Plan Application with links added. C. Halsted seconded. Motion passed 6 in favor, 0 opposed.
- d. Once the links are updated, C. Halsted with share with office staff for review.

9. New Business:

- a. LD2003 – S. Crosby and C. Halsted attended a presentation that A. Philson set up with the state back in September, but they still didn't feel like they knew what needed to be done.
- b. A. Philson explained that there is funding available to go through the necessary changes. Searsmont qualifies for up to \$10,000 for consultant and legal fees, public meeting notices, etc.
- c. The town needs to decide if this is something the Planning Board wants to do themselves or do they need assistance from a consultant or an attorney, etc.
- d. A. Philson's associate, Max, handled the ordinance changes for the town of Lincolnville.
- e. M. Johnstone, land use specialist for MCOG. The town needs an updated ordinance by July 1, 2024. If you don't have an update ordinance, you can run into issues with approving projects that meet either the state rules or the town ordinance but not both.
- f. The town meeting is in April so that is the deadline to propose ordinance changes for the July 1 deadline.
- g. For Lincolnville, M. Johnstone flagged the areas in their ordinance that need to be updated. Much of it will involve updating definitions.
 - i. Three main categories to review are 1) accessory building units, 2) affordable housing projects, 3) additional dwelling units
 - ii. Searsmont is eligible for \$10k vs \$5k because of their zoning status.
 - iii. We have accessory apartments in their ordinance. This would be one area that M. Johnstone would note what items might needed to be added to this vs some towns don't even have accessory apartments in their ordinance.
 - iv. The deadline to get the ordinance on the agenda for the town meeting is usually in February. The board may need at least one, possibly two designated meetings to go through the ordinance changes to get it done in time.
 - v. Are additional meetings needed to educate the public? MCOG can assist with public meetings and explanations. They can explain that there are natural restrictions that would apply:

1. Someone looking to build affordable housing would want sewer and water systems. Searsmont does not have sewer and water so the developer is not likely to come here.
 2. 4 additional units in the growth area still need to follow lot size requirements so if we have 2 acre limits they would need 8 acres. Does Searsmont have 8 acre lots available in the growth area? No. Growth area would mainly be in the village area.
 3. Shoreland Zone takes higher priority in LD2003. Accessory Dwellings do not need the minimum lot size outside the Shoreland Zone but it is required within the Shoreland Zone.
- vi. C. Halsted is in favor of having MCOG do this work.
 - vii. MCOG can start work while the town does the work to get the state funding.
 - viii. S. Crosby made a motion to enter into an agreement with MCOG to help us revise our LUO to meet the LD2003 requirements and work with the selectmen to work out the financial piece and apply for the funding. J. DeGraff seconded. Motion passed 6 in favor, 0 opposed.
 - ix. MCOG is happy to do a public information session either combined with or separate from a public hearing. The board would prefer to have an information session and a vote back-to-back at the same session.
 - x. Now that we have a CEO, we can use our second meetings in December and January for LD2003 work instead of permit approvals.
 - xi. March 4 could potentially be the public hearing/informational session.
 - xii. Time needed for changes will depend on whether you just want to make the LUO ordinance compliant vs tailor it to the town's needs. We can just make compliance changes now and do more tailoring later.
 - xiii. Compliance is the priority for now but we can identify things we want to follow up on in more detail later.
 - xiv. M. Johnstone will identify things that need to change for compliance but he may also make other language recommendations.
 - xv. M. Johnstone will send his recommendations to C. Halsted within a week of the December 19th meeting.

10. Adjournment: J. DeGraff made a motion to adjourn, seconded by J. Robbins. Motion passed by a vote of 6 in favor, 0 opposed and the meeting was adjourned at 8:28 pm.

Respectfully submitted,
Patricia Chapman, Planning Board Clerk

J. DeGraff made a motion at the December 5th meeting to accept the November 21, 2023 minutes as written with the added correction. J. Robbins seconded. Motion passed with 6 in favor, 1 abstained (E. deFrees) 0 opposed