

**Town of Turner, Maine  
Planning Board Minutes  
November 20, 2019**

**1 CALL TO ORDER**

Called to order at 6:00 pm by Mr. Bill Bullard, Chairman. Those Members present were Mr. R. Edward Morris, Mr. Bill Bullard, Mr. Kelvin Youland, Ms. Shirley Twitchell and Mr. Richard Lee. Those Absent, Mr. Russell Pack and Mr. Brian Emmons. Mr. Bob Folsom, Code Enforcement and John Cleveland, Town Planner were also present.

**2. VERIFICATION OF QUORUM**

Mr. Bill Bullard stated that there were 5 Board Members in attendance which constitutes a Quorum.

**3. PUBLIC HEARING:**

**Wildlife Acres Subdivision**

Mr. Gotto stated that Wilderness Run road and subdivision was approved in 2004 and in 2007 Wilderness Way was built. There is a subdivision at this time and the applicant is looking to expand lot 14 which was set aside in the first phase of the subdivision and is about 50 acres. The Applicant is looking to expand past lot 13 on the current road. There was a road approved in the prior subdivision which will be called Mavis Way. Lots will be range from 1.1 acres to 9.8 acres. There will be 1 overhead power line pole and the remainder will be underground power. There will be 190 trips a day expected on the subdivision. The Applicant provided the full road frontage street plans. The applicant also provided information on Storm Water. The location for the proposed subdivision is in a unique area so they are currently waiting on the Department of Environmental Studies to discuss the best way to move forward.

Mr. Jamie Punch, President of the snowmobile club questioned what would happen with the Snowmobile trails in and around the area. Mr. Gotto stated that when the first subdivision was approved that when the second phase was done that there would be no access to the land.

Mr. Mark Morris stated that Mr. Russel Pratt had called about the subdivision during the first phase of the subdivision. Mr. Morris had told him at that time that the snowmobile could use the trail for now but when the second subdivision was approved there would be no access. The trail at this time goes through 5 proposed lots.

Mr. R. Edward Morris stated that the snowmobile club could look into getting land owner approval for the back lots. There have been some conversations with additional people within the town on where the trail could be moved but there would need to be some conversations with the land owners.

Mr. Bullard questioned on how the snowmobile trails would affect this project. Mr. Gotto stated that it would depend on how the Board reviews the Ordinances. The Town wants promote snowmobiling but they also need to be aware of the Land Owners.

Ms. Twitchell stated that in the past this has been an issue but the Board needs to be careful because land owners will start cutting off access to their land because it would prohibit them from being able to develop their property. In the past there was an issue and they had to have someone move some of their lots and she did not think it was fair at that point.

Mr. Punch stated that he is not here to complain he just wants to plan for the upcoming year. Mr. Mark Morris stated that the club maybe able to look at the property and see if there are any possible ways to access and/or move the snowmobile trails.

#### **4. OLD BUSINESS**

##### **Wildlife Acres Subdivision**

Mr. Cleveland presented the Board with information regarding the project. He stated that the Planning Board must look at the Zoning Ordinance, Street Construction Ordinance, Comprehensive Plan and the Subdivision Plan.

The Zoning Ordinance has this project in General Residential I. Mr. Cleveland went over the requirements for this zone. Mr. Cleveland stated that the proposal setbacks as proposed have been met. Mr. R. Edward Morris questioned on if the Department of Transportation is ok with the Street Construction with the Plowing. Mr. Cleveland stated that the Town should present the Department of Transportation to look at the plans for approval. Mr. R. Edward Morris would like the Board to present it to the Transportation because the applicant would like the proposed road to be accepted as a Town Road.

The Street Construction section was reviewed, Mavis Way and Wilderness Way extension. There will be a shard drive known as Paul's way that will be a gravel shared driveway. Mavis Way and Wilderness Way Extension meet the requirements as proposed. Wilderness Way is designed to keep the storm water from going into the Watersheds. Paul's way will be a common driveway and will be 700ft with a 12 ft travel way. Mr. Cleveland stated that he didn't notice a Culvert at Mavis Drive but Mr. Gotto stated that there would be one there. Mr. R. Edward Morris questioned on if there is a minimum or maximum number of dwellings on a Dead End Street. The Town's Ordinance states over 200 trips per the Fire Chief would need a say and 300 trips per day there would need to be a through way. This would be about 30 lots. This subdivision would be under the 200 trips per day. Mr. Gotto stated that because of the cost to building the roads the Town changed the Ordinances. The proposed roads meet the Ordinances.

Subdivision Ordinances were reviewed with the Board. Mr. Gotto stated that there will be easements for the drainage. There will be no common space for the properties. These lots will have their own homeowner's association and it will mirror the current subdivision. There will be private wells and septic systems for each lot. Mr. Gotto provided letters to the Board with the current well set up and wells in the area and a letter from the State stating there is adequate water for the area. Mr. R. Edward Morris questioned if there was a dry hydrant at the Retention Pond and Mr. Gotto stated that there is one available. Mr. Gotto stated that the proposed subdivision took into account the wetlands in the area and made sure that the lots are accordingly. There will be buffers put into the Deeds at the sale of the lots with restrictions. Mr. Gotto stated that the Department of Environmental Protection will be listed on the Deeds within the watershed to make sure that there is no impact on Pleasant Pond and the Watershed. Mr. Gotto reviewed the phosphorus loading requirements with calculations regrading the same. This is important because of the watersheds within the properties. Mr. Cleveland stated that per the report there would be less export than what would be allowed. The applicant has designed the lots and roads to ensure that the water will drain into different areas to ensure there is not issue. Mr. Cleveland stated that in the phosphorus report states the best practice management that on contingent the plan being built and maintained appropriately. The Board will need to keep in mind that if the Town takes over the proposed road they will need to take into account the maintenance required to maintain it. Ms. Twitchell questioned who would maintain the retention pond and the filters. Mr. Cleveland reviewed the protection

of the wildlife habitat. The Department of Inland Fisheries and Wildlife stated that there is a Deer Wintering area near but with the cutting that has been done there is no shelter do there would be no Deer Wintering. Mr. Cleveland stated that per the Town's Ordinance it states that the applicant must get a letter from a consultant or the Department of Inland Fisheries and Wildlife stating the same. Mr. Gotto stated that the letter may state that there is a Deer Wintering area but in the last sentence states that the proposed area can be developed because the area has been cut and no longer meets the wintering guidelines from the subdivision approval in 2004 and the lot was cut once again in 2014. Mr. Cleveland stated that there is no one contesting that this area is a deer yard and if the Board is comfortable with the Letter from 2004 as meeting the guideline the Board may. Mr. Gotto stated that there is no scenic areas on the site and letters to state the same. The Homeowners Association is responsible for the maintenance of the filters and the ponds. The contractor from the first subdivision will be doing the expansion and is knowledgeable in the development.

Mr. Cleveland stated that the Board is waiting on some additional items required which would be the Permit by Rule from DEP and the Natural Resource Letter regarding the Wetlands and the Performance Waivers. Mr. Gotto stated that with another project the Board of Selectman approved the Performance guarantee. Mr. Gotto stated the applicant would be looking to have a limit of 3 building permits on each drive until the criteria is met. The Town has an engineer review the construction and is billed outside of an escrow account.

Mr. Bullard questioned on if the Board would be ok with the three lot constructions verse a Bond. Ms. Twitchell questioned on what was done with the prior subdivision. Mr. Youland questioned what was done with a project approved earlier this year. Mr. Gotto stated that there was a restriction on the amount of lots developed until the road was completed. There was a conversation on if this project was different because it was a private road on that project verse this project looking to be adopted as a Town Road. Ms. Twitchell questioned on where the applicant is looking for 3 lots on each road and no additional lots will be developed until the road is completed. The idea behind this would be to have the sale of the lots to help pay for the roads to be built. Mr. Bullard and Ms. Twitchell stated that they would both be ok with 2 lots on one road and 3 lots on the other road. This could be voted on the Findings of Fact under the Performance Guarantee.

Mr. Cleveland stated that we should put this applicant on the Agenda. Mr. Bullard questioned on if the Board can approve the project with the understanding that everything must be approved accordingly. Mr. Cleveland stated that the Board could still plan on reviewing the application at the Workshop and see if the appropriate letters have been received.

**5. New Business**

None

**6. Other Business**

None

**7. PLANNING BOARD MINUTES FROM October 16, 2019.**

Mr. Bullard motioned to accept the October 16, 2019 minutes as written as is and seconded by Lee. 4 ayes, Ms. Twitchell abstained)

**8. REPORTS**

Mr. Folsom reviewed a few possible applications coming in front of the Board.

**9. ANNOUNCEMENTS AND CORRESPONDENCE**

The Comprehensive Plan is available to the Board to review electronically or hard copy. There will be a Public Hearing on December 19, 2019 regarding the Plan.

**10. PUBLIC COMMENTS**

**11. ADJOURNMENT**

Ms. Twitchell made a motion for adjournment and it was seconded by Mr. Morris and the Board unanimously accepted. The meeting adjourned at 7:55 pm.

Respectfully submitted by, Megan L. Ricker, Secretary.