



TOWN OF DAYTON, MAINE PLANNING BOARD

Meeting Minutes
Tuesday, February 25, 2020, 6:30 P.M.
Dayton Town Hall
33 Clarks Mills Road

CALL TO ORDER & DETERMINATION OF QUORUM

Members Present: Shannon Belanger, Bruce Reynolds, Darren Adams, Justin Lord,
John Boissonnault

Town Employees Present: Jim Roberts (CEO)

APPOINTMENTS & NEW MEMBER/ALTERNATE ACKNOWLEDGMENTS

The Town is still in need of a Planning Board Secretary. Shannon Belanger will act as secretary for today's meeting.

MINUTES

Meeting Minutes from December 10, 2019 had a revision. John Boissonnault made a motion to accept the minutes as revised and Darren Adams seconded the Motion. All voted in favor.

Meeting Minutes from January 14, 2020 were reviewed. John Boissonnault made a motion to accept the minutes as written and Darren Adams seconded the Motion. All voted in favor.

PUBLIC HEARINGS

- I. **LINWOOD ACRES SUBDIVISION AMENDMENT** – William Thompson of BH2M, agent; 535 Goodwin Mills Road, LLC, Owner. Minor Subdivision Application seeking approval to divide Lot 8 (Map 7, Lot 1-8) for 1 new lot/dwelling unit. The subdivision is proposed to consist of 9 lots/dwelling units with Open Space. The subdivision is located within the Village District and is located off of Route 35. A portion of Lot 1-8 is located within the Town of Lyman. Tax Map 7, Lots 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-10.

1 **Public Present:** William Thompson, BH2M present for Linwood Acres
2 Nicole Shea, James Bowley and Bill Harris present

3
4 Bill Thompson of BH2M gave a presentation and description of the subdivision
5 amendment proposed.

6
7 A MDOT permit was approved for a temporary Route 35 opening. This opening is to be
8 used for construction on the lots only. This temporary entrance will be removed, loamed
9 and seeded prior to the issuance of a COP for lots 8 or 9. Lots 8 and 9 shall have a shared
10 driveway off of Apple Blossom Lane.

11
12 The Fire Chief has reviewed the shared driveway for lots 8 and 9. The 20' wide gravel
13 width with turn-tee was found to be sufficient for fire access. The gravel driveway can be
14 paved.

15
16 The lots are to be served by on-site septic systems and drilled wells. Abutting lots septic
17 and wells have been identified on the subdivision plan demonstrating the required
18 setbacks shall be met. Lot 9's reserve test pit was done. The test pit log was submitted to
19 the Town and Board.

20
21 The Town of Lyman reviewed the proposed subdivision amendment and had no
22 concerns.

23
24 Lot 8 and 9 proposed no wetland fill. Pins and signage shall be installed prior to
25 construction to ensure no wetland impacts occur. Lot 3 in the Linwood Acres
26 subdivision appears to have filled more wetland than was permitted. Plan note 17 is
27 proposed to address remedying this violation. Lot 3 will need to work with MDEP to
28 amend the Permit by Rule or apply for a Tier 1 permit depending on the amount of
29 wetland filled in the subdivision. An amended subdivision plan will need to be provided
30 to the Planning Board for their review and approval.

31
32 The plan depicts typical house and driveway locations. Lot 9's driveway, house, septic,
33 wells installation cannot impact the wetland.

34
35 Sample deed for lot 8 and 9 was provided. It restricts dug wells and requires vehicular
36 access from Apple Blossom Lane as required.

37
38 Nicol and James from the Linwood Acres Homeowners' Association asked about the
39 shared driveway and if that was Bubbling Brook Lane. Shannon explained that a prior
40 subdivision amendment eliminated Bubbling Brook and that the access for lots 8 and 9 is
41 just considered a driveway and will not be named.

42
43 Bill Harris asked if the lots meet the minimum lot size requirements of zoning. He stated
44 he has a reserved ROW that exists to his abutting land. Mr. Harris may be cutting trees on
45 his abutting land and will be using Apple Blossom Lane and his ROW.

1 John Boissonnault made a motion close the public hearing and Darren Adams seconded
2 that Motion. All voted in favor.

3
4 **DEVELOPMENT REVIEW & WORKSHOPS**

5 **I. LINWOOD ACRES SUBDIVISION AMENDMENT – William Thompson of**
6 **BH2M, agent; 535 Goodwin Mills Road, LLC, Owner. Minor Subdivision**
7 **Application seeking approval to divide Lot 8 (Map 7, Lot 1-8) for 1 new**
8 **lot/dwelling unit. The subdivision is proposed to consist of 9 lots/dwelling units**
9 **with Open Space. The subdivision is located within the Village District and is**
10 **located off of Route 35. A portion of Lot 1-8 is located within the Town of**
11 **Lyman. Tax Map 7, Lots 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8, 1-10. Workshop**
12 **comments from Public Hearing, Workshop Compliance and Draft Findings**
13 **of Fact & Decisions for possible approval**

14
15 The Board reviewed the memo and checklists prepared for the Linwood Acres
16 subdivision amendment.

17
18 Darren Adams made a motion to not require 24” diameter trees to be depicted on the plan
19 due to the limited building envelopes proposed and brook and wetland setbacks and
20 cutting restrictions noted on the plan. John Boissonnault seconded that Motion. All voted
21 in favor.

22
23 Darren Adams made a motion to find the monumentation shown on the plan as suitable.
24 John Boissonnault seconded that Motion. All voted in favor.

25
26 Darren Adams made a motion to find fire protection remains met by the existing fire
27 cistern in the subdivision development and that lots 8 and 9 are not required to construct
28 the dwellings with sprinkler systems. John Boissonnault seconded that Motion. All voted
29 in favor.

30
31 Darren Adams made a motion to find the subdivision compliant. John Boissonnault
32 seconded that Motion. All voted in favor.

33
34 Darren Adams made a motion to approve and sign the Findings of Fact & Decisions and
35 subdivision plan. John Boissonnault seconded that Motion. All voted in favor.

36
37 **II. SOLAR ENERGY ORDINANCE – Review Ordinance Options and**
38 **Workshop**

39
40 Shannon Belanger described the draft Solar Energy Ordinance to the Planning Board.
41 Everyone had an opportunity to review the draft.

42
43 Jim suggested the ordinance consider prohibiting the large scale solar energy systems
44 from the Village District. The Board agreed due to the smaller lot size allowed in the
45 Village District.

1 The Board reviewed the setback requirements proposed and recommending the articles
2 referenced be revised to match the zoning ordinance requirements.

3
4 The Board reviewed the definitions and differences between small, medium and large
5 solar energy systems.

6
7 The Board agreed that Historic Buildings require review by the Planning Board.

8
9 The Board discussed the removal and abandonment sections and found them to be well
10 written.

11
12 Darren Adams made a motion to set a public hearing for the Solar Energy Ordinance for
13 April 7th. John Boissonnault seconded that Motion. All voted in favor.

14
15 **OTHER BUSINESS**

16
17 Shannon reviewed the Planning Board meeting calendar for 2020. The Planning Board
18 agreed to meet on March 10th and again on April 7th for the Solar Energy Ordinance.

19
20 Shannon said the Board received a subdivision pre-application form for a two lot
21 subdivision off of Gould Road. The Board will consider receiving this pre-application at
22 their March 10th meeting.

23
24 The new Subdivision Regulations adopted by the Planning Board are available on the
25 Town website.

26
27 The new Subdivision Application forms are also available on the Town website.

28
29 **ADJOURN**

30
31 Darren Adams made a motion adjourn the meeting. John Boissonnault seconded that
32 Motion. All voted in favor.

33
34 
35 _____
36 Shannon Belanger, Chairman/ Acting Secretary

Date: 3-10-2020

37
38
39 COPIES TO: Jim Roberts, Code Enforcement Officer; Selectmen; and Tax Assessor

40
41 THESE MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR
42 CLARITY.