

Dayton Planning Board
May 9, 2017

Members Present: Dan Plourde, Bruce Reynolds, John Boissonnault, Darren Adams,

Town Employees Present: Jim Roberts (CEO), Linda Bristol (Secretary)

Public Present:

Justin Meserve, Kamolphan Meserve, Eugene Merserve, Isaac Ospouat, Michael Barber, Dwight Anderson, Dylan Anderson, Marlene Buda, Susan Buda, Dennis Buda, Daniel Yarumian, Christy Norton, Jason Buda

Administrative:

Meeting Minutes were read from February 25, 2017. John Boissonnault made a motion to accept the minutes and Darren Adams seconded the Motion. All voted in favor.

Old Business:

A Public Hearing is being scheduled for the Comprehensive Plan for June 20, 2017, at 6:30 PM at the Dayton Town Office. Linda will post notices and place the ad in the Journal Tribune.

Linda drafted a letter to Craig Durocher concerning his wine making and wine tasting proposal. Dan passed the letter around for approval. Bruce made a motion to send the letter and Darren seconded the motion. All were in agreement.

New Business:

Justin, Kamolphan, and Eugene Meserve appeared before the Board with two requests. The first request is that Kamolphan Merserve would like to use half of the property for a campground and the second request is that Justin Meserve would like to use half of property for Meditation Monastery.

The campground would be on the furthest part of the property and they would build one at a time. The property is located on the Gordon Road which is across from Smith Road.

Jim said it is zoned Rural Fields.

John asked if this was for the campground and was told that it is by Justin.

Bruce asked if they had any plans for mobile homes.

Justin said possibly mini-homes on trailers.

Bruce asked Justin if he owns the land and Justin said that his Dad owns it. Eugene Meserve said the land is now in four names and Justin will end up with it.

Dan noted that you can't have mobile homes in this zoning.

Eugene said that there is a wooded section in back of Bill Harris. The woods are the beginning of their land. Then there's fields with some woods.

John asked if these are two separate parcels and Justin stated that they are. One parcel would be for the campground and one for the meditation monastery.

Justin said they are not planning a mobile home park. And Eugene stated that people would not be there permanently.

Jim said this would fall under 7.3 of the Zoning ordinance—Campgrounds and tenting grounds.

Dan asked how many acres they own and Eugene said at least 60.

Bruce said he assumes they are here more as a fact finding meeting to see what the Board can or cannot do.

Eugene said that is the case and that there is one cabin there that has been there a long time.

Justin was given pages 62-64 of the Zoning Ordinance and Dan told him that they need to come up with a general layout. He suggested putting some thought into it and then come back with preliminary plans.

Justin asked if at this point was there anything that would prevent them from doing this and the Board did not feel that would be the case.

Jim did note that they will need a septic system, roads, etc. Jim also noted that this would fall under campgrounds, not a sub-division.

Eugene asked if they need to define it more and Dan said that they will need to do that.

Jim said that it will probably be permitted but the Board needs more information.

Bruce said the preliminary plans should include how many cabins, septic systems, water, roads, etc.

As there were no other questions, Justin went to his second idea. He wants to set up a land trust for a meditation monastery. There would be one main building with a kitchen with small cabins around it. They would fixed structures.

Dan said that this needs to be approached the same way as the campground. The plans should show everything. Two separate parcels with the land split in two pieces with a separate deed for each.

Eugene said the lodge would be separate. The monks have small cabins with not much to

them. They will have a bathroom, but no kitchen.

Jim asked for a preliminary sketch so the board can see how it will look.

Dan said the key to this is separate parcels.

Eugene said there is a natural separation.

Jim noted that without a kitchen that it would not be considered a dwelling unit.

Bruce reiterated that they need to come up with a plan.

Justin asked what happens if they do the plan and then want more cabins later.

Dan told him they would need to come back to the Board.

Isaac asked if the preliminary plans would involve costs such as an engineer.

Dan said probably not the preliminary plans, but if they progress further then there would be costs for an engineer.

Isaac asked if they need buildings, roads, septic, water, etc. on the plans and Dan said they would. He noted that an engineer could tell them what they need.

Bruce stated the Board needs to see something.

Justin asked if it would be a problem if he fixes up the existing cabin and rents it out.

Jim said before fixing it up Justin would need to come see him and Justin said that he would do that.

The next item on the Agenda which falls under Old Business concerns the Buda family sub-division.

Marlene Buda spoke and said that they have had additional soil testing done. They did two per lot. Dan Yarumian has the results.

She said the fire department requires sprinklers or a holding tank.

Jim asked what they decided.

Marlene said that they prefer sprinkler systems. It will be cheaper on the individuals. The family agrees to sprinkler systems.

Marlene said that Saco River Corridor folks said that the lots are big enough. There is no issue with river-front property.

Dan reminded Marlene that the Board has requested that the road maintenance agreement be signed off by everyone on Anna's Way. He noted that there are six lots on Anna's Way.

Marlene said that their lawyer said the best way was to have the Deed and Maintenance Agreement together.

Jim noted that this is different from a normal sub-division because the Town has money upfront.

Susan Buda said that if she had to, she would put the road in herself. Her lot is number 5.

The owner of lots 7 and 8 is reaching out to the owner of the lot across to buy her out.

Darren asked if he would count as two of the owners and Susan said he would.

Darren asked if the timetable for the road is to build the road a little at a time or all at once.

Susan said they need to discuss if they will start with gravel or go with the final road.

Jim noted that for the first and second house the road needs to be 12 feet wide, but there is a different standard beginning with the third. The road needs to be 20 feet wide and can be gravel.

Jim said the first one is basically a driveway. Also, the Town will not do anything on a private road.

Susan asked if it is up to Town specs will the Town take over the road and Jim said that the Town would have to vote on it.

Jason asked if somebody sells out, will it be a sub-division and Jim said that it would be if you sell within five years.

Jim said that the first person can sell, but the second one has to come in for a sub-division.

Christy noted that they didn't have to come to the Board because this is family.

Jason asked if somebody has ten acres, can it be split into two lots.

Jim said that every time you create a lot, you have to come back to the Planning Board.

Marlene asked if they have all the houses can the road stay gravel. Jim said that with the fourth house they would have to pave. Jim also noted that the Board wants everyone to

sign the maintenance agreement.

Christy asked if the Town has done a walk through.

Susan said if a walk through is done, you are entering at your risk as the land is posted.

Jim recommended that they put liability insurance on the property for that one day when the walk through is held. The public can come.

Susan said they would have the public sign a waiver.

Jim said that a waiver amounts to nothing. They should get the liability insurance.

Bruce said they just need it for 24 hours.

Dan Y. asked if the lots and road need to be staked out and was told they need to be.

Jim asked if there are any wetlands and Dan Y. said there are.

Christy asked how many people usually come to a walk through and Jim stated neighbors, etc.

Jason asked if the Maintenance Agreement should be signed before the site walk.

Marlen said that the Deed and Maintenance Agreement will be signed at the same time.

Jim said this is a unique situation because it is family and the lots are not for sale.

Marlene asked Jason what he is not agreeing to and Jason said he is not signing until everything is figured out.

Dennis noted that nobody owns their own lot yet.

Marlene said they can make everyone sign.

Jim said the Board is going to run this by our attorney.

Marlene said that is fine.

Jim said the agreement is okay except the Town will not do anything.

Marlene stated there is one person not in agreement, but they can take her to court and force her to sign or forfeit.

Jim will run this by the Town Attorney and Linda will let Marlene know when they can come back to a meeting.

Darren asked Marlene if adjustments will be made to the Agreement and she said that any reference to the Town will be taken out.

Marlene asked if it is okay to stake out and Jim said that it was.

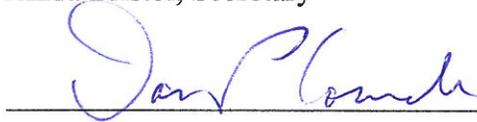
Jim asked if they had a right-of way to the cemetery and Susan said there has never been a right-of-way.

John made a motion to adjourn and Darren seconded it. The meeting adjourned at 8:30 PM. The next meeting will be Tuesday, May 23, 2017, at 6:30 PM at the Dayton Town Office.



Date: 5-23-2017

Linda Bristol, Secretary



Date: 5-23-17

Dan Plourde, Chairman

COPIES TO: Jim Roberts, Code Enforcement Officer; Selectmen; and Tax Assessor
THESE MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE
PARAPHRASED FOR CLARITY.