

APPROVED
Town of Owls Head
Planning Board Meeting Minutes
(Wednesday, June 21, 2017 – 7:30 P.M)

Board Present: Chair Robert Pratt, Larry Choate, William Leppanen, Dale Martin, Ken Wexler, and Marc McNeilly (Alternate)

Board Absent: None

Staff Present: CEO Scott Bickford and Recording Secretary Deborah Sealey

Chair Pratt opened the meeting at 7:30 P.M. and declared a quorum. Related to a question from last month's meeting, the Chair said a proposed amendment to a motion on the floor must be dealt with before a vote on the motion.

I. Approve Minutes: 5/17/17

ACTION: Dale Martin made a motion, seconded by Ken Wexler, to accept the minutes of the 5/17/17 meeting as amended.
Carried 4-0-1 (Mr. Choate abstained and Mr. McNeilly did not vote)

II. New Business

Regional School Unit 13 – 45 Ash Point Drive – Site Plan Review for a New 28,000 Sq. Ft. School – Map 9, Lot 6: Chair Pratt asked the Board to allow non-residents of the Town of Owls Head to speak publicly on the regional school issue and the members agreed.

Engineer Michael Sabatini (Landmark Corp.) RSU 13 Business Manager Peter Orne, School Superintendent John McDonald, and architect Jason Merriam represented the applicant. Mr. Sabatini briefly reviewed the contents of his submittal letter: 1-way in and 1-way out parking lot; 54 parking spaces, plus a 30-space overflow lot; underground power from the pole across the street (guy pole will be removed); new fire and domestic water service with pressure pump tank in the building; 2 new septic systems in addition to the existing one; currently there is one acre of impervious surface without storm water management and there will be 1.6 acres with storm water management.

Permits were required from DOT (entrance), DEP (wetlands) and the Fire Marshall.

Some evergreens would be removed from the property for sight distance purposes. Chair Pratt asked if there would be any nature trails for educational knowledge. Mr. Orne replied that playscapes using natural features had been discussed but there were no concrete plans yet. The Chair said it would be easier and cheaper to include them in the planning stage. Mr. Sabatini noted there would be rain gardens.

Mr. Sabatini said the number of light poles had been reduced. Two 20' poles would have 131-watt LED fixtures emitting 16,000 lumens while other poles would be shorter and have 76-watt fixtures emitting 7,600 lumens.

The Chair asked for public comment.

RSU 13 School Superintendent McDonald said this process had started in October 2015 when he started his job. There had been many summit meetings and community forums and the community had been very supportive.

John Hufinagel said a lot of work had gone into the project and he thought the school would be an asset for Owls Head.

Michael Voncannon said she was all for the school. She asked if the parking lot lights would be shielded and Mr. Sabatini confirmed they would.

Jim Sternberg of Woods Rd. was concerned about drainage. He said the metal roofs would drain fast and the property had flooded before. He thought water might branch off to Woods Rd. since water froze and made its own path. Driveways had been taken out before and he asked to whom residents would come if that happened. Mr. Sternberg said the metal roof would be very loud in the neighborhood and also questioned the color of the roof, which would be visible from some homes. He asked the Board to hold the permit until better answers were found.

Mr. Leppanen replied that, at the site walk today, he had been happy with the drainage plans. He said Woods Rd.'s problems did not come from the school property and described a swale that channeled water off the driveway. He did not see this as a problem. The Industrial Park was all metal roofs and he had never heard complaints. Mr. Merriam explained that there was 6" of insulation between the roof and the frame of the building.

John Ware, Ash Point Dr., asked if there was any requirement that a school had to be a certain distance from an active airport runway. Chair Pratt said he had never heard anything about that.

Mr. Wexler asked why a metal roof was chosen. Mr. Merriam replied that it had a longer life and a lower pitch; also, solar panels would clip to it more easily.

Tom von Malder, Ash Point Dr., asked if the design submitted was the only one considered. Architect Merriam said the existing school could have had additions and renovations, a plan that was presented along with this one. Superintendent McDonald said parents, the public, and staff had liked this design.

ACTION: Ken Wexler made a motion, seconded by Dale Martin, to accept the application for construction of the school as presented.
Carried 4-0-1 (Chair Pratt abstained)

III. Other Business

Discuss Draft Ordinances for Selects Board's Final Review:

Zoning Ordinance Review Committee Chair John Hufinagel said his group had been working for two years on updating the town's ordinances. They had looked at the Comprehensive Plan for clarification on issues that had created confusion over the intent of the Zoning Ordinance. He read aloud a prepared statement outlining their major concerns, work done and the ORC's conclusions (see attached).

The ORC was now asking the Planning Board and Board of Appeals to review the change and/or addition suggestions they were now putting forth. Following these reviews, the ordinance changes would move on to the Selectmen for inclusion on the Town Warrant.

ORC member Dick Carver said the town had purchased property near the harbor with the intention of establishing a municipal pier. It had been determined that the best location for the dock would be on the boundaries of Lots 11-22, and 11-33, but the setbacks could not be met. Therefore, the ORC suggested merging Lots 22 & 33, one of which was zoned Rural Residential and the other Commercial Fisheries. The ORC wanted to combine the two lots into one zoned Commercial.

Mr. Leppanen said the zone change would have to go before the voters and CEO Bickford added that DEP would have to approve it. Mr. Carver said DEP had been consulted and was in favor of the change.

Zoning Ordinance

Moving on to the Zoning Ordinance, the Chair asked for questions from the Board. Mr. Leppanen asked how they knew there were aquifers in town since there were none under the airport. Mr. Hufinagel said the map showed 2 areas of aquifers in town.

Mr. Leppanen continued that the Comprehensive Plan said there should be affordable housing in the town but these suggested changes would increase minimum lot size. Mr. Hufinagel said the increased lot sizes were just for a specific area and there were other more affordable areas. They had increased lot size in the areas of the aquifers because they were not the best locations for development. Mr. Leppanen asked why they had not made smaller lots in the areas with sewer service.

A Public Hearing was opened and closed at 8:35 P.M., with no one choosing to speak.

ACTION: Ken Wexler made a motion, seconded by Larry Choate, to accept the Zoning Ordinance and move it on to the Selectmen to recommend for the warrant.
Carried 3-2-1 (Chair Pratt abstained)

ACTION: Ken Wexler made a motion, seconded by Larry Choate, to accept the ordinances submitted by Mr. Carter and move them on to the Selectmen for a warrant.
Carried 4-0-1 (Mr. Pratt abstained)

Marijuana Ordinance

Michael Voncannon, who had spearheaded the drafting of the Marijuana Ordinance, gave the background of her research. She had looked at similar ordinances and added a section to require home cultivation to keep the plants closer to the house than the neighbor's. Chair Pratt asked if an ordinance rather than a regulation was the best way to handle this. CEO Bickford said an ordinance would be a law. There was lengthy discussion.

ACTION: Ken Wexler made a motion, seconded by William Leppanen, to accept the Marijuana Ordinance and move it on to the Selectmen for placement on the warrant.
Carried 4-0-1 (Mr. Pratt abstained)

Cemetery Ordinance

Michael Voncannon said the town had had a cemetery ordinance only for the cemetery near the airport, but the ORC wanted all 13 cemeteries to be treated the same way to clarify sales versus easements.

Mr. Choate noted that the proposed ordinance said dogs were allowed in the cemeteries. Sue Choate said dogs relieved themselves on the stones and owners usually took them off the leash. She felt banning dogs from the cemeteries would be easier than enforcing the leash law.

Chair Pratt said the Board would not include this ordinance in the Public Hearing until it was clarified whether state law prohibited dogs in cemeteries.

ACTION: Ken Wexler made a motion, seconded by Dale Martin to add to the proposed ordinance that no dogs were allowed in cemeteries.
Carried 3-2-0 (Mr. Pratt and Mr. Leppanen voted against)

Mr. McNeilly said the proposed ordinance should limit the number of cremains per lot and was much too restrictive: it should only be for the airport cemetery.

ACTION: Marc McNeilly made a motion, seconded by Dale Martin, that Section 6, Paragraph E should be footnoted that the ordinance was only applicable to the airport cemetery
Carried 4-0-1 (Mr. Pratt abstained)

ACTION: Ken Wexler made a motion, seconded by Larry Choate, to accept the Cemetery Ordinance as amended and move it along to the Selectmen.
Carried 4-0-1 (Mr. Pratt abstained)

ACTION: Larry Choate made a motion, seconded by William Leppanen, to hold a Public Hearing on all the proposed ordinances at the July Planning Board meeting.
Carried 4-0-1 (Mr. Pratt abstained)

I. Adjournment

ACTION: William Leppanen made a motion, seconded by Ken Wexler, to adjourn at 9:25 P.M.
Carried 5-0-0

Respectfully submitted,

Deborah Sealey
Recording Secretary

Town Of Owls Head Planning Board:

Robert Pratt, Chair

Ken Wexler

Larry Choate

Marc McNeilly (Alternate)

William Leppanen

Dale Martin