

Southwest Harbor Planning Board
Minutes of Sept 7, 2017

- I. Chairman Mike Mansollili called the meeting to order at 6:00 PM. In attendance was Lee Worcester, Eric Davis, Chris Rawls, Mike Magnani, Jesse Dunbar, Jessica Williams and CEO Don Lagrange.
- II. Approval of minutes of July 20, 2017 was tabled until the next meeting
- III. Visitors not on the agenda: None
- IV. Application from Robert Sanderson c/o The Sanderson Trust to amend the subdivision of Edmond Gellespie dated October 11, 1983 to split the lot located at 25 Sail Mountain Road and further identified at Tax Map 12, Lot 92 on the Towns tax maps. Fernald Point-S.W Hillside Subdivision. Planning Board Docket #090717-1

Where applicable, all information is shown in the application:

1. ✓ identifying title
Amendment #2, Fernald Point – S. W. Hillside Subdivision
2. ✓ Assessor's Map and Lot numbers
Tax Map 12, Lot 92 (see attached tax map)
3. ✓ Evidence of right, title, or interest in the property
Deed attached
4. ✓ Field survey of the boundary lines of the tract (General Standard C.1.SECTION VIII)
Surveyor document attached
5. ✓ Date the plan was prepared
August 24, 2017
6. ✓ North Arrow
7. ✓ Graphic map scale
Scale 1" = 40'
8. ✓ Name & addresses of owner(s), sub divider, & who prepared plan
9. ✓ Name of adjoining property owners
10. n/a Number of acres within the proposed subdivision
Part of the original subdivision Planning Board approval
11. ✓ Location of property lines, existing buildings, watercourses, vegetative cover type, other essential, existing physical features.
12. ✓ Proposed lot lines with approximate dimensions and lot areas
13. n/a Location, names & widths of existing & proposed streets, easements, building lines, parks & other open spaces on or adjacent to the subdivision.
Part of the original subdivision Planning Board approval
14. n/a Width & location of any streets or public improvements shown on the official map & Comprehensive Plan, if any, within the subdivision
Part of the original subdivision Planning Board approval
15. n/a Parcels of land proposed to be dedicated to public use and conditions
Part of the original subdivision Planning Board approval
16. n/a Location of any open space to be preserved, improvements & management
Part of the original subdivision Planning Board approval
17. ✓ Names & addresses of owners of record of adjacent properties
18. n/a Location of any shoreland Zoning boundaries affecting the subdivision
No shoreland zoning boundaries
19. n/a Boundaries of any flood hazard areas & 100-year flood elevation
No flood hazard areas
20. n/a Required for subdivision, near bodies of water: contour lines at interval specified by Board showing elevations in relation to NGVD

21. ✓ Indication of type of sewage disposal to be used within subdivision
- a) public sewer: a letter shall be submitted from the Town indicating that there is adequate capacity within the Town's system to transport and treat sewage
 - b) ✓ subsurface wastewater disposal: test pit analyses, prepared by a Licensed Site Evaluator
Soils analysis provided by Wm LaBelle, soil evaluator.
 - c) centralized or shared subsurface sewage disposal system: prepared by a licensed site evaluator or
22. ✓ Indication of the type of water supply to be used.
- a) public water supply: a letter from the S.W. Harbor Water Company indicating adequate supply and pressure & approving the plans for extensions where necessary.
 - b) Where the S. W. Harbor Water Company's supply lines is to be extended, a written statement from the Fire Chief (or assistant), stating approval of the location of fire hydrants.
 - c) ✓ evidence of adequate ground water supply and quality may be requested by the Board and this shall be submitted by a well driller or a hydro-geologist familiar with the area.
Lee Worcester moved Item 22, Indication of type of water supply to be used is not applicable, seconded by Chris Rawls and voted in favor 7/0/0.
23. ✓ Copy of the deed from which the survey was based; copy of all covenants or deed restrictions, easements, rights-of-way, etc.
24. n/a Copy of any covenants or deed restrictions intended to cover all or part of the lots in the subdivision.
Part of the original subdivision Planning Board approval
25. n/a Copy of the portion of the State soil survey covering the subdivision.
Part of the original subdivision Planning Board approval
26. n/a Adequate storm water management plan.
Part of the original subdivision Planning Board approval
27. n/a Location & size of existing & proposed wells, subsurface sewage systems, culverts, & drainage ways on or adjacent to subdivision.
Part of the original subdivision Planning Board approval
28. n/a Determination that proposed subdivision will not adversely affect the quality or unreasonable affect the shoreline of any body of water.
Part of the original subdivision Planning Board approval
29. n/a Map identifying all freshwater wetlands regardless of size, rivers, streams, brooks within or abutting the subdivision.
Part of the original subdivision Planning Board approval
30. n/a Estimate of the amount & type of vehicular traffic to be generated on a daily basis and at peak hours.
Part of the original subdivision Planning Board approval
31. n/a Statement of financial capacity demonstrating the financial ability of the sub divider to complete the project.
Part of the original subdivision Planning Board approval
- Mike Mansollili moved all required information has been submitted and is adequate for subdivision amendment to the Fernald Point-S.W. Hillside subdivision and all items listed as non-applicable was part of the original subdivision review and not required in this application including item #22, seconded by Jessica Williams and voted in favor 7/0/0.*

REVIEW CRITERIA FOR SUBDIVISION REVISION of Fernald Point – S.W.Hillside
Subdivision, October 11, 1983

Mike Mansollili moved following criteria, part of the original subdivision review, is not applicable to the division of Map 12, lot 92 except for items #6, 8 & 15 required review, seconded by Mike Magnani and voted in favor 7/0/0.

1. n/a POLLUTION: will not result in undue water or air pollution; in making this determination, the Board shall at least consider:
2. n/a WATER: has sufficient water available for the reasonably foreseeable needs of the subdivision; or, if the Town supply is used, will not cause an unreasonable burden on the existing supply (SECTION VIII, General Standards A.1., Central Water Supply, page 18).
3. n/a GROUND WATER: will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water. (SECTION VIII, General Standard B.1., Impact on Ground Water, page 19).
4. n/a EROSION: will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result. (SECTION VIII, General Standard C.1., Land Features, page 19, and SECTION IX, Road and Storm Drainage Design and Construction Standards. Additional Improvements and Requirements, page 24).
5. n/a STORM WATER: will provide adequate storm water management (SECTION VIII, General Standard A.s., Surface Drainage, page 18, and SECTION IX, Road and Storm Drainage Design and Construction Standards C., Storm Water Management Design Standards, page 23).
6. √ SEWAGE DISPOSAL: will provide for adequate sewage waste disposal; and will not cause an unreasonable burden on the Town services, if they are utilized. (SECTION VIII, General Standard A.3., Subsurface Sewage Disposal, page 18).
Lee Worcester moved the criteria for sewage disposal has been met with documentation received from Wm LaBelle, site evaluator for the location of SSWD, seconded by Mike Magnani and voted in favor 7/0/0.
7. n/a SOLID WASTE DISPOSAL: will provide for adequate solid waste disposal; and will not cause an unreasonable burden on the Town's ability to dispose of solid waste.
8. √ TRAFFIC: will not cause unreasonable public road congestion or unsafe conditions with respect to use of the public roads existing or proposed. (SECTION VIII, General Standard D., Access Control and Traffic Impacts, page 19, and SECTION IX, Road and Storm Drainage Design and Construction Standards, page 22).
Mike Magnani moved the lot division will not cause unreasonable public road congestion or unsafe conditions with respect to use of the public roads existing or proposed, seconded by Eric Davis and voted in favor 7/0/0.
9. n/a AESTHETIC, CULTURAL AND NATURAL VALUES: will not have an undue adverse effect on the scenic or natural beauty of the area. (SECTION VIII, General Standard E. Retention of Open Spaces and Natural or Historic Features, page 21).
10. n/a SURFACE WATERS: will not adversely affect the quality of that body of water or unreasonable affect the shoreline of that body of water whenever the proposed subdivision is situated in whole or in part, within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river.
11. n/a CONFORMITY WITH LOCAL ORDINANCES AND PLANS: is in conformance with the Southwest Harbor Land Use Ordinance, Southwest Harbor Comprehensive Plan (SECTION VIII, General Standard F., Conformance with the Comprehensive Plan, Other Plans, Codes and Ordinances , Page 21).
12. n/a FLOOD WATERS: will determine if the subdivision is in a flood hazard area; (If it is, the proposed plan must show the flood hazard boundaries and include a condition of plan approval requiring that principal structures within the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation); (SECTION VIII, General Standard G., Construction in a Flood Hazard Area, page 21).
13. n/a FRESHWATER WETLANDS, RIVERS, STREAMS OR BROOKS: all potential freshwater wetlands, regardless of their size, within the proposed subdivision have been identified on any maps submitted as part of the application and all rivers, streams and brooks within or abutting the subdivision (rivers, streams and brooks as defined under Title 38, 480-b.9., Natural Resources Protection Act).
14. n/a FINANCIAL AND TECHNICAL CAPACITY: must have adequate financial capacity to meet above criteria of this Ordinance; (SECTION X, Performance Guarantees, page 25).

15. ✓ MONUMENTATION: permanent monuments must be set at or within 50' of lot corners & street intersections (SECTION VIII, General Standard A.4, Monuments, page 18).

Lee Worcester moved the monuments have been set according to the subdivision plans as submitted, seconded by Mike Mansollili and voted in favor 7/0/0.

Lee Worcester moved the amendment to the Fernald Point – S. W. Hillside subdivision creating two lots from Map 12, Lot 92 as indicated on the amendment plan as Lot H with 1.24 acres and Lot I with 1.04 acres is hereby approved, seconded by Mike Mansollili and voted in favor 7/0/0.

V. CEO Lagrange suggested to amend the definition of structure in the Land Use Ordinance to eliminate the terms decks and patios from the context since they do not provide any enclosure, shelter for persons or animals. The Board agreed by consensus to review a revised definition at their next meeting.

VI. Other Business: None

VII. Mike Mansollili moved to adjourn meeting at 7:01 PM, seconded by Mike Magnani and voted in favor 7/0/0.