

Limington Planning Board Meeting
Held
May 6, 2024

The meeting was called to order at 7:00 p.m. at the Limington Municipal Complex by Chair, Joyce Foley. Planning Board members present: Joyce Foley, Darryl Hubbard, Grace Davis, Pete Langevin and Victoria Kundishora.

Staff present: Donna Sawyer, Planning Board Secretary and Craig Galarneau, Code Enforcement Officer

Members absent: Bob Gervais

Others present: Emil Braley, Steven Colby, Bonnie Lord, Dianna Young, Dennis Sullivan, Laura Sullivan, Julian Butler, Steven Colby and Michael LaLonde

Agenda Items:

1. Public Hearing for Doles Orchard Box shop, LLC, 187 Doles Ridge Road at Map R-1, Lot 7 – Applicant, Earl Bunting
2. Public Hearing for Brook View Estates, 3-Lot Minor Subdivision, Christian Hill Road, Map R-11, Lot 4 – Applicant, Steven Colby
3. Tucker Bend I Subdivision, presentation of an updated cistern design by a licensed professional engineer – Luke Taylor
4. Discussion of Bullet Points document to aid voters when voting on the Referendum questions
5. Approve Minutes of April 16, 2024

Public Hearing

Earl Bunting, owner of Doles Ridge Box Shop, LLC, came forward and said he is expanding his business to add another farm building on his property. There was no one from the public present to speak about this application and Chair Foley closed the Public Hearing.

Chair Foley asked for comments from the Board. Mr. Bunting said his operating hours are 6:30 a.m. to 4:00 p. m. Mr. Bunting will not have a sign for his business. Victoria Kundishora made a motion to approve this application and Darryl Hubbard seconded the motion. All in favor and motion carried.

Review minutes of April 16, 2024

Chair Foley moved to the Minutes of April 16th and asked if there were any changes. Grace Davis and Victoria Kundishora had minor changes. Chair Foley referred to the top of page 3 and asked that the last sentence in the first paragraph read as follows: *Tiny Homes do not have wheels and do not include a trailer, camp trailers, recreational vehicles or manufactured housing trailers.*

Grace Davis made a motion to accept the minutes as amended and Pete Langevin seconded the motion. There was no more discussion. All in favor and motion carried.

Public Hearing for Brook View Estates, 3-Lot Minor Subdivision, Christian Hill Road, Map R-11, Lot 4 – Applicant, Steven Colby

Michael LaLonde, surveyor, distributed new plans showing the 3-lot subdivision on an 8-acre subdivision. He pointed out the 2 lots and the lot that has been sold and a house built. The fourth lot is not buildable because it consists of 2.52 acres. Mr. LaLonde has surveyed the entire parcel and test pits have been dug. He needs to set the pins on the lots.

Chair Foley asked if Mr. LaLonde had spoken with Emil Braley, Fire Chief. The Fire Chief said he met with Mr. LaLonde before the site walk and stated that there needs to be a water supply 500 feet from a principal structure or cistern if there is not a water supply. The Fire Chief said there is a brook down the street and as long as that brook supplies enough water, the applicant is required to install a dry hydrant. Mr. LaLonde said the applicant, Steven Colby, has spoken with the Public Works Director, Shawn Jordan, and he has approved 2 places for driveways.

Chair Foley asked if there were abutters who wished to speak. Julian Butler who lives at 38 Christian Hill Road came forward and said he lives across the road from Lot 1. He said he is concerned about the increased traffic on the road and vehicles traveling upward of 50 mph. Chair Foley said there was no traffic enforcement because Limington does not have a Deputy anymore.

Chair Foley asked for a motion. Grace Davis made a motion to accept the Preliminary Plan for Brook View Estates and Steven Colby, owner, must come back with the final plan within 6 months. Victoria Kundishora seconded the motion. All in favor and motion carried.

Tucker Bend I Subdivision, presentation of a revised cistern design by a licensed professional engineer – Luke Taylor, applicant

Listed below is an excerpt from the discussion that took place at the Planning Board's February 20, 2024, meeting:

*Chief Braley came to the podium and said he wanted the middle pipe (the fill pipe) to be waist high (about 3 feet) so that a fire truck can park on the apron and access the pipe. It was unclear from the drawing the height of the fill pipe. Chief Braley stressed that the pavement had to be another 15 ft beyond the fill pipe so the fire truck can have enough room to park and emphasized that the **bollards must be installed**.*

Chair Foley asked Craig Galarneau, CEO, to articulate his concerns. Craig Galarneau wanted to see more soil around and on top of the present cistern. If three (3) feet of soil were to be placed on top of the cistern, each foot above the cistern would be an R factor of 3 per foot. But that would only have an R factor of 9. The plan states R-46 and 3 more feet of soil still does not reach R-46. Discussion went back and forth concerning the R factor and the height of the apron

to allow the truck to access the fill pipe which should be 3 feet from the top of the apron. It was finally decided to have the CEO contact an engineering firm to draw up a plan that will meet the Board's stipulations which are as follows:

An engineering firm will determine how much insulation is needed to reach R 46, and

The amount of fill needed to bring the fill pipe to be 3 feet above the apron.

There was considerable discussion by the Board and it was the consensus that the CEO will contact an engineering firm and their engineer will provide another drawing that addresses the insulation factor and the height requirement for a fire truck to access the fill pipe. Chair Foley said this application will not move forward until the cistern issues are resolved. Chair Foley asked for a motion to have a quote from 2 engineering firms the two issues above. Victoria Kundishora made a motion and Grace Davis seconded. No more discussion. All in favor. Motion passed.

Discussion at the May 6th meeting re: Tucker Bend:

Chair Foley asked Luke Taylor, the applicant, to come forward and talk about his updated cistern drawings that were prepared by a Maine licensed professional engineer.

Pete Dellerba, the engineer and owner of PhD Associates, introduced himself and said he prepared the new drawings and Ian R. Riley, a licensed professional engineer, signed off on the design. Pete Dellerba said he worked with Craig Galarneau, the Code Enforcement Officer, and Emil Braley, the Fire Chief, to prepare a cistern plan to meet Ordinance and other preferences laid out by the Planning Board. (see above). Pete Dellerba reviewed the new drawings he submitted prior to this meeting.

The other preferences are fill pipe height and location, entrance for the tank fill pipe, 2 inch greenboard providing an R-10 value. The fill will be 3 ft below grade, 2 inches of greenboard will have an R value of 10. Between the fill and the foam board the requirement is R-44.

Referring to the new drawings, Darryl Hubbard asked if all the measurements are done from the top of the tank? Mr. Dellerba answered "yes". Darryl Hubbard said he has never seen anything worked this way. The elevation is started by the road and the top of the tank is shot from the road. Darryl Hubbard felt there needed to be an elevation on the plan and by leaving it off, a contractor would not know where to start construction. Darryl asked the Fire Chief about how he could have the fill pipe 3 feet above the pavement with this information provided by the engineer. Currently they have a 3% grade and that elevation view lines up with 3 feet. Mr. Dellerba said that everything is based off the top of the tank and the dimension from the road to the top of the tank is correct. With the 3 percent grade the top of the fill pipe will be 3 feet above the ramp. This design is based on what the Fire Chief needs. That means the top of the tank is 3 feet 3 inches (using a 3% grade) above the ramp and that means at 20 feet in from the road, the pipe will be 3 feet above the road.

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Chair Foley asked if the engineer could bring in the elevation on a new plan the next day (Wednesday) and the Board could vote tonight. Darryl Hubbard agreed with this call by the Chairman. Chair Foley asked for a motion to approve the cistern design for Tucker Bend Subdivision with the condition that work can begin after the Code Enforcement Officer and the Fire Chief see and accept a plan that shows the elevation. Grace Davis made that motion and Darryl Hubbard seconded the motion. All in favor and motion carried.

After the motion, there was more discussion led by Emil Braley, the Fire Chief. He stated that as long as the fill pipe is 3 feet above the apron, he will be satisfied. There could be some deviation of 3 feet because he has some flexibility with the hose that connects to the end of the fill pipe. He further stated that if they build the apron first, they can measure up to ensure that the fill pipe is the right height before they weld the end of the fill pipe at a 90 degree angle. Chair Foley asked Emil Braley and Craig Galarneau to work with the contractor during the rehabilitation of the cistern's apron. Chair Foley asked if the Fire Chief will be testing the cistern to see if the fill pipe is the right height, the 90 degree weld is solid and that water can be pumped from the cistern.

Emil Braley said he plans to do all the testing of the cistern before he signs off on an approval.

Bullet Point Discussion

Chair Foley moved to the discussion of the Bullet Point document which will be used as an aid to help Limington voters to understand the Referendum questions to be voted on June 11, 2024. Chair Foley summarized how the Bullet Point document will be published and used. It will be advertised in the Shopping Guide, posted on the Town's website, displayed in the voting booths and finally, posted on the 2 Town of Limington Face Book pages. Also, the document will be reviewed at the Select Board's meeting on May 30th and that meeting is open to the public.

Chair Foley proceeded by reviewing the Bullet Point Document with the Board members.

Question 2 states "Shall amendments to the Ordinance entitled: "Zoning Ordinance be enacted". This question clears up some typographical errors in the Ordinance and clarifies in bullet 3 of this question that the Planning Board must approve all applications to grow medical marijuana.

Question 3 states "Shall an amendment to the Zoning Ordinance entitled Extraction Industry be enacted".

Chair Foley emphasized that existing gravel pits do not have to meet any of the requirements until the operator comes in to expand a pit. It also applies to smaller pits as well. It clarifies reclamation standards, plans need to be drawn by a licensed professional engineer, clarifies buffer strips, location of seasonal highwater table, test borings showing locations of 2 monitoring wells, distance maintained to abutters' residential wells, performance guarantee acceptable to Select Board, increase liability insurance to \$2,000,000 and brings the Ordinance into compliance with State law.

Question 4 states "Shall an amendment to the Subdivision Ordinance entitled 'Fire Protection and Public safety' be enacted".

This question clarifies the distance between residential homes and a water supply, eliminates contradiction in the Ordinance, clarifies language as to meaning of certain procedures that protects the town from liability, defines installation and construction of cisterns, outlines Fire Chief & Code Enforcement approval before final approval and maintenance of cisterns and dry hydrants by landowners/associations.

Question 5 “Shall an amendment to the Zoning Ordinance entitled ‘Flood Plain Management’ be enacted”

This item is mandated by FEMA and adopted by each town no later than July 17, 2024, ramifications of not adopting this Ordinance causes no FEMA money to reimburse the town if there is storm damage and residential homeowners cannot buy insurance if they are in a flood zone. It could affect sales of homes in town.

Question 6 “Shall an amendment to the Zoning Ordinance entitled ‘LD 2003’ be enacted”

This amendment is mandated by State law and must be adopted by mid-July 2024. It allows up to 2 dwelling units on a property and an accessory dwelling (such as in-law apartment). If adding another house, the lot size required in your zone/district will have to be doubled. For example, from 3 acres to 6 but there is no requirement for separate frontage or driveway. Must meet setback requirements. Tiny homes are allowed.

Other:

Chair Foley stated the importance of approving the above amendments to the Ordinance and said that the entire documents are available for review at the town office.

It was decided to have the Bullet Points document printed in the Shopping Guide one week before the vote.

Chair Foley asked for feedback on whether or not the Board should consider writing an Ordinance regarding Air B&B’s. It was decided to not pursue the issue at this time.

There was no more business and Victoria Kundishora made a motion to adjourn at 8:20 p.m. and Grace Davis seconded the motion. All in favor and motion carried.

These minutes were taken and transcribed by Donna Sawyer, Secretary to the Board.