

Pownal Planning Board
October 21, 2020
Planning Board Meeting

Planning Board Members attending: John Bowdren (acting chair), Gabe Digristina, Marika Clark, Matt Altieri, Town Planner Tony Dater, Selectboard member Heidi Curry, Selectboard member Jon Morris

Public attending: David Steckler, Marcia Bowen, Michelle Harrison, Todd Harrison, Adrienne Fine, Alan Stearns (o/b/o Royal River Conservation Trust), John Dawson, Marie Wendt, Susan Peters

John Bowdren calls the planning board meeting to order at 6:40. John Bowdren notes that the Secretary's report is unavailable.

Gabe Digristina moves to have Marika Clark and Matt Altieri serve as voting members for the evening. John Bowdren seconds. No discussion, all in favor. Motion passed.

John Bowdren moves to table discussion of secretary's report from September meeting. Gabe Digristina seconds motion. No discussion, all in favor. Motion passed.

Old Business

1. Elmwood Road Major Subdivision.

John Bowdren leads discussion of major subdivision checklist. John Bowdren reads each checklist requirement, and the Board agrees with respect to each checklist requirement that applicants have met their obligations and that their submissions are to the Board's satisfaction. Specific discussion included the following items:

- John Bowdren observed that the tax lot map numbers are not consistent with what the Board usually sees. Adrienne Fine responded that she received these from the Town Clerk, and that the lot map numbers are labelled consistently with the style of other towns. Gabe Digristina and Matt Altieri observed that given the numbers had been received from the Town Clerk, the Board should presume the numbers are proper.
- John Bowdren inquired about whether the difference between the notes and the checklist with respect to General Note number 8. Matt Altieri replied that he thinks the language is sufficient to establish that the town has no obligation to maintain the road, and that the substance of both is identical. Gabe Digristina stated that he agreed. Town Planner Tony Dater agreed.
- Regarding DEP approval, Gabe Digristina inquired whether DEP approval could be expected within a certain date. Adrienne Fine indicated that the applicants expected DEP approval in the first half of November.

- Tony Dater inquired whether the differences in the language concerning DEP language for erosion and sediment control and the requirements set forth by Cumberland County and incorporated into the major subdivision checklist was problematic. Adrienne Fine indicated that the language they have included on the plan is updated language issued by the Maine DEP. Tony Dater suggested the language in the plan is appropriate and encouraged the Board to consider updating the checklist.
- John Bowdren asked whether the performance guaranty required by the Town Select Board had a schedule attached to it. Matt Altieri replied that because applicants have submitted sufficient proof that they are able to obtain a performance guaranty, and the Select Board has indicated its satisfaction with that, we should not require more than this. Gabe Digristina agreed, asked for input from Select Board member Heidi Curry. Heidi Curry replied that because the letter of irrevocable credit will need to be produced prior to any building permit being issued, and because the applicants have provided a letter of financial competency to the Select Board's satisfaction, there is no need for a construction schedule at this point.
- John Bowdren inquired about a 2% escrow payment. Heidi Curry replied that 2% of the cost of the project would be required to be produced prior to the granting of any building permit. Michelle Harrison requested clarification with respect to the escrow of funds. Heidi Curry replied that the provision for escrow falls under "Final Approval and Filing" under section c of the subdivision ordinance, which requires a payment of up to 2% of required improvements.
- John Bowdren inquired about release of funds from the letter of credit. Heidi Curry explained the process for releasing funds as the select board becomes satisfied. Matt Altieri stated that the Planning Board's obligations are met by ensuring that the Select Board has issued a letter certifying their approval of the performance guaranty provided by the applicant. Select Board member Jon Morris confirmed the Select Board has provided approval.
- Gabe Digristina inquired whether the Select Board had provided a letter certifying their approval of the application. A draft letter was reviewed via zoom, and all members agreed that it was satisfactory. Michelle Harrison observed that the letter uses the term "bond" while in fact the applicants plan to provide an irrevocable letter of credit, and inquired whether this difference was problematic. Matt Altieri replied that all members of the Planning Board understand that this is intended to include a performance guaranty regardless of whether the guaranty is in the form of irrevocable letter of credit or performance bond.

Matt Altieri moved to finally approve the application for a major subdivision as submitted by Grey Ghost Construction given the applicant's successful completion of all aspects of the checklist, with the conditions of approval on the plan. John Bowdren seconded the motion. Gabe Digristina invited discussion and observed that the Board's review of the checklist was probably sufficient discussion. Marika Clark expressed that she is excited to approve given the hard work of the applicants. Matt Altieri stated that he appreciated the applicants' openness and involvement throughout the process. John Bowdren stated that he appreciated the inclusion of open space. John Bowdren invited a vote by raised

hand. All members raised their hands. Jon Morris indicated that a voice vote should be made. The voice vote occurred:

Marika Clark: Yea.

Gabe Digristina: Yea.

Matt Altieri: Yea.

John Bowdren: Yea.

Motion passed.

Following the vote approving the application for final approval, the planning board discussed logistics for signing plan documents. The Board members agreed to sign the plans and to provide a notice of decision for the applicants within a week.

New Business:

Royal Road Conservation Trust ("RRCT") application for site plan approval of parking lot on Elmwood Road

Alan Stearns introduces proposed site plan for installation of a four-lot gravel parking space off of Elmwood Road to provide entrance to RRCT land. Alan Stearns indicated that RRCT determined a parking lot is necessary because as a result of the Covid-19 pandemic the trails have seen significantly more use and individuals have been parking either on the shoulder of Elmwood Road or in the pull-in opposite the RRCT trails, which pull-in is for access to a woodlot owned by the Town. Alan Stearns indicated that the abutters who have spoken with him have been supportive of the proposal. Stearns stated that the proposal is for a 40 foot forested setback with 20 foot driveway widths to allow contemporaneous entry and exit, with no lighting planned. Stearns stated that RRCT would plan to cut as few trees as possible, would include a small "yard arm," would plow in the winter, and would not install any toilets or trash cans.

Jon Morris stated that he has concerns for safety given that the parking area might invite additional use of the trails and result in overflow parking on the shoulder of Elmwood.

Marie Wendt replied that she believes that the additional cars since onset of the pandemic have been problematic, and that this would be a potential solution to this. Jonathan Dawson stated that he agrees this is a way of getting people off of Elmwood.

Tony Dater asked whether RRCT contemplated including boulders along the edge of any wetlands at the edges of the parking space in order to avoid individuals pulling vehicles into the wetlands. Alan Stearns responded that because of a significant dropoff at the edge of the proposed lot, he does not anticipate this being a problem.

Alan Stearns indicated that the primary concern is the speed of traffic on Elmwood in conjunction with the number of cars parking on the shoulder. He states that allowing a longer entry drive, wide enough for traffic to go in both directions, will avoid spillover or backup traffic into Elmwood. He stated that the DOT had approved the line of sight, that 350 feet is required and that there is 425 feet available.

Marika Clark asked about parking across the street, and whether there is concern about overflow parking at the entry to the Town's woodlot. Alan Stearns replied that although RRCT had not had any formal conversations with the town, it welcomed such conversation and would appreciate opportunity to coordinate with town on the abutting parcels.

Jon Morris stated that because the road is a state road and given the history of parking troubles on Lawrence Road, he has reservations about spillover parking. Heidi Curry stated that she agrees with Jon Morris with respect to safety.

Marie Wendt stated that she has significant concerns now that more individuals are using the shoulder of Elmwood in order to access the trails.

Matt Altieri stated that the provision of four spots seems to improve safety rather than take away from it. Matt proposed that there may be some solutions to improve safety, such as permitting towing and providing the number of a tow truck company.

Gabe Digristina stated that it might be that four spaces is not enough, and that more spaces will help avoid overflow.

Marie Wendt observed that prior to Covid people would use the town's pull-in opposite the RRCT site in order to hunt in the woodlot. She indicated that she had never seen more than four cars parked in the lot prior to COVID.

Matt Altieri inquired whether each of the Pownal residents who are not on the Planning Board would be willing to state whether they are in favor of the proposal. Susan Peters stated that she is not sure whether she is in favor yet given the potential for accidents and room for rescue vehicles. Marie Wendt stated she is in support of 4 proposed spaces, that she does not yet have an opinion concerning details, and appreciates the overall concept. Jonathan Dawson stated that he is generally in favor.

The Planning Board and RRCT agreed to conduct a site walk on 11/5 at 4:00 pm, and RRCT agreed to bring envelopes to notify abutters to Town Hall with sufficient time in advance of that walk.

John Bowdren stated that there is no further old business or new business, and no reports from Town Planner Tony Dater to discuss.

At 8:42 pm, John Bowdren moved to adjourn, and the meeting was adjourned.