

**RICHMOND PLANNING BOARD**  
**TUESDAY, JUNE 26, 2007**  
**6:00 P.M.**  
**MINUTES**

- 1.0 Call to Order- Chairman Michael Lane called the meeting to order at 6:04 p.m. Members present were Russ Hughes, Tom Nugent, Nicole Briand, Jeff Severance and secretary Laurisa Loon, others present Jan Boucher, Jeremy Purington, Judy Batty, Steve Musica, Mike Morin, Mike Lorbeski, Geoff Williams, Jonathan Umland, and Cindy Hurley.

Michael Lane designates Nicole Briand as a voting member.

Michael Lane states the order of tonight's business: 1.) There will be a brief presentation by the applicant; 2.) The floor will open to public hearing; 3.) Public hearing will close; 4.) The board will deliberate.

- 2.0 Unfinished Business

- 2.1 Jeremy Purington-Alexander Reed Road Subdivision-Waivers

Waiver #1: The requirement of a traffic impact analysis per Article 8, Section 8, paragraph f., since: the Maine Department of Transportation will be permitting the entrance location for the main subdivision road ensuring a safe, adequate entrance location for the servicing of all but one of the proposed lots; there will only be one other lot not serviced by the main entrance road which will have its access on Plummer Road (see attached document from the public works director as to the adequacy of that proposed driveway entrance); the Alexander Reed Road is a state Aid Road and is therefore maintained by the State and the traffic generated by all but one lot of the project will exit onto the Alexander Reed Road, then either travel that road easterly, or more likely westerly 1,500±' to State Aid Route #201, which is a collector route to all destinations. The existing road system should be more than sufficient to handle the proposed traffic to be generated by this project and there should be no real significant impact to that system.

Russ Hughes made a motion to waive the requirement of a traffic impact analysis, Nicole Briand seconded, motion passed (4-0).

Waiver #2: Previously waived at past meeting.

Waiver #3: The requirement of a planting schedule per Article 8, Section 8, paragraph e and the apparent requirement of a Landscape Plan per Article 8, Section 21, since the individual lots will be sold in most if not all cases in an undeveloped state, and the lot purchasers will then provide for their own

landscaping. Also, restricted buffers, building envelopes, and open spaces shall be shown on the plan and included in deed restrictions.

Tom Nugent made a motion to waive the planting schedule and Landscape requirement, Russ Hughes seconded, motion passed (4-0).

Waiver #4: The requirement of underground power per Article 8, Section 15, paragraph 6, since only one or two poles would be visible from the public roads for the project, and the cost of underground power has been estimated at \$33. per lineal foot, versus \$12. per lineal foot for overhead utility installation. This cost difference will be a significant burden upon the future lot owners who will have to absorb the cost of this installation. The installation of underground power may require blasting of ledge if ledge is encountered during road or home/driveway construction as well which would add additional costs to the installation. Also, the applicant, after searching Town Records, has found that no other approved projects, including those which would fall under this article, appear to have been required to install underground utilities, one having been granted a waiver, others not appearing to have even requested waivers. It appears that the Planning Board has consistently waived or simply not enforced this requirement to date and a waiver of this requirement for this project would therefore not be inconsistent with the precedent set by the board to date.

Nicole Briand questions whether or not it could be feasible to place poles on the main road and then underground to each individual lot.

Russ Hughes made a motion to waive the underground utilities requirement, Nicole Briand seconded, motion denied (2-2).

Waiver #5: The requirement of a Utility Plan per Article 8, Section 8, paragraph d, since the location wells and wastewater disposal fields as well as all other utilities will likely not be determined until after road construction is completed and the location of individual homes and driveways have been determined by future buyers. This would make any locations shown on a "Utility Plan" only potential locations subject to and almost definitely to change during construction phases of the project.

The board will not require a utility plan and will make a condition of approval.

Jeff Severance arrives at 6: 35 p.m.

Russ Hughes made a motion to reconsider Waiver #4, Jeff Severance seconded, motion passed (5-0).

Jeff Severance reviews Ordinance Articles 8.

Russ Hughes made a motion to waive the underground utilities requirement, Jeff Severance seconded (Discussion by Tom Nugent, the boards job is to make sure that the ordinance terms are met, Russ Hughes states that everyone has above ground utilities.) motion passed, (3-0).

## 2.2 Mike Morin-Deer Meadow Subdivision-Public Hearing

Michael Lane states the board as quorum of five (5) under jurisdiction 4.I.4.4.

Public notice of public hearing was properly sent out and posted.

Mike Morin gives a narrative of the proposed subdivision. Added Note #6 regarding wetlands. In regards to Waivers 8.B.8.B Stormwater drainage and erosion control, the project does not produce any. Traffic Impact Analysis 8.B.8.F. the project does not trigger. 8.I.5.6. Utilities, not applicable power already exists. Landscape plan, Not Applicable.

Russ Hughes made a motion to waive the previously addressed waivers, Jeff Severance seconded, motion passed (5-0).

Russ Hughes made a motion to move into public hearing, Jeff Severance seconded, motion passed (5-0).

No public discussion

Tom Nugent made a motion to come out of public hearing, Jeff Severance seconded, motion passed (5-0).

*(Please refer to the attached "Findings of Fact and Conclusion of Law" for the boards findings and decisions.)*

Tom Nugent made a motion to approve the project, Russ Hughes seconded, motion passed (5-0).

## 3.0 New Business

### 3.1 Umberhind Library-Demolition Application

Michael Lane recuse himself from this portion of the meeting and steps outside due to conflict of interest and turns the meeting over to Russ Hughes.

Judy Batty gives narrative of proposed demolition of the "1848 Umberhind Library." In 1935 the building and land was left to the town to remain a library for future use. Currently 1,500± S.F. of the annex portion of the building has been condemned. 2<sup>nd</sup> Floor cannot be used because it is not handicap accessible,

the chimney is leaning, the hot air furnace is in the basement and is badly settled, there is also dampness and mold.

Steve Musica states that the current library does not suit the needs of the public.

Russ Hughes refers to Article 5. J. (Page 8) the Demolition/Removal of Buildings of Historic Significance.

Nicole Briand states that if the building is in such bad shape, why are people still allowed in, shouldn't it be condemned?

Russ Hughes states that the library would need to follow Article 5.J. (b) the property owner can demonstrate that it is not capable of earning an economic return on its value in its present location as appraised by a qualified real estate appraiser. (c) If such a demonstration can be made, issuance of a permit for removal or demolition shall be delayed for a period of one hundred eighty (180) days. Such time period shall commence when an application for a permit and the Statement of Sale, as outlined below, have been filed with the Planning Board. (d) the property owner can demonstrate that he/she has not been able to sell the building or resource in a reasonable amount of time. (e) the CEO has demonstrated that the building or resource present an irreparable or unreasonable safety hazard to the public.

Judy states that it would be hard to follow such procedure where they can not sell the site for it is always to be used as a library and it is stated in the "will" of Mr. Umland that the site is always to be used as a library even if the building may need to be torn down a new building may be constructed in its place for use as a library. The board also suggest that the library attempt to have the building moved.

Judy also states that the Town Manager waived the planning board fee.

### 3.2 Jonathan Umland-Dorothy Jones Subdivision-Pre-application

Michael Lane returns as chair for the rest of the meeting.

Michael refers to Article 8.A. Site Inventory and Analysis

This section refers to major subdivisions only, used as base to pre application.

- 8.a. 1. Provided
2. Provided
3. Provided
4. Provided
5. Provided
6. Provided (all) except e. (waived) i. (waived)
7. Provided

8. Provided

9. Applicant to provide waivers (Not Necessary not required of a minor subdivision.)

The board schedules a Development Review Meeting for July 10, 2007 at 6:00 p.m.

3.3 Cindy Hurley-Façade

The board reviews her application waives the requirement for a registered architect. The proposed renovation, style, material and color are all in conformity with the Village District. The replacement of the skylight with a dormer will be an improvement.

Russ Hughes made a motion to approve Cindy Hurleys application, Nicole Briand seconded, motion passed (5-0).

4.0 Correspondence- Planning Board Fee Schedule

Tabled until next meeting.

5.0 Approve Minutes of 6-12-07, Russ Hughes made a motion to approve the minutes of 6-12-07, Michael Lane seconded, motion passed (2-0).

6.0 Adjourn- Russ Hughes made a motion to adjourn at 9:10 p.m., Tom Nugent seconded motion passed (4-0).

Respectfully Submitted by: \_\_\_\_\_

Laurisa Loon, Secretary