

PLANNING BOARD MINUTES
12/4/2018

Planning Board Members Present: Neil Schuster, Chair, Alyssa Bouthot, Matt Provencal, Peter Scontras; Joyce Leary Clark; Don Girouard; new member Jeff Brochu, will be an observer for tonight's meeting only

Staff Members Present: Joseph Laverriere, City Engineer; Zach Mosher, City Planner;

NOTE: Meeting is audio recorded. These audio records will be posted on the City's website and available for public review within one week of the meeting.

1. Minutes of November 20, 2018

Joyce: I move to accept the minutes as written, seconded by Peter, and so moved 6-0. Motion passes.

Neil: Rene Ittenbach resigned in November, He was the Vice Chairperson, so he suggests that the Board vote on a replacement tonight, and then in January when the Board will vote a new Chairperson and Vice Chairperson as is the procedure that is done annually.

Peter moved to elect Don Girouard as the new Vice Chairperson, seconded by Joyce, and so moved. 6-0

2. Preliminary subdivision review of proposed 79 new lots at Heath Overlook subdivision off Buxton Road and Sullivan Lane. Applicant is J. Thomas Scrivener, LLC. Tax Map 88, Lots 14 and 14-2. And Tax Map 89, Lot 7. Zoned R-1d.

Zach Mosher: J. Thomas Scrivener, LLC, is seeking approval to create 79 new lots at the Heath Overlook subdivision off Buxton Rd. which would amend the March 15, 2016 subdivision approval. The project at that time called for 11 lots on a roughly 10-acre parcel, with a 920-foot-long street off Buxton Road. The proposed amendment identifies that initial project of creating 11 lots in 2016 as Phase One. Phases 2 and 3 are proposed to include 79 new lots and over a mile of new streets that will provide a connection to Sullivan Ln, designed to City specifications to eventually be offered to the City for acceptance. Both DPW and Planning staff agree that this project is an amendment to the original subdivision approval since it is part of the original land parcel and therefore needs to include cumulative permitting (i.e. wetlands, traffic, etc.).

Phase 1 of Heath Overlook which included just the 11 lots mentioned above was recently

completed – building permits for all 11 lots have been issued. Phases 2 and 3 include the creation of 79 new lots spread over 80 acres of property owned by the applicant. This parcel is identified as Map 88 and 89, Lots 14/14-2/14-7 and is addressed as 79 Buxton Rd. It is located within the R-1d zoning district. The R- 1d zoning district dictates 15,000 sf lots with at least 100 ft of road frontage, 25 ft front setback and 25% max lot coverage.

Environmental - The amended subdivision would be subject to a Site Location of Development permit given the acreage and number of lots. A copy of the application has been sent to MaineDEP and the authority as to whether the city or DEP reviews the project under those requirements will be made by DEP.

A wetland delineation has been performed, but there is no mention of the potential for a NRPA permit. The 11 lots that comprise Phase 1 were subject to a NRPA permit for the alteration of 9,635 sf of wetlands. The city's wetland consultant reviewed the applicant's wetland delineation and has accepted it. A cumulative wetland impact of approx. 23,000 sf is anticipated for phases 1, 2 and 3 of the Heath Overlook subdivision which will require a permit from MEDEP.

Stormwater management includes the construction of vegetated soil filters in Phase 2 and a wet pond in Phase 3 to treat and detain the runoff in accordance with the standards Chapter 500 regulated by the Maine Department of Environmental Protection. The City's desire is to design a gravity sewer collection system for this development without the need for a sewerage pump station. During recent discussions with the applicant's representative, the City requested consideration be given for the potential to extend gravity sewer across the adjacent property of Boothby (Tax Map 88 Lot 16) and eliminate the need for a sewerage pump station and/or lessen the depth of the gravity sewer main. Information was provided demonstrating that this extension of sewer alignment across an adjacent parcel was technically feasible. The city does not want a pump station in this area and therefore encourages the applicant to continue to explore the gravity sewer option. However, if no practicable alternative is available to provide gravity sewer and a pump station is determined necessary as proposed by the applicant, then the pump station will need to be designed to meet the requirements of the City of Saco Water Resource Recovery Department (WRRD).

Six areas of open space are currently depicted on the overall subdivision plan which totals 18.48 acres. Some of this open space area is being utilized for stormwater management, and the remainder will be preserved in its natural condition. For recreational requirements, a fee in lieu of, is proposed and addressed in the conditions.

Traffic/Roads - The project is also subject to a Maine DOT Traffic Movement Permit (TMP), in that 101 trips are projected to be generated during the peak PM hour. As required by a TMP, there was a scoping meeting between city staff and review consultant with the applicant's engineer and DOT staff. The TMP was sent to the city's traffic consultant for review on Nov. 19th, 2018 and that review has been provided. One of the major findings of that review is that signalization of the

Jenkins Road and Buxton Road intersection will be necessary to obtain acceptable levels of service along with the addition of a 100' long eastbound left-turn lane on Route 112.

The applicant is aware that the city has been working collaboratively with the MTA and MaineDOT on a Route 112/1-95 Exit 36/1-195 corridor study to improve access to the turnpike and alleviate traffic congestion along North Street and Industrial Park Road. One alternative that is being considered is an extension of the 1-195 spur, across Jenkins Road and several properties (including this parcel) to eventually connect with Buxton Road near the intersection with Foss Road. The recent Route 112 corridor study also has indicated that the intersection of Buxton Rd and Jenkins Rd now meets traffic signal warrants; therefore, implementation of these improvements need to occur as part of this project. Staff anticipates concern from the public that these new connections will provide a cut through opportunity for people looking to get from Buxton to Jenkins Rd therefore any traffic calming measures the applicant can provide is suggested.

As shown on the Overall Subdivision Plan, the previously approved roadway, Overlook Drive, intersects Buxton Road directly across from Blake Avenue and is proposed to be extended to approximately 3,300 feet in total length culminating in a cul-de-sac. Reserved rights of way are proposed from Overlook Drive to abutting undeveloped properties for possible future roadway connectivity. Sullivan Ln is proposed to be extended from its current terminus at the existing cul-de-sac into the property along the southeasterly side of Dennett Brook to provide access to additional lots as well as a reserved right of way to abutting property. This extension of Sullivan Ln will culminate in a cul-de-sac with the anticipation that the existing cul-de-sac will remain in place as a traffic calming measure. A new roadway, Longwood Lane, is proposed to intersect Overlook Drive and extend southeasterly approx. 1,550 feet, cross Dennett Brook and intersect with the extension of Sullivan Ln. From this road, another new loop road, Heritage Circle, will extend westerly approximately 1,400 feet to access the remaining proposed house lots. The design intent is to construct the roadways to City standards for proposed acceptance to the city.

Phase 2 will consist of extending Overlook Drive to the cul-de-sac and constructing approximately 350 feet of Longwood Ln. Each of these roads will include complete utility infrastructure including gravity sewer, closed drainage, public water, and underground electric & telecommunication services with the intent of servicing Lots 12-41 and Lot 47.

Phase 3 will consist of extending Longwood Lane, extending Sullivan Ln and constructing Heritage Circle. Each of these roads will include complete utility infrastructure including gravity sewer, closed drainage, public water, and underground electric & telecommunication services with the intent of servicing Lots 42-46 and Lots 48-90.

The applicant is proposing to create a graveled private way for the purposes of emergency access while phases 2 and 3 of the project are constructed. The graveled way would be from the beginning of Longwood Ln to the cul de sac on Sullivan Ln. The city would rather see this access lane meet private road standards from the initial construction phase of any further development within the subdivision;

the Fire Department would prefer to see a road constructed to private road standards from the outset.

Sidewalks - Both DPW and Planning staff agree that the sidewalk extension along the northerly side of Buxton Road from Overlook Dr. towards Rotary Dr. where there is an existing sidewalk is recommended as an offsite improvement to be constructed as part of the next phase of this subdivision. DPW recommends this sidewalk connection to provide a safe route for pedestrians, particularly children, accessing the Saco Middle School and while construction does not need to extend to Wild Briar, it is sensible to have the sidewalk meet an existing crosswalk just before Rotary Dr. The applicant does not view the construction of the sidewalk as their sole responsibility. Sec 10.11.5.11 of the Subdivision regulations states that "Sidewalks are required along all subdivision streets and any street which abuts the subdivision or gives access to it."

Waiver Requests:

Article 10.11.2 (Street Design) of the Subdivision Regulations does not allow for the creation of dead-end roads as part of a project. The subdivision ordinance indicates that "all streets shall be designed as through streets or future through streets unless waived by the Board." The applicant has left a future ROW on the end of Sullivan Ln, but it is uncertain whether that future ROW will connect to anything, and therefore the board should review the option provided by the applicant.

1. Both DPW and Planning staff agree that the sidewalk extension along the northerly side of Buxton Road from Overlook Dr. toward Rotary Dr. where there is an existing sidewalk is recommended as an offsite improvement to be constructed as part of the next phase of this subdivision. The Board may require that the sidewalk be extended for a reasonable distance to connect with existing sidewalks or destinations such as bus stops and schools." While the applicant does not technically require a waiver, it is something that the Board should review. The city would like to see a sidewalk up to at least the crosswalk before Rotary Dr. The Board should provide direction on whether this is a requirement. The applicant is willing to contribute to the construction of the suggested off-site sidewalk but does not view this sidewalk as their sole responsibility. The applicant did pay an impact fee for offsite sidewalk improvements as part of Phase 1 in 2016 and these fees would be returned to the applicant if the Board decides that this improvement is the applicant's sole responsibility.
2. The applicant requests a waiver from the minimum horizontal centerline radius for a local roadway contained in Article 11.11 of the Subdivision Regulations. The City's minimum centerline radius for a local roadway is 150', which provides adequate sight line distances around the curve. The MaineDOT minimum horizontal centerline radius is 145' for urban roadways with a speed limit of 25 mph. DPW and Planning is not in favor of this waiver request.

Diane Morabito, Maine Traffic Resource: She reviewed Sebago Technics traffic movement report. She concurs with these reports, that 90 single-family homes are expected to generate 472 one-way trips on a weekday, 76 during their AM peak hour and 101 during their PM peak hour. Given that peak hour trip

generation exceeds the 100 thresholds, a TMP is required from MDOT. She concurs with their trip assignments, and all the findings point for the need for a Traffic Signal at the intersection of Jenkins Rd and Rte. 112. Please see her report dated 11/28/18 for more detail.

Determination of Completeness – Preliminary Subdivision:

There are comments from the city's traffic review consultant that must be addressed before final approval. The applicant will also need to submit a street tree plan as per Sec. 10.21 of the subdivision regulations. Staff believes the submissions are adequate for the application to be found complete for discussion to move forward.

Peter: "I move to find the application for preliminary subdivision review complete, seconded by Alyssa, and so moved. 6-0."

DEPARTMENT REVIEW

Police Department – *Police wanted to make sure that internal sidewalks and lighting will be a part of the project, and the applicant has indicated that it would. Police inquired as to a centralized mail box which would serve the residences within the subdivision. DPW and Police indicated the Post Office (PO) may allow more than one centralized mailboxes, but the applicant will be required to work with the PO. The mailbox locations need to be located within the internal network so that people are not stopping near intersections. Police would prefer a turn- in, so vehicles are not stopping in the ROW.*

Fire Department – Fire Department will obviously need a 2nd means of ingress/egress while the construction of the road network is completed as required by the Saco Subdivision regulations.

The city would prefer an egress that is constructed to private street standards as there is no guarantee that Phase 3 of the project will ever happen. DPW does not want a dead-end road particularly if something happens and the developer cannot complete the project as presented.

Public Works / Am engineering Department – DPW comments include the following:

As was mentioned in the previous approval, the City's desire is to design a gravity sewer collection system for this development without the need for a sewerage pump station. During the sketch plan review process, the City requested consideration be given to the potential for extending gravity sewer across the adjacent property of Boothby (Tax Map 88 Lot 16) to potentially eliminate the need for a sewerage pump station and/or lessen the depth of the gravity sewer main. The recent submission does not provide any information on this potential alternative.

If it is determined that no practicable alternative is available to provide gravity sewer and a pump station is determined necessary as proposed by the applicant, then the pump station will need to be designed to meet the requirements of the City of Saco Water Resource Recovery Department (WRRD). A note should be added to the plan stating this requirement and the need for a materials submittal to be submitted to the City for review and approval prior to the start of construction.

The submission materials generally describe the scope of work within each phase of the project; however, *if* these limits of phasing are approved by the Planning Board, then we would request that a complete set of construction plans for each phase of the project be submitted to the City for review and approval prior to the start of construction.

With respect to Phasing, we would recommend the initial phase of this subdivision amendment (Phase 2) include the second means of vehicular access constructed to meet local roadway standards to Sullivan Lane.

The extension of Overlook Drive; the complete length of Longwood Lane; and the portion of Sullivan Lane extension, from Longwood Lane to existing terminus of Sullivan Lane, should be constructed with increased binder pavement thickness in accordance with Article 6.6.5.3 of the Subdivision Regulations.

As commented previously, consideration for offsite sidewalk extension will need to be discussed with the expansion of the subdivision. Sidewalk extension along the northerly side of Buxton Road towards Rotary Drive is recommended as an offsite improvement to be constructed as part of the next phase of this subdivision.

It is our understanding the applicant is proposing to maintain the existing cul-de-sac on Sullivan Lane. The existing sidewalk at the end of Sullivan Lane needs to be modified as part of the project. The portion of the existing sidewalk that connects to the roadway pavement in the cul-de-sac shall be removed and a new sidewalk constructed with esplanade around the outer perimeter of the cul-de-sac to connect with the proposed sidewalk along the proposed extension of Sullivan Lane. In addition, the existing roadway width should be reduced around the cul-de-sac to create a one-way traffic pattern. Suggest the diameter of the interior island be increased to narrow the roadway pavement width to 15' to 18'.

Planning and Development

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As commented previously, the applicant is aware, the City has been working collaboratively with the MTA and MaineDOT on a Route 112/1-95 Exit 36/1-195 corridor study to improve access to the turnpike and alleviate traffic congestion along North Street and Industrial Park Road. One alternative that is being considered is an extension of the 1-195 spur, across Jenkins Road and several properties (including this parcel) to eventually connect with Buxton Road near the intersection with Foss Road. The corridor study is in the consultant selection phase; therefore, we have no further information on what, if anything, will come about as the recommended plan. Our goals in this matter continues to be in assessing the best long-term solution to traffic infrastructure needs of the community and provide this information to the public as it becomes available.

As commented previously, consideration should be given to providing additional connections to adjacent properties (e.g. between lots 57/58 to the Boothby parcel; between lots 44/45 to the Boothby parcel; between lots 50/51 to the Hoyt parcel; between lots 84/85 to the Huff parcel). Consideration should also be given to the potential for the dead-end portions of Overlook Drive and Sullivan Lane to connect as a through street across the land of Hoyt.

Code Enforcement – Code Enforcement reiterated that Section 6.6 of the Subdivision regulations must be met which states that "Before building permits can be issued in new residential subdivisions, certain infrastructure and other improvements shall be constructed, inspected, and be suitable for immediate use or be satisfactorily operating."

WWRD – The WWRD department would prefer to see gravity sewer extended across an adjacent parcel but understands that if not feasible a gravity sewer designed to the satisfaction of the WWRD and DPW departments.

Shawn Frank, Sebago Technics: James Treptow, representing the applicant, and J. Thomas Scrivener

On behalf of J. Thomas Scrivener, LLC, we are pleased to submit this letter, the enclosed plan set and associated information for a Preliminary Subdivision Plan Application for Heath Overlook, the 90-lot, single-family residential subdivision off Buxton Road with a proposed roadway connection to Sullivan Lane. A subdivision plan for the initial 11-lots located on approximately 10 acres of the property directly abutting Buxton Road, was previously reviewed and approved by the Planning Board at their meeting of March 15, 2016. In association with that application, an Overall Concept Plan was prepared and presented to the Board depicting a potential roadway system with reserved rights of way to abutting undeveloped properties, and a lot layout for the approximately 80.13 acres of property owned by the applicant and located in the R-ID Residential District. A Sketch Plan was presented to the Planning Board at their meeting of February 6, 2018, which closely followed the previously provided Overall Concept Plan.

As shown on the Overall Subdivision Plan, the previously approved roadway, Overlook Drive, intersects Buxton Road directly across from Blake Avenue and is proposed to be extended to approximately 3,300 feet in total length culminating in a cul-de-sac. Reserved rights of way are proposed from Overlook Drive to abutting undeveloped properties for possible future roadway connectivity. Sullivan Drive is proposed to be extended from its current terminus at the existing cul-de-sac into the property along the southeasterly side of Dennett Brook to provide access to additional lots as well as a reserved right of way to abutting property. This extension of Sullivan Drive will culminate in a cul-de-sac with the anticipation that the existing cul-de-sac will remain in place as a traffic calming measure. A new roadway, Longwood Lane, is proposed to intersect Overlook Drive and extend southeasterly approximately 1,550 feet, cross Dennett Brook and intersect with the extension of Sullivan Lane. From this road, another new loop road, Heritage Circle, will extend westerly approximately 1,400 feet to access the remaining proposed house lots. The design intent is to construct the roadways to City standards for eventual conveyance to the City. As discussed, the development of the subdivision will be constructed in two additional phases.

Phase 2 will consist of extending Overlook Drive to the cul-de-sac and constructing approximately 350 feet of Longwood lane. Each of these roads will include complete utility infrastructure including gravity sewer, closed drainage, public water, and underground electric & telecommunication services with the intent of servicing Lots 12-41 and Lot 47. An emergency access drive will also be constructed from approximately STA 3+50 Longwood Lane to the existing cul-de-sac on Sullivan Lane, following the proposed roadway layout. The applicant proposes to construct this access initially to City standards for a graveled private way, with the intent of improving the access to City roadway requirements as part of Phase 3. The emergency access route will require construction of the proposed Dennett Brook stream crossing. In addition, closed drainage will be extended to the proposed wet pond, which will also be constructed, located in proposed Open Space 4 located south of Lot 59.

Phase 3 will consist of extending Longwood Lane, extending Sullivan Lane and constructing Heritage Circle. Each of these roads will include complete utility infrastructure including gravity sewer, closed drainage, public water, and underground electric & telecommunication services with the intent of servicing Lots 42- 46 and Lots 48-90. Based upon discussions with the Water Resource Recovery Department, the Phase 3 gravity sewer will be routed to a new wastewater lift station. The force main from this station will connect to the gravity sewer system in Overlook Drive. Stormwater management includes the construction of vegetated soil filters in Phase 2 and a wet pond in Phase 3 to treat and detain the runoff in accordance with the standards Chapter 500 regulated by the Maine Department of Environmental Protection.

As shown on the Overall Subdivision Plan, wetlands and Dennett Brook have been identified and field located. In accordance with a comment from the Code Enforcement Officer, the building envelopes for the lots containing or abutting wetlands will maintain a minimum 75-foot setback from the wetlands. The subdivision will also require site location of development approval as well as subdivision approval, therefore, a 100-foot undisturbed buffer is shown along Dennett Brook

except for the proposed roadway crossing.

Derek Caldwell, traffic engineer: gave a brief overview of his findings of the traffic report.

Board discussion:

Peter: He does not agree that the applicant should be responsible for their contribution to the improvements to the Industrial Park Rd and North St. However, he would like to see the applicant find another exit other than Sullivan Lane, due to the impact to the neighborhood.

Matt: would like more information on vernal pools, as well as Joe's comment to show driveways on the plan. Also, there seems to be a steep incline between phase 1 and 2. He is concerned with the speed limit changing to 45mph, which is where the sidewalk is being proposed. Is it DOT that sets the speed limit? **Diane Morabito:** DOT sets the speed limit. The city would have to request the change.

Joyce: What has been collected for traffic impact fees?

Don: Gravity sewer vs pump station

Thru street at Sullivan Ln

Traffic and signalization at Jenkins rd and Buxton Rd

Neil: The Open Space noted on plan, is mostly wetland areas, and it should be open spaces made for recreational activities. This open space is unusable. There are 2 fees, the recreational fees and the open space fees. Need to determine if the applicant must pay both. Zach will research.

Peter suggested to the applicant that they might want to dedicate one of the lots in the subdivision as the open space and it would be owned and maintained by the Home Owners Association.

Neil: any communication with the water company to find out if they can provide water to this subdivision. **Shawn:** with the first phase, it was suggested that they install a 12" water main, but this just being a preliminary review, they have not had further conversations, but they will.

Neil: Is there Financial capacity on Mr. Scrivener's part? After asking Shawn if he had an idea of what the cost for the infrastructure would be? Shawn: Approx. \$500/ft, which works out to roughly \$3MM.

Neil: having said that, the letter of financial capacity from Mr. Scrivener, speaks of the letter of credit being just \$1.2MM, so is there truly the financial capacity from this developer to do this project? Mr. Scrivener mentioned that it would include various entities.

Don: The Board needs to address some items mentioned tonight.

1st - what is the Board going to do with the gravity sewer vs pump station?

2nd - how far is the Board going to take the applicant regarding the signalization at the intersection of Buxton and Jenkins Rd.

3rd – how far is the Board going to go take the applicant in the development of the connection to Sullivan Lane either before, during, or after the build-up of the project?

4th – is the Board going to hold the applicant to the offsite sidewalk extension from Rotary Dr. to the entrance of the project.

5th – roadway centerline radii's in relation to the Sub Reg. standards.

6th – from Diane Morabito’s traffic study, should there be an impact fee assessed to the developer for the improvements to the Industrial Park Rd and North Street.

7th – as Neil mentioned before, how far is the Board going to take the applicant regarding Open Space?

Don moved to open the public hearing, seconded by Alyssa, and so moved 6-0

Roger Gay, city councilor, Ward 2: He hears day after day from people telling him, how can you stop these houses from being built? There are too many houses being built right now. How many houses in phase 1, that are built, are currently being occupied in Phase 1? Answer: 4. Second question is, how many people have showed interest in the 79 lots? Answer: 0.

Mr. Kegler, 14 Steeple Dr: traffic is an issue. Sullivan Ln should be one lane. The speed the cars go down Jenkins Rd, makes it very dangerous. Trying to get onto Buxton Rd. even with a traffic light, will take at least 2 light changes. This will also impact the schools, as well as property taxes. Even though he is retired, he still has to work a full-time job.

Brad, he owns Lot 2 that he just purchased a couple of months ago. He is fortunate to have found a home in a development that seems to have good neighbors. As for the large scale of this development, he understands what the public is saying. He doesn’t understand why the Home Owners Assoc., is charging him and others \$50/month for plowing for the next several years, because the City will not take over the road if it’s been built to the City’s specification. And his 11-year-old son can’t even walk on the sidewalk, because they won’t plow it.

McNaughton, 11 Overlook Dr: Traffic is her concern. As of a month ago, she was told that there was not going to be a light at Jenkins Rd.

Letourneau, 7 Sullivan Ln: he would like to know what will be the smallest size lot in that development? Do you have to cross Dennett Brook? Can’t you just extend Sullivan Ln. and not have it go through?

Terry Loeser, 8 Sullivan Ln: His concern is traffic, and the suggestion someone made about making Sullivan Ln a one way, is a good one. He would like to see Sullivan Ln not be a continuance into the development.

Debbie Howes, 6 Sullivan Ln: lived there 24 years, and for this size development it will impact the traffic. It is a dangerous intersection at Jenkins Rd and Buxton Rd. it makes it very dangerous for the kids crossing the street. They have wells that will have an impact.

William Martin, 4 Sullivan Ln: she is surprised that the city hasn’t acted on the traffic issues that are happening now in the city, never mind adding more traffic with this development. Traffic has been an ongoing problem. It will affect the value of her property.

Resident: maybe there should be a study done on the impact on the watershed. Construction vehicles going through Sullivan Ln.

Todd Davis: he isn’t a resident, but his daughter and son-in-law live on Sullivan Ln. He agrees with others about the possible water issues. They are on wells and they will be impacted. He agrees with Mr. Kegler about making Sullivan Ln a one way.

Neil put the public hearing on hold

Shawn Frank: Addressed some of the public comments.

They will work with the city with making Sullivan Ln one way.

Regarding HO for acceptance of street. The city has certain standards for the acceptance of roads, so they will have to weigh in on that.

He always understood that there was a fee being collected to go towards adding a stop light at Jenkins and Buxton Rd. and this development will warrant it.

The crossover of Dennett brook is required. The road cannot be a dead-end, per City zoning ordinance. He doesn't see any impact to the existing wells, or water table in the surrounding area. This development will be on city water and sewer.

Stormwater runoff. Dennett brook is a natural divide. Sullivan Ln will be curbed and have sidewalks and have catch basins. Runoff from the back of the lots will be directed down Heritage Ln

Neil: the proposed extension of Sullivan Ln will have catch basins and curbs, and the water will be directed to the wet pond? **Shawn:** yes

There will be a traffic impact fee with this development

Don: should discuss whether restrictions be added to deed covenants on what people put on their property for fertilizer to help protect the surface water

Peter: question to city engineer, Joe Laverriere. Why hasn't the Overlook Dr been accepted by the city? **Joe:** because it hasn't been completed. The city typically doesn't accept one phase of a multi-phase project such as this.

Don Girouard: The gravity sewer access across the Boothby property. Has that been negotiated yet?

Shawn: we have only looked at the feasibility of it. No decision has been made yet. **Don:** Diane Morabito's report regarding site distance from Sullivan Lane. **Shawn:** The site distance is mostly bushes that need to be cut back, but that will be addressed at final review.

Don: also, it was mentioned the phasing of the left turn signal, eastbound on North St to the Industrial Park Rd. and some possible problem with the increased traffic. Has that been studied yet? If not, these issues will need to be taken care of before final. **Shawn:** Not at this point, but it will be addressed before final. **Don:** there are still some principal issues brought up by the city engineer that will need to be resolved.

Peter: have you checked with neighboring property owners on either side of Sullivan Ln, so that the egress wouldn't affect Sullivan Circle? **Shawn:** they have not had any conversation with abutting properties.

Peter moved to close the public hearing, seconded by Matt, and so moved 6-0

Continued Board Discussion:

Road Construction:

Don: what is the purpose of changing the road centerline, (curve on Heritage Cir)

Shawn: it was to slow traffic on that bend.

Don: Joe L. talked in his memo about the site line on the inside curve. Lot 61 doesn't seem to be big enough. Could something be added to the covenants by increasing the front yard setback and maybe adding landscaping in the front that could possibly improve the site lines on that curve? **Shawn:** that could possibly be done.

Joyce: she would like to see the applicant come back with a plan to widen that curve, especially between lots 59 and 60, then we won't have to worry about monitoring plantings 20 years down the road.

Don: I move to change the centerline radii from the subdivision standards from 150ft down to 100ft, on the condition that the applicant come back to a final subdivision review with covenants built into Lot 61 that result in a building being out to where the site line distance would be like at 150ft for the road, seconded by Matt. Vote was 3-3. Motion fails.

Neil: with the motion failing, the applicant must go back and redesign plan to accommodate the 150ft centerline radii's.

Don: the applicant wants to leave a gravel road out to Sullivan Ln during phase 2 and phase 3 construction. Should it be a binder pavement? There shouldn't be a phase 2 without having an access out to Sullivan Ln. We are discussing at what level the road needs to be finished; gravel or binder. What if that development never gets completed. A construction fund should be collected.

Peter: this developer has spent a lot of money on this development. And a lot of that money has gone into the ground by bringing the water and sewer across Buxton Rd. maybe the Board can come up with wording that the applicant can add underground utilities to phase 2 once that section is two-thirds done? So that they can recover some of their funds, then maybe we can talk about them adding binder pavement.

Don: I think the Board needs to decide at what level Sullivan Lane should be finished in phase 2, binder pavement or gravel.

Joe: whatever direction the Board goes in, just keep in mind that it must be maintainable.

Neil: The Board should give direction to the developer that he either builds a private road according to private road standards, for emergency access only; or the other option is to build a road with binder pavement. In any event there must be a second means of egress. And the developer is responsible for maintaining it and plowing it.

Don: I move that the planning board accept and approve the applicant's request to only develop Longwood Lane and Sullivan Lane extension to the City of Saco private road standards with gravel surface and subject to the conditions specified in #15 noted in Zach's memo dated December 4, 2018

Joyce seconded the motion, with an added amendment to include that these provisions continue only until the completion of phase 2, at which point when phase 3 is initiated that phase 2 will be accepted by and according to the City's standards. Don accepted the amendment. Motion passes 5-1.

TRAFFIC:

Neil: the one thing both parties agree on is that there will need to be a traffic light at the intersection of Jenkins Rd and Buxton Rd. It won't make the traffic go away, but it will help.

Joe Laverriere: explained that the traffic light is not going to go in tomorrow. We know that the study has been done and that it warrants a traffic light. Now we will have to go through the process in getting things started, like getting survey's done and acquisitions.

Shawn Frank: from his point of view, I don't think we want to be looking at what is happening at Jenkins Rd and Buxton Rd. to be just the burden put onto this development. There is a major study going on in that area. It's not like these houses are going to come online tomorrow either. There will be a delay with these house, with getting permits, etc. We assume that they would contribute to DOT and the impact fee to the city. We know that whatever is going on at that intersection is not just being impacted by this development. We know that we need to take part of the solution.

Don: according to Diane Morabito, that intersection has a failing level of service now, and now your adding this development. How close are we at financing that light? How far are we at surveys at taking property, and taking of the left turn lane onto Jenkins Rd. That intersection is failing both in the morning and in the afternoon. That light may not get installed for another 5 to 7 years.

Neil: I think that the traffic impact is approx. \$700/lot. **Don:** the subdivision standards dictate the traffic impact fee. If the city is not in a financial position to do the intersection, how can we penalize the developer for it. Why should we penalize him if he doesn't build out phase 3? **Matt:** We cannot approve a subdivision when that intersection already has a failing level of service.

Neil: Impact fees to be worked out between the city and the applicant

Don: why do we hold the applicant hostage? Why is he being burdened. If he pays a per lot fee toward the traffic, he has met his burden. It's not his fault if the city doesn't meet their responsibility.

Alyssa: She doesn't like the wording on #29 which says that how the improvement is installed must be worked out between the applicant and the city. It shouldn't be left up to the developer until final approval. It's not a problem that he can solve. I think where it says, how it should be installed needs to be worked out before final approval should be taken out.

Joyce: **Maybe it should say that assessed impact fee for off sight traffic improvements to the Industrial Park intersection and the Jenkins Rd intersection.**

Neil: he read subdivision section 10.8.2 that Diane Morabito refers to.

Don: the wording on #29, needs to read that the traffic impact fees are to be used not just for Jenkins Rd intersection, but any impact in the Rte. 112 corridor. The fees should go to wherever the city wants improvements in that corridor.

Alyssa: Isn't what Neil just read saying that the city can assess another fee? I would like #29 to also read that the applicant pays the regular impact fee, and any other fee deemed necessary.

Proposed language:

Zach: Assess a per lot impact fee for offsite traffic improvements along the Rte. 112 corridor study, recommended by the traffic review memo and a discussion between the city, DOT, and the applicant on how it will get done prior to final approval.

Joyce: She would like the city to get the total funds that have been collected to date for that signalization before the next meeting?

Alyssa: could we maybe have the applicant revisit #29 of the conditions before the next meeting? I think we all agree that how it reads right now, doesn't work.

Don: maybe we should table until further information has been provided for traffic impact fees.

Don moved to table further discussion until next meeting, seconded by Peter.

Board discussion:

Should the Board do a site walk of the property?

Don moved to withdraw his previous motion

Don made another motion that the Board do a site walk of the Heath Overlook property, seconded by Peter, and so moved 6-0.

Site Walk to take place on Saturday, December 15th at 9:00am. All are to meet at the cul-de-sac on Sullivan Lane.

Meeting adjourned 10.00pm

Respectfully submitted by,

Maggie Edwards

Board Secretary