

**TOWN DEVELOPMENT REVIEW BOARD
MEETING MINUTES
October 12, 2021**

Members In-Room: Malcolm Teale, Chair; Tom Wawrzeniak; Craig Fowler
Members Virtual: Elisa Clancy
Members Absent: Mary Walz
Guests Virtual: None
Guests In-Room: Ron Rodjenski, Town Zoning Administrator; Tom Bjerke; Vicki Emerson; Jeff Emerson; Nikki Carpenter; Craig Carpenter; Lauren Lepage; Kim Grogan; Paul Grogan; Jim Harrison; GMATV did not videotape this meeting.

Mac called the meeting to order at 6:01 p.m.

1. **Welcome & Public Comment** – No public comment received and no changes to the agenda.

2. **Public Hearing #1**

Application #2021-62 submitted by Lauren Lepage for a 2-lot subdivision of Parcel 23-001-362 including a waiver request from the preliminary hearing requirement making this hearing the final hearing if the waiver is approved. The proposed creates Lot C consisting of 7.1697 acres with access to Center Road via a private easement and private road Powers Road. One existing residential parcel of 17.3 acres, Lot A, is reduced to 10.17 acres. The property is in the RR2 Zoning District, and the application will be reviewed under the 2020 Town Land Use and Development Regulations.

Mac opened the hearing and read the public notice. Lauren Lepage was present to review the subdivision request and Tom Wawrzeniak recused himself as he is the project's site designer. No questions from the public. Ron noted that the administrative waiver would need to be approved before recording the survey plat as it non-approval of the waiver would affect the right-of-way layout on 50 Powers Rd being considered by the DRB. Motion by Fowler to move into deliberations, Seconded by Elisa. Voting: 3 in favor, 0 against, 1 recused (Tom), motion passed.

3. **Public Hearing #2**

Application #2021-63 submitted by Kim Grogan for a 2-lot subdivision of Parcel 04-035-030 including a waiver request from the preliminary hearing requirement making this hearing the final hearing if the waiver is approved. The proposed project proposes one new residential parcel with access to Whitcomb Island Road via a private road Gihon Bend Drive. Proposed Lot 2 is 2.4 acres and the remaining lands, Lot 1, consists of an existing residential home on a proposed 8.2-acre lot. A waiver of setbacks is also requested to allow for no less than 5-feet for existing structures to the proposed access easement where 50-feet is required. The property is in the RR2 Zoning District, and the application will be reviewed under the 2020 Town Land Use and Development Regulations.

Mac opened the hearing and read the public notice. Kim Grogan was present to review the application which included a request for two setback waivers to the proposed right-of-way for the new lot that allowed approximately 30-feet instead of the required 50-feet to the edge of the ROW. The maximum grade of 8.0% will need to be a part of the permit conditions between the proposed house and Whitcomb Island Road. Kim noted that the new home is in an existing open area with some clearing for the wastewater system required. Motion by Craig to close the hearing and move into deliberations, seconded by Tom. Voting: 4 in favor, 0 against, motion passed.

4. **Public Hearing #3**

Application #2021-64 submitted by Morrisville Sand and Gravel, LLC for a conditional use approval to re-open and expand the former Emerson pit, now owned by Sundog Agricultural Ventures, LLC (Parcel 13-053-115.100), and connect the former Manosh pit (Parcel 13-050-175.100), now owned by Morrisville Sand and Gravel, LLC, with two access points onto Garfield Road and one access via the Ferland Pit Road. The property is in the RR5 Zoning District, and the application will be reviewed under the 2020 Town Land Use and Development Regulations, Section 7.15, Extraction of Soil, Sand or Gravel.

Mac opened the hearing and read the public notice. Mac swore in Jim Harrison, Jeff Emerson and Vicki Emerson. Jim explained that his company intends to purchase the former Emerson pit, now owned by SunDog Agriculture, and combine it with their existing operation, Morrisville Sand & Gravel, LLC (MSG) which is on the adjoining former Manosh pit. Jim stated that the Ferland Pit access road is only for emergency access and they are seeking permission to restart the pit and use the Emerson pit access road onto Garfield Road and discontinue the existing Manosh access at 480 Garfield Road near the intersection of McFarlane Road. The former Emerson access road would be the primary access for the combined pit operation. Mac read the 2020 Zoning Regulations, Section 7.15 regarding sand and gravel excavation review standards and including a bonding requirement to ensure reclaiming of the pit is completed in 10 or so years when the pit is anticipated to close. Jeff Emerson stated he is concerned about increased noise at his parcel on the west side of Garfield Road if the berm between the MSG and Emerson pits is removed. Jeff testified that trucks turning into the pit in this steeper section of Garfield Road is a safety concern, along with increased "Jake Brake" noise near his parcel. Jim noted that closing the access at 480 Garfield Road will reduce noise in that area which is closer to more homes. Jim stated that no crushing will occur, just washing of materials, and most materials are brought to his concrete plants, with a minor amount sold commercially. Jim estimated that there is about 800,000 cubic yards to be removed at about 70,000 cubic yards per year. Vicki was concerned about truck traffic and suggested warning signs could be installed along Garfield Road. Ron advised that the 2020 Zoning Bylaw, Section 8.13, has noise standards set at a maximum 65 decibels measured on a 30-minute average at the property line. Craig Carpenter asked that hours of operation be set and Vicki agreed that hours should be 7a-5p Mon-Friday and 7a-1p on Saturday with no Sundays or Holiday operations. Jim agreed that his operations crew would follow the hours requirements. The Board agreed to conduct a site visit and would notify the parties of the date and time. Motion by Elisa to continue the public hearing to Tuesday, November 9 at 6:00 p.m. at the town office community meeting room. Seconded by Craig. Voting: 4 in favor, 0 against, motion passed. The Board agreed that interested parties may submit additional evidence and testimony to Ron and Ron will collect and share with everyone before the next hearing date. The Board agreed to conduct the site visit at 3:00 p.m. on Friday, October 15th, Ron to send invitations with some guidance on conduct as the site visit is for observation and not collection of new evidence.

5. Adjourn

Motion by Tom to adjourn, seconded by Craig, meeting adjourned at 8:00 p.m.

Submitted by Ron Rodjenski