

TOWN OF HIGHGATE

Planning Commission

Minutes

October 7, 2013

I. CALL TO ORDER

Chairman, David Cadieux called the meeting to order at 6:00pm.

Present at meeting:

- **Planning Commission Members:** David Cadieux – Chairman, Woody Rouse, Rick Trombley, Bruce Ryan, Tim Reynolds, Julie Rice and Pauline Decarreau
- **Staff:** Heidi Britch-Valenta – Planning and Zoning Administrator, and Samantha Rice – Planning and Zoning Secretary
- **Public:** John Wetherby – Wright Hearing, Steve Beyor – Highgate Representative, Roger Wright, Andy Hoak – Wright’s Engineer, Steven Campagna – Gosselin Hearing, Normand Campagna – Gosselin Hearing, Peter Mazurak – Gosselin’s Engineer, Jeff Towle – Highgate Selectman, Chad Tyler – Highgate Resident, Michael Patnode – Zoning Board Member, Rebecca Pfeiffer – State Rivers Program, Staci Pomeroy – Northern Regional River Scientist, Amanda Holland – Northwest Regional Planning Commission,

Mr. Cadieux swore in everybody present at the meeting by reciting the oath.

II. PUBLIC HEARINGS

A. Roger Wright – Boundary Line Adjustment Lamkin Street, Parcel #0020-005-080

Mr. Roger Wright is the property owner of 3 lots. Lot #1 is the existing Sand Pit Lot 98.1 acres. The access to the sandpit is located at the easterly end of the sandpit and runs along the eastern boundary with adjoining property owned by Unwin, and Ladieu.

Lot # 2 is a .69 acre parcel that has 115’ of frontage on Lamkin Street and abuts the sandpit at its northwestern side. This is a pre-existing non-conforming lot for minimum lot size of one acre. The Applicant has removed a mobile home from the lot and built a new home in 2012.

Lot #3 is a .46 acre parcel with 100' of frontage on Lamkin Street which borders Lot #2 at its eastern side and abuts the sandpit. This is a pre-existing non-conforming lot for minimum lot size of one acre. The property currently is populated with a mobile home and sheds. Currently the Applicant is proposing to eliminate Lot #3 and merge the property with Lot #1.

Mr. Wright explained to the board that he is proposing to convey lot #3 to the sandpit (lot #1) to eliminate the .46 acre lot (lot #3) because it wasn't big enough to build on. On the west side of Mr. Wright's lot #2, .16 acres are being conveyed from lot #1 to lot #2 and on the east side of lot #2, .16 acres are being conveyed from lot #2 to lot #1.

Mr. Wright indicated that the gravel drive east of lot #2 will remain. The dwelling with a sewer system will also remain on lot #3, which is now part of lot #1, through the winter.

A member from the public, Mr. Wetherby, asked if the driveway Mr. Wright was referring to would be blacktopped. The board responded by stating that at this point they cannot make Mr. Wright blacktop the driveway. Mr. Wetherby also asked if there are any penalties for Mr. Wright making the boundary line adjustment after he had built his dwelling since the dwelling didn't meet boundary line requirements. Mrs. Britch-Valenta explained that the Town of Highgate's policy is that if an applicant is working towards a resolution there won't be any fines.

Mr. Cadieux asked if there were any further questions from the board. Mrs. Britch-Valenta asked if there is a proposed timeframe for when the structures on the dissolved lot (lot #3) will be moved. Mr. Hoak said there is no proposed timeframe. Mr. Reynolds asked how far the shed on lot #3 (now lot #1) is from the property line. Mr. Wright replied by saying it was about 52 feet. Mr. Hoak included that it is about 20 feet from the driveway.

Mr. Rouse made the motion to close the hearing. Mr. Trombley seconded the motion. Motion carried at 6:23pm.

B. Michael Gosselin – Sketch Plan Review for a 2 Lot Subdivision Campagna Road, Parcel # 0007-029-071

Mr. Gosselin's engineer, Peter Mazurak, represented Mr. Gosselin at the meeting where he proposed a 2 lot subdivision at the end of an existing 50 foot right away that stops at the Campagna Road. The property is 228 acres and has one permitted dwelling on it already. The subdivision will consist of a 226.5 acre lot and a 1.5 acre lot. Mr. Gosselin is proposing a duplex on the 1.5 acre subdivision lot with separate water and waste water systems. The proposed access into the lot is a driveway going across Mr. Campagna's property. Mr. Gosselin is proposing to use the same access to the new subdivision and the

permitted dwelling on the original lot. He is in the process of amending the current waste water permit to coincide with the new dwelling.

Mr. Cadieux asked if there were any questions from the public. Mr. Steve Campagna asked if there is an alternate site for Mr. Gosselin's septic that is partially located on the neighboring lot of Mr. Campagna. Mr. Cadieux explained that the location of the septic system is not determined by the Planning Board but is determined and regulated by the State. Mr. Mazurak clarified that they have done some other digging on Mr. Gosselin's property and found that the current septic site was the most feasible.

Mr. Campagna was also concerned about not knowing the exact location of the right of way. Mr. Campagna's grandmother had given Mr. Gosselin permission to use an access of 50 feet but now that the lot is being developed the exact location of the right of way should be surveyed. Mr. Campagna would like some sort of contract signed by both parties to determine the exact location of the right away. Mr. Cadieux asked if there is any dispute with Mr. Gosselin having the right away. Mr. Campagna said no but there is no clear placement of the right away. Mrs. Britch-Valenta asked if the location of the right away could be staked as part of the current project. Mr. Mazurak believed that Mr. Gosselin should not be responsible for the surveying of Mr. Campagna's land.

Mr. Trombley motioned to close the hearing. Mr. Reynolds seconded the motion. Motion carried at 6:49pm.

III. OTHER BUSINESS

A. Northwest Regional Planning Commission – Flood Plain and Shoreline Regulations

Mrs. Holland presented the board with maps of the flood plains. She had explained that the last Town Plan was modified in 2010 where protecting shorelines and flood plains was added as a priority. Mrs. Pomeroy and Mrs. Pfeiffer included that the Town of Highgate has a flood bylaw from 1990. They suggested that Highgate has benefited from participating in FEMA's national flood insurance program. Highgate first joined the program in 1983 so the flood maps that the Town currently have are dated back to 1983. Currently there are 6 flood insurance policies in the town, 3 of the policies are in the FEMA mapped flood plains and the other 3 are for people outside of the flood plains. Regulations given when participating in the insurance program are a minimal to develop in the flood plains. The bylaws would limit fill and building structures, and work on potential erosion hazards. The more regulations you adopt, the more priority your town has when in need of flood insurance. Mrs. Pomeroy and Mrs. Pfeiffer also suggested to include setbacks from streams and lakeshores in the revisions of the bylaws due to Highgate having soil prone to landslides and that Highgate could possibly benefit from buffers. The three ladies will return to the next meeting with a draft of regulations.

IV. DELIBERATIVE SESSION

MOTION: Mr. Cadieux motioned to go into deliberative session. Mrs. Decarreau seconded the motion. Motion carried at 7:53pm.

MOTION: Mr. Trombley motioned to go into regular session. Mrs. Rice seconded the motion. Motion carried at 8:30pm.

MOTION: Mr. Rouse motioned to accept the sketch plan of Mr. Wright and inform him of the possibility to adjust his proposal to comply with a mix use review in order to receive conditional use approval with residential and commercial use on his lot or remove the buildings currently on the property in order to remain solely as commercial use. Mr. Trombley seconded the motion. Motion carried unanimously at 8:32pm.

MOTION: Mr. Trombley motioned to approve Gosselin sketch plan with the following conditions:

- The applicant will provide the easement information
- The applicant will pin and provide the survey marks for the right away
- The applicant will number the lots sequentially on the sketch plan
- The applicant will provide the names and addresses of the adjoining landowners on the sketch plan
- The applicant will comply with all requirements of Section 610

Mrs. Decarreau seconded the motion. Motion carried unanimously at 8:34pm.

V. ADJOURNMENT

Mr. Cadieux proposed to approve the August and September minutes and discuss the bylaws at the next meeting.

Mr. Ryan made the motion to adjourn the meeting. Mr. Cadieux seconded the motion. Motion carried at 9:48pm.

Respectfully submitted,

Samantha Rice, Planning & Zoning Clerk

Minutes approved by:



David Cadieux, Planning Commission Chair