

Agenda
HERMON PLANNING BOARD
Public Safety Building
November 21, 2023 – 6:30PM

1. **CALL TO ORDER BY CHAIRPERSON**
2. **PLEDGE OF ALLEGIANCE**

Chair Marsh led those in attendance in the Pledge of Allegiance.

3. **ROLL CALL- Appoint Alternate Member(s) if necessary.**

Members Present: Ed Marsh, Jeremy Snow, Deborah Whitman, Kyle Sullivan, Curtis Bartram, and Greg Newell

Members Absent: Joshua Pelletier -Excused

Others Present: Code Officer Jessefa Murphy, Deputy Clerk Keely Gonyea, and two guests.

4. **CONSENT AGENDA-**

- A. Consent November 21, 2023, Agenda
- B. Approve minutes of the October 17, 2023

Deborah Whitman made a motion to approve the minutes of the October 17, 2023 meeting. Kyle Sullivan seconded the motion. The motion passes accepted unless doubted by Ed Marsh.

Kyle Sullivan made a motion to remove PB-21-015 Whitetail Rental Properties, LLC is seeking a subdivision approval for a 6-unit apartment located at 599 Pine Tree Road, Tax Map/Lot 046-001-001 from the Public Hearings and to be replaced with PB-23-015 McLaughlin Fine Woodworking, LLC represented by Plymouth Engineering, is seeking approval for a 13-lot subdivision located off the end of Streamside Avenue, the property is located on Tax Map 024-002-000. Deborah Whitman seconded the motion. The motion passes accepted unless doubted by Ed Marsh.

5. **PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)**

No public comments were given.

6. **PUBLIC HEARINGS**

- A. **PB23-015** – McLaughlin Fine Woodworking, LLC represented by Plymouth Engineering, is seeking approval for a 13-lot Subdivision located off the end of Streamside Avenue. The property is located on Tax Map 024-002-000

Amy Young, Plymouth Engineering: I am representing McLaughlin Fine Woodworking. They own a parcel that is basically the extension of the existing Streamside Avenue. And they are proposing to add 13 lots. When we were in the preliminary it was 14 lots. But it was brought to our attention by the owner is that in the agreement of purchasing this land they actually had to give a right of way to the abutting landowner. So that bumped these two lots down and this lot here would not have had a full acre of upland. So, when it came in as a preliminary it was a 14-lot subdivision and now it's a 13-lot subdivision. So, the road got a little bit shorter, but all the lots have at least an acre of upland and have a passing test pit for septic.

Close Public Hearing

7. SCHEDULED AGENDA ITEMS

New Business

- A. **PB23-015** – McLaughlin Fine Woodworking, LLC represented by Plymouth Engineering, is seeking approval for a 13-lot Subdivision located off the end of Streamside Avenue. The property is located on Tax Map 024-002-000.

Ed Marsh: I'm going to rattle off because I've got a cheat sheet with some questions. We are missing elevations. They're contoured but they're not listed so those are some items that we're going to have to see. Especially the elevation of the 100-year flood line. Is it the whole subdivision that's within the 100-year flood line?

Amy Young: No.

Ed Marsh: There's a note on C1.

Amy Young: I think that line got frozen is what happened. I know it's not the whole subdivision. That line got frozen and isn't showing up on any of them. So currently the 100-year flood line is down through the middle. I know Alan Perry is working on a LOMA at the moment for the entire

subdivision. Or at least I think it was five lots that were within the 100-year flood line.

Ed Marsh: So, we'll need those delineated so we know exactly where that is. Is there a letter to Inland Fisheries and Wildlife?

Amy Young: Did I not include it?

Ed Marsh: I don't see it.

Amy Young: I don't know if we did a letter to them.

Kyle Sullivan: There was some Natural Resources stuff in Appendix E. But it wasn't. It was five or six years old too, I think.

Ed Marsh: That was soils report, wetlands report, and well driller report. But nothing to the Inland Fisheries and Wildlife.

Amy Young: I thought I had added from Google Earth, but I guess I hadn't. We will send a letter out.

Ed Marsh: And also fire chief for the fire pond?

Amy Young: Okay so even though the fire pond is already there for Streamside, do you want a letter from him saying that it will meet both subdivisions?

Ed Marsh: Now that you're adding 13 more lots.

Kyle Sullivan: I had a question on the fire pond. Is it, so we show the fire pond on that map right there and it ends up in the middle of a lot. Is that the fire pond that's being referenced in the letter?

Amy Young: Yes.

Kyle Sullivan: So, that will remain in someone's front yard?

Amy Young: Yes, there's enough room to get a driveway in around the side and that's just going to have to be, you know, that's already there. So, when they buy the lot it's there. So, that's the plan depending on the potential of

extension down here. They were considering doing something else down here, but they haven't quite decided yet. The limit of wetlands delineation only went this far so when they extend down further, they'll decide if they're going to extend or not. And if not, then potentially they'll do a fire pond at the end of the cul-de-sac. But that's still up in the air.

Ed Marsh: Some of the things that we look at this is financial capacity of the applicant. Is there a letter of financial capacity to do the project? I know we've got Secretary of State but are you sure you're going to be able to do this? There's a lot of questions because we're getting...

Amy Young: Pushback?

Ed Marsh: Well no. And it's mostly just we want to make sure that when we approve a project that it's going to get finished. We have one in town right now that is not and it's causing a lot of problems. So, I'm not picking on you.

Amy Young: No, those are part of your standards.

Ed Marsh: And then with the change to the existing cul-de-sac, the developer is going to have to be responsible for covering the cost and rewriting the deeds for the deletion of the existing...

Amy Young: Of those two lots on that side?

Ed Marsh: That's correct. And then on C2 we have the standard for erosion control, but it doesn't show where erosion control will be needed. I think on C2 you also have some grammatical items that probably when they were copied over Adobe didn't convert them.

Amy Young: Yeah, more than likely.

Ed Marsh: So maybe we can get that cleaned up. That was on C2. And then OV and C1 are both sheets 205. And then when you come to Tax Map 31 Lot 21, which is next to Lot 1, what is the intent of that? Because that's now got a nonconforming lot. Is that going to be added to...?

Amy Young: This one right here?

Ed Marsh: Yeah, the triangle.

Amy Young: That's already part of the previous subdivision from the looks of the Tax Map. I don't know what the intention is of that. I don't know if that went to James or not, because that was Cliff which is who he bought this from. So, I will find out.

Ed Marsh: Yeah, because that isn't going to be able to be a lot... Given that you've got quite a list what I'm going to recommend is that we table this and get those things corrected and we'll get you at the next meeting.

Amy Young: And hopefully we can get the LOMA in place then. And I'm also still waiting for the subdivision plan from the surveyor.

b. Act On PB23-015

Jeremy Snow made a motion to table PB23-015 McLaughlin Fine Woodworking, LLC represented by Plymouth Engineering, is seeking approval for a 13-lot Subdivision located off the end of Streamside Avenue. The property is located on Tax Map 024-002-000. Deborah Whitman seconded the motion. The motion passes 4-0.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov/planning-board) for all new business comments.

Old Business

- B. **PB23-002** - Dysart Realty is seeking subdivision amendment approval for Phase III of Cold Brook Business Park off the end of Dave's Way. The property is located on Tax Map 007-001-000, 007-002-000, 007-003-000, and 007-004-000

Amy Young: So right now, Dave's Way ends back here, it is proposing to continue. You have previously approved two solar arrays on either side of the extension of Dave's Way. We got notice from the people at Old Dominion that their project was approved at a recent meeting. So, that lot and this road is what we're proposing to be a Phase I of Phase III. But, in its entirety we're looking at 27 lots. The DEP permit is pending right now because its amendment, they do not have a time frame as to when they can get it done so

that makes things a little difficult. It is on public sewer and water. The Fire Chief has reviewed the hydrant layouts. We don't actually have a letter from him but if we need one, we will obviously get one. The urban impaired stream fee has been paid. And the wetlands disturbance there has been approximately 65 acres to the rear of this that are being preserved to offset the wetlands disturbance by this subdivision. We're proposing five wet ponds to manage to stormwater because it is very, very, very flat out there so our options were kind of limited for what we could do for stormwater management. It's just, it's a continuation of the Coldbrook business park for Dysart's on the multi-hundred acre parcel that they already own up there.

b. Act On PB23-002

Kyle Sullivan made a motion to approve PB23-002 Dysart Realty is seeking subdivision amendment approval for Phase III of Cold Brook Business Park off the end of Dave's Way. The property is located on Tax Map 007-001-000, 007-002-000, 007-003-000, and 007-004-000. Conditional upon the DEP permit approval, a letter from the Fire Chief regarding hydrant placement, and information on autoturns for trucks in the roadway. Deborah Whitman seconded the motion. The motion passes.

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for all old business comments.

8. WORKSHOPS

9. CEO Items

B. October Code Report

- For October we issued a total of 12 building permits, which equates to 1 Commercial (Cell phone tower upgrade), 3 Residential Homes (2 single family and one manufactured home that is replacing an older manufactured home), and 8 accessory permits (1 container, 1 addition, 1 garage, 4 sheds, and 1 rooftop solar) for a total of \$970,000 in new construction. We issued 14 plumbing permits made up of 10 internal and 4 Subsurface Wastewater.

- We finalized inspection on 3 new homes, and 1 commercial renovation for the month of October. We have 134 total open building permits which equates to 63 accessory, 50 New Home construction (Single Family, Manufactured, and 2-3 units), and 21 commercial permits (includes multi-family 4+ units) that will most likely be completed within the next 2 to 18 months.
- The 7 years average for new single-family homes built in Hermon is 34.6 per year. There were zero subdivisions submitted to the planning board for approval.

C. Solar Ordinance Update

Jessefa Murphy: So, the Town Council at the last meeting enacted another moratorium for 6 months for basically the large solar, like what would be going down on Dave's Way. The game plan, nothing is set in stone yet, but we're hoping that in December to have a workshop between the Council and the Planning Board to kind of discuss some of those items or key points or anything like that for a solar ordinance. I don't have any dates or anything like that yet, still working on that. And once we figure something we will let everyone know.

Ed Marsh: Including the public?

Jessefa Murphy: Including the public, yes. It will be a public meeting; it will be just like a normal meeting whether it be during the December Planning Board or if we have it before a Town Council meeting. Those two ideas have been thrown out...

Please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov/planning-board) for all CEO items.

10. PLANNING BOARD ITEMS

Greg Newell asked Code Enforcement Officer Jessefa Murphy about residential solar applications and permits as they relate to the Solar Ordinance. For the full discussion please see the complete video at [Planning Board | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov/planning-board) for all comments.

Ed Marsh discussed the C&K Variety project and inquired about its temporary certificate of occupancy. Ed Marsh also thanked Jessefa Murphy for his work as the Town of Hermon's Code Enforcement Officer. For the

full discussion please see the complete video at [**Planning Board | Hermon \(hermonmaine.gov\)**](http://Planning Board | Hermon (hermonmaine.gov)) for all comments.

11. FINAL PUBLIC ITEMS OR COMMENTS (Items Not Already on Agenda)

No public comments were given.

12. ADJOURN

Deborah Whitman made a motion to adjourn the Planning Board meeting at 7:10 PM. Jeremy Snow seconded the motion. The motion passes accepted unless doubted by Ed Marsh. The meeting was adjourned at 7:10 PM.

Respectfully Submitted,

**Keely Gonyea
Deputy Clerk**

If you require any assistance to fully participate in this meeting, please notify us at 848-1042 or write to the Town of Hermon, 333 Billings Rd, Hermon, ME 04402.