

NEWRY PLANNING BOARD

PUBLIC HEARING

NEW RIVER VILLAGE SUBDIVISION—APPLICATION # 22-272

Wednesday, July 6, 2022

Newry Grange Hall

Full discussion is available on audio recording at the Newry Town Office.

Members Present: John (aka Gootsch) Gauthier (Board Chair), Ted Baker (Secretary), Randy Akers (Alternate)

Members Late:

Staff Present: Joelle Corey (Code Enforcement Officer)

Members & Staff Absent: Bruce Pierce (Board Vice Chair)

Public Hearing Call to Order: Chairman John Gauthier called the Public Hearing to order at 6:02 PM and reviewed the rules of the Public Hearing noting that all comments should be directed to the Chair and not to the applicant. Each person wishing to speak must first state their name and speak loudly. They may have 2 minutes to express their concern, and they are not allowed to address the Hearing a second time until all others wishing to speak have been heard.

Planning Board Secretary Ted Baker explained to those in attendance that the Board is constrained by the Unified Development Review Ordinance, and that it is the Board's responsibility to apply the ordinance as it is read. The Board cannot act upon opinion or hearsay. This is an opportunity to express their concerns; however, it is not a question-and-answer period.

Justin Fletcher of Justin Fletcher Inc. explained the proposed project. He plans to build four duplexes mostly for seasonal rentals. The plans were displayed during the Hearing for the public's view. Using the plans, Justin pointed out the buildable area of development as well as the land being reserved for open space on the backside of the brook. The plan is to build two driveways: each one accessing 2 duplexes; although, he has approved MDOT permits for four driveways. He stated that there is very little impact to wetlands. The buildings will be 22'x30' with 16'x8' connecting piece in the middle. He stated that all septic systems are located outside the required zone (100' from the nearest well).

Azin Nezami of 335 Sunday River Road, Newry, asked: 1) who will be managing the rental property; 2) what is the distance from the road to the closest building, and 3) will there be landscaping to provide separation from the edge of the road?

Justin explained that a management company has not yet been chosen. In terms of landscaping, he stated that their goal is to make this as aesthetically pleasing as possible with landscaping along the road and making it appealing to renters as well. He stated that the building in question is 22' off the right-of-way, which would be about 40' off the road.

Fred Call of 40 Mtn View Road, Newry, (former owner of 335 Sunday Road property) expressed concerns with: 1) traffic and safety with the inside curve, visibility, the speed of the traffic coming down the hill leaving, and traffic control at the curve. 2) the protection of well heads in general, and specifically the well heads across from the property being developed. He noted that he has seen numerous incidents of heavy flooding on that land, and in the past have discussed septic systems intended for that area and found them lacking in the ability to account for the flood waters that sometimes occur and wash directly across the road to the location of the neighbor across

the street's well fields. 3) Maximum capacity of the rental units and if the septic systems can handle the capacity. 4) the driveways and the aesthetics and safety in the area regarding if the driveways will be paved and curved.

Justin explained that in terms of the traffic concern, they have applied for and received approved permits from the DOT to install four driveways along the road but are only installing two per the Planning Board's request to cut down on multiple people leaving at the same time. In terms of sewer issues and flooding, he stated that he is aware that when doing a development, you are not allowed to make anything worse, and they're development will not make water flow across the road any more than it has in the past. The buildings are all one-bedroom with a loft and could possibly sleep 8 people. The septic has been designed as a three-bedroom septic, which far exceeds the need, and they will be used far less in the summer months. The septic systems meet all the required setbacks for the wells on the property and all abutters' wells. The CEO noted that Newry does not have a short-term rental ordinance; and therefore, has no oversight of rentals.

Chris Zegras of 335 Sunday River Road, Newry, expressed concern with: 1) the expected occupancy of the units being possibly 8 people, 2) the septic systems being 4 systems at 360 gallons per day, 3) he asked if there could just be one driveway accessing the road instead of two, and 4) in terms of landscaping, could the developer keep the view and limit the outdoor lighting.

Justin explained that the previous developer had a much larger plan with 21 units; this development will be much less with just 4 duplexes for a total of 8 units. In terms of landscaping and lighting, he is well versed as a developer and wants to have the smallest impact on abutters. He noted that he did not push for the most units possible; they are planning to build what they feel is reasonable. He noted that he could perhaps consider doing one driveway if needed.

Evan Hansen of 342 Sunday River Road, Newry, asked if the buffer of woods of woods between this new development and the Coombs Village lots intact. He then explained that his leach field is almost parallel to the development lot. He expressed concern 1) about the new leach field being near his existing leach field and 2) about these being rental units.

Justin stated that leach fields only require 20' separation and since each lot must have a 10' setback, then that requirement is met. In terms of the woods, Justin stated that his goal is to leave the largest buffer possible and that the setbacks would be maintained.

Fred and Rosemarie Burke of Sunday River Road, Newry spoke of the history of flooding in the area.

Fred Call (again) expressed concern with the 360-gallon per day septic system and whether that is adequate with the occupancy expected and noted figures from a national data source.

The CEO stated that the Planning Board must use the State of Maine DHHS data and that the planned septic design meets that criterion per the site evaluator.

Chris Zegras (again) expressed concern with flood waters and regular occurrences of rain and asked if the developer would be able to improve the landscaping to better handle the water.

Justin stated that he is working with engineering/design group to install culverts and increase elevation to deal with water. Justin pointed out the topography map and what the minimum floor elevations are being planned.

The group reviewed the plans and talked amongst themselves. One topic discussed was changing to one driveway; however, it was later decided that the developer would stay with the two-driveway concept.

Public Hearing Adjournment The Public Hearing adjourned at 6:40 PM.