



Town Of Durham

Planning Board Minutes

Fire Station Meeting Room, 6:30 pm

February 15, 2024

1. Roll Call & Determination of a Quorum

In attendance: John Talbot (Chair), Juliet Caplinger (Vice Chair), Allan Purinton, Brian Lanoie, Marc Derr (newly appointed alternate member) and George Thebarga (Town Planner).

Absent (excused): Tyler Hutchison and Anne Torregrossa

2. Amendments to the Agenda

Add an Item to select a date for a Public Hearing for Land Use Ordinance Amendments

3. Acceptance of the Minutes of prior meeting (January 3, 2024)

Allan Purinton moved to accept the January 3rd, 2024 meeting minutes, **Juliet Caplinger seconded**, motion carried **4 – 0 – 1 abstained** (newly appointed member).

4. Informational Exchange on Non-Agenda Items:

a.) Town Officials:

George Thebarga

- The Select Board reviewed the draft land use ordinance amendments proposed by the Planning Board at the February 6th SB Meeting. The Housing Density and Solar Energy Amendments passed unanimously, and they tabled the codification of fees proposal until their February 12th meeting, changing the wording from “reviewing the fees annually, to reviewing the fees periodically”. The Select Board also added an umbrella provision that gives them the authority to adopt any fee associated with administration of the ordinance.
- The Town Meeting Warrant will include \$10,500 for the digital codification of the ordinance.
- We have reopened communication with the Greater Portland Council of Governments on doing a master visioning plan for the community facilities (Town Hall, Eureka Center, Fire Station and Ball Field).

John Talbot (Planning Board Chair)

- The Town Meeting Warrant will include an additional four (4) hours to the Town Planner’s time per week, bringing his weekly total of 24 hours. Part of that increase is to make him available to the Board of Appeals.

b.) Residents - None

c.) Non-residents – None

5. Continuing Business:

a.) Completeness Review of Site Plan Review Application for Expansion of the Leisure Campground for 40 RV sites, Map 2, Lot 13 (Public comment will not be taken)

Note: Planning Board Vice Chair, Juliet Caplinger, is an abutting neighbor to the applicant, she is recusing herself from the discussion.

- The Town Planner explained that on December 6, 2023, the Planning Board determined that the application was incomplete and sent a letter dated December 12 identifying thirteen deficiencies in meeting the submission requirements for site plan review:
 - a. Section 8.5.C – 10 copies of full-sized site plan (Submit copies or request a waiver)
 - b. Section 8.5.C.6 – Copy of septic system test pit logs (Submit logs by qualified professional)
 - c. Section 8.5.C.11 – Indication of zoning district (Add to the plan)
 - d. Section 8.5.C.12 – Drainage ways and culverts (Submit stormwater plan or a waiver request)
 - e. Section 8.5.C.14 – Main traffic entrance sight distances (Provide qualified professional's measurements on the plan)
 - f. Section 8.5.C.16 – Waste disposal types & facilities (Submit qualified professional's HHE200 & system design)
 - g. Section 8.5.C.18 – Proposed landscaping & buffering (Request a waiver)
 - h. Section 8.5.C.20 – Locations & details of signage (Provide detailed signage plan)
 - i. Section 8.5.C.21 – Location & type of area lighting (Request a waiver)
 - j. Section 8.5.C.26 – Letter from MIF&W on wildlife habitat review (Provide letter from State agency)
 - k. Section 8.5.C.27 – Letter from MHPC on historic & archaeological resources review (Provide letter from State agency)
 - l. Section 8.5.C.28 – Erosion & sedimentation plan (Submit plan by qualified professional or request a waiver with calculations per the Ordinance)
 - m. Section 8.5.C.29 – Stormwater plan (Submit plan by qualified professional or request a waiver with calculations per the Ordinance)
- The Town Planner updated the Board on the additional materials submitted by the applicant and the requested waivers of submission requirements - Sections 8.5.C.12 (drainageways), 16 (waste facilities), 26 (MIF&W letter), 28 (erosion & sedimentation controls), and 29 (stormwater plan).
- Based on the conceptual campground expansion plan submitted by the applicant, the expanded road network serving the campground will develop a ground area of approximately 32,000 square feet. The applicant has stated that each campsite will develop 1000 square feet per site, which adds another 40,000 square feet of development, for a total of approximately 72,000 square feet, or 1.65 acres.

- According to the Maine DEP website, Maine’s Stormwater Management Law lists stormwater standards for projects that propose more than one acre of disturbed area. The website states that “disturbed area generally includes areas that are stripped, graded, excavated, or filled during construction.” Development of 40 RV/camp model trailer sites and the road network serving them would clearly meet the definition of disturbed areas. The Town Planner suggested getting the peer reviewers clarification on this requirement.
- The Town Planner also suggested getting peer review input on the need for an engineering design of the proposed improvements and the entrance sight distances.
- The applicants (Ken and Gwenn Huot, Leisure Lane) stated that a State stormwater permit will be required for their project and that the wastewater system permit will require an engineering design of the whole system.
- They further clarified that the safe sight distances are noted by the consultant on the plan as being at least 500 feet in both directions.
- The Board, Town Planner, and applicants concluded that the State permitting process would address the missing site plan review submissions and no waivers are required.
- The Board indicated that it would make submission of the State permits with engineering plans to the Board a condition of approval.

Allan Purinton moved that the application for the expansion of Leisure Campground is complete. **Brian Lanoie seconded.** Motion carried **4 – 0.**

- The Board began substantive review of the application and processed the draft findings of fact on compliance of the application with the requirements of Article 8 of the Land Use Ordinance.

Findings of Fact

Allan Purinton moved that the applicant has the submission requirements for site plan approval except for Item #22, which is the waiver request that can be removed, Items 1 through 21 in the findings of fact are included in the motion. **Brian Lanoie seconded.** Motion carried **4 – 0.**

Utilization of the Site

Allan Purinton moved that the site plan reflects natural capabilities of site to support the development. Building and parking are located on suitable land. Environmentally sensitive portions of site have been avoided and protected and natural drainage is maintained to the maximum extent, practical and include Items 1 through 5, with an additional item (Item 6) which would be the State DEP Storm Water Plan that is required and Item 7 would be a final plan that will be submitted to the Planning Board before issuing any permits by the town. **Brian Lanoie seconded.**

Allan Purinton amended the motion to include Items 1 through 3, strike out Item 4, and Item 5 will be renumbered as Item 4, Storm Water Permit (Item 5) and Final Plan (Item 6). **Brian Lanoie seconded;** motion carried **4 – 0.**

Adequacy of the Road System

John Talbot moved that the access road has the capacity to take the added traffic proposed and the project does not generate peak hour trips that affect traffic safety on those roads. **Brian Lanoie seconded;** motion carried **4 – 0.**

Vehicular Access to the Site

John Talbot moved that the project entrances meet the safe site distances and are appropriately spaced to meet traffic safety standards at the findings of the existing project entrance located on Route 136 which has the posted speed limit of 50 miles per hour. There are vertical and horizontal curves of both approaches to the project entrance. The applicant submitted Maine Department of Transportation general diagram of the Durham Leisure Campground with disclaimer on liability for injuries of damages dated 12-12-23. Board members expressed concern with safety of entering and exiting the site with large RVs. The applicant has provided a safe site distance measurement by a qualified professional documenting that site distances are adequate at the site entrance. **Marc Derr seconded**; motion carried **4 – 0**.

Internal Vehicular Circulation

Brian Lanoie moved that the site plan minimizes cut and fill alterations and provides adequate room for safe operations. The entrance and circulation are adequate for the types of vehicles anticipated and fire lanes around buildings are adequate and clearly marked. **Allan Purinton seconded**; motion carried **4 – 0**.

Parking Layout and Design

Allan Purinton moved that the parking layout and design proposed parking meets the design standards for setback aisles and parking spaces, signage prevention of damage to lighting and landscaping and for safe pedestrian access. **Brian Lanoie seconded**; motion carried **4 – 0**.

Utilities

Brian Lanoie moved that adequate utilities are provided and placed underground and adequately screened with the condition that State permits and engineering design designed for the system be submitted to the planning board prior to the issuance of town permits. **Allan Purinton seconded**; motion carried **4 – 0**.

Lighting Design Standards

Marc Derr moved that the lighting plan provides adequate illumination meeting ordinance limitations and preventing glare from creating a nuisance for abutters or public. **Brian Lanoie seconded**; motion carried **4 – 0**.

Signage

John Talbot moved that the application provides no detailed design information on the proposed signage to verify compliance with Section 5.24. The signage information provided is adequate and the site numbering plan is to be approved by the Fire Chief for safety purpose prior to town permits. **Brian Lanoie seconded**; motion carried **4 – 0**.

Fire Protection

Allan Purinton moved that the water supply will sustain fire suppression requirements of NFPA 1142 water supplies for suburban and rural firefighting which will include findings of the existing condition plan shows a conceptual location for a 2,000 gallon water storage tank and the applicant has stated that fire department hookups will be provided. The Fire Chief has indicated that the proposed water supply is adequate for firefighting purposes. **Marc Derr seconded**; motion carried **4 – 0**.

General Buffering Standards

Brian Lanoie moved that the applicants landscaping plan adequately buffers abutters in the public from views of parking garbage storage utilities and outdoor storage and is designed for adequate for long-term maintenance. **Mark Derr seconded**; motion carried **4 – 0**.

Historic and Archaeological Resources

Brian Lanoie moved that there are no historic or archaeological resources on the site that would be affected by the project's development. **Allan Purinton seconded**; motion carried **4 – 0**.

Financial Capacity

Allan Purinton moved that the applicant has adequate financial resources to construct improvements and keeping with the standards. **Brian Lanoie seconded**; motion carried **4 – 0**.

Technical Ability

Brian Lanoie moved that the applicant has experience with site development and has retained qualified consultants and contractors to complete the project in keeping with the standards. **Allan Purinton seconded. Brian Lanoie withdrew his motion.**

John Talbot moved that the applicant has the experience with site development and has retained qualified consultants and contractors to complete the project in keeping with the standards and findings Items 1 through 3 as provided here and the planning board will review State and local permits prior to issuing Town permits (Item 4) and Item 5 – the revised existing conditions plan to say site plan and include conditions of approval. **Allan Purinton seconded.** Motion carried **4 – 0**.

John Talbot moved to grant site plan approval based on the findings of fact and conditions of approval. **Brian Lanoie seconded.** Motion carried **4 – 0**.

6. Public Hearing on Land Use Ordinance Amendments – March 13, 2024, Fire Station 6:30pm

7. Adjourn

Juliet Caplinger moved to adjourn the meeting. **Allan Purinton seconded**; motion carried **5 – 0**. Meeting adjourned at 9:00 pm.