



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Planning Board

Monday, September 12, 2016

7:00 PM

Council Chambers

1 Call To Order

2 Roll Call and Declaration of Quorum

The meeting was called to order by Chair, David Douglass. Other members present were: Margaret Pinchbeck, Keith Elder, Rachael Mack, Bill Walker, and Jim Hanscom.

Planner, Amanda Lessard, was also present.

3 [PB 16-075](#) Approval of Minutes: August 8, 2016

Attachments: [Planning Board Minutes 8-8-16- draft](#)

Jim Hanscom made a motion to approve the minutes of the August 8, 2016 meeting as written.

Seconded by Keith Elder.

Vote: All in favor.

4 [PB 16-077](#) Approval of Minutes: August 22, 2016

Attachments: [Planning Board Minutes 8-22-16 - draft](#)

The minutes were amended to reflect Margaret Pinchbeck's absence.

Jim Hanscom made a motion to amend the minutes of the August 22, 2016 meeting.

Seconded by Keith Elder.

Vote: Four in favor. No one opposed. Margaret Pinchbeck and Bill Walker abstained.

Public Hearings

It was suggested that the Board take agenda items out of order so the two public hearings were followed immediately by the corresponding continuing business.

Jim Hanscom made a motion to change the order of agenda items.

Seconded by Rachael Mack.

Vote: All in favor.

5 16-18 Otterbrook Estates Subdivision. Third Amendment. RP Gagnon Company, LL to request an amendment for a lot line adjustment to swap 5,658 square feet of land between Lot 26 and Lot 27 and for an easement on Lot 26 to benefit Lot 23 so that no building may be placed within the easement. The properties in question are located at 5 and 15 Rocklinn Drive and identified on Tax Map: 11B, Lots: 23, 27 Zone: Farm Residential (FR).

Matthew Ek, of Sebago Technics, was present representing the applicant. He reviewed:

- This subdivision was approved in 1989. There had been two minor amendments since.*
- The previous owner bought lots 26 and 27 with separate deeds in 2000 and 2001 and built a home on lot 27 and a garage on lot line between lot 26 and 27. They proposed to divide an area around the garage so it would be in conformance.*
- Initially, they had proposed a land conveyance between properties. Staff had told them the town attorney and reviewed it and said there had to be an equal land swap in order to maintain equal area on both properties.*
- DEP had given approval to move the septic system to the front of the lot.*
- Windham Land Use Ordinance, Section 204. C stated subdivision lots approved after February 7, 1972 could not be combined per the ordinance.*
- The 100 foot frontage had been adjusted to 100.01 feet and the frontage for lot 26 was increased. This met the current ordinance for the zone and was similar to the second amendment which had used current zoning instead of zoning from the 80s.*
- The proposed easement to the back of the lot was for non-development. It was not open space. It had to be maintained for the equal land area swap. In restricting the easement it would be a non-build, non-disturbed area.*
- There were no changes to the net residential areas of the lots. The net residential density calculations were done originally. They were not adding a lot so there was no need to do the net residential area calculations.*
- The proposed setbacks were the current town setbacks and were approved by DEP as part of the recent DEP approval.*
- The current owner was not developing the lot. They didn't know the house size or location. It would be in the front area. They didn't know who would buy or develop it. They had showed the building area. It would be similar to those on adjacent lots. They were close to the front setback with roughly the same area utilized for lawns etc. It conformed to and fit in well with the neighborhood.*
- Tree clearing limits for the amended subdivision were not applicable according to section 900 E. of the town's land use ordinance, Impact on Natural Beauty, item 1, paragraph A.*

Attorney, Mark Bower, from Jensen Baird Gardner & Henry represented some of the residents on Rocklinn Drive. He stated he would address some of the legal concerns that the residents, who would also speak regarding their objection to the amendment, had.

- The ordinance provision on the issue of merger of lots dealt with the situation of when substandard lots were merged. If they were too small and were in the same ownership they could be merged together. That was not applicable.*
- What was being talked about was the intent of the prior owners to merge lots 26 and 27 together. That was evidenced by the September 27, 2000 letter,*

which was in the record, from the prior owners' agent to the Code Enforcement Officer. In that letter the agent, who was the builder, stated the placement of the garage had been done intentionally to merge the lot. There was no mistaking that. And the prior owner represented to the town that lot 26 would not be able to be resold separately. That was precisely what the applicant was proposing to do.

- He did not believe the deeds were combined. Another piece of evidence that showed intent to merge was the town had issued a building permit for the garage to be located on the lot line and further that the assessor treated it as one lot. It was a single lot in the assessing records.

- That was just one issue in merger, the key issue was the nonconformance, to the extent that they were not merged, lots 26 and 27 were currently nonconforming lots of record because they did not meet current zoning conditions either for cluster subdivision or for regular lots in the Farm District.

- However, the proposal was to change the lots, so to the extent they were not merged the lots would lose their grandfathered status when the boundary lines changed. This was a matter of law. In a 2015 Maine Judicial Court case that dealt with the issue, the court found if the boundary was changed the two lots would lose their nonconforming status and have to meet current zoning. The law court pointed out that the policy was to remove nonconformities and that policy should be strictly applied. The idea was not to let nonconformities continue to the extent possible. Once nonconformance was lost they must comply with all current zoning standards. In this case both lots were too big for a cluster subdivision. Lot 27 would not meet the frontage requirement for standard lots in a Farm District. The applicant had to meet all the zoning standards. They couldn't pick and choose. The proposal did not meet current zoning. The policy was to remove a nonconformity and should be strictly applied so once it was lost it must comply with all dimensional standards.

- There was nothing in the ordinance that addressed more or less nonconforming. The rule in Windham was not as long as it makes it less nonconforming everything was ok. That was irrelevant to the discussion.

- In his mind this was an issue involving interpretation of the zoning ordinance. Whether the lots would lose their nonconforming status by virtue of a change in the lot line. This should have been a zoning determination made by the Code Enforcement Officer and could be appealed to the Zoning Board of Appeals (ZBA) by any aggrieved party. The applicant was essentially asking for a variance of the dimensional standard maximum lot size requirement and/or a variance from the frontage requirements for standard lots. The maximum was 50,000 square feet and neither lot met that. The reconfigured lot did not meet the required road frontage of 200 feet in the Farm district.

- The Maine Supreme Court had ruled on multiple occasions that the Planning Board could not grant a variance from dimensional requirements of the zoning ordinance. Only the ZBA could do that. This had not been to the ZBA. The proposed amendment didn't meet current zoning. The change to the lot line removed that nonconformance. There were two alternatives. The lots were merged and the garage could stay or the lots were not merged but the boundaries remained fixed as they were and the garage must be relocated or removed.

- Mr. Ek had mentioned current zoning standards. There wasn't legal support for using current zoning rather than the zoning that all the other lots had complied with, which was more rigorous than the current zoning.

- The DEP had not approved setbacks, generally in regard to the septic.

Because of the legal issues presented by Attorney Bower, the Board discussed whether or not to continue the public hearing before getting clarification from the

Town's attorney.

- There was a need to figure it out or get it in writing.*
- The Board didn't deal in legalities and shouldn't hear this now.*
- An interpretation from the town's attorney was requested.*
- Had there been a conversation with the town's attorney?*

Amanda Lessard explained:

- The town's attorney had asked the applicant to submit evidence of the issues raised in the written public comment that had been received.*
- The public hearing was advertised and the Board had started accepting public comment. She thought it made sense to continue taking public comment. Then, if the Board didn't want to have discussion because it raised too many issues it could be tabled at that point and there would be something that staff could review.*

Mr. Ek responded to some of the issues raised by Attorney Bowers:

- Regarding merger of the lots and the intention of the previous owner – It didn't really matter. Deeds were never conveyed into one. The Planning Board, which was the only authority that could legally merge the lots had not. Never applied for, never granted, never happened.*
- Removing the nonconformity – They were looking at using current zoning which had been approved for a previous lot in the subdivision by the Planning Board. They weren't looking to make anything more nonconforming. They would keep the same areas as they had currently. In fact, they were making it more conforming because they were creating an area around the garage that met zoning. They were not picking and choosing. They had been told by the town and the town's attorney that they had to keep the existing conditions the same. That was why they had changed their original proposal.*
- They were not asking for a variance- One was not needed. They didn't need to go to the ZBA or Code Enforcement. No waiver was requested.*
- Two choices – There were two choices. Approval of the application the way it was or tear down the garage and be able to get a building permit the next day. They were just trying to keep the garage.*

Laurie Noel, Rocklinn Drive – She stated the proposed amendment should not be approved. It included many changes that would adversely affect her, her investment and the neighborhood. She had submitted a list of violations that the current proposal would have if approved. Residents of the subdivision had made investments in their properties based on the 1989 plan, information and documents. The proposal violated those and the current land use ordinance, state law, and deed restrictions. Investments had been made in property based on due diligence with the Code Enforcement and Planning Offices. The properties 26 and 27 were clearly intended to be one lot of record. An error in proper recording of the single lot was made. That was the reason the proposal before them. The proposal failed to correctly address the error. The proper handling of the issue was to treat lots 26 and 27 as a single lot of record as intended in 2000. Treating it any other way ignored the intent of the previous owners, devalued other properties and was unwanted by other property owners in the subdivision.

As a point of clarification, Ms. Noel was asked, she said lots 26 and 27 had been combined, but then referred to the 1989 plan. Was it a single lot then?

The 1989 plan identified the properties as two separate lots.

Matt Noel, Rocklinn Drive – He said they believed it to be a single lot, per the 2000 letter. However, if it had to be divided, it should return to the 1989 approved plan.

Tricia Zwirner, Rocklinn Drive – She supported what the Noels had said. Was there a reason to move the buildable area from the back to the front? Was it from a salable perspective?

Mr. Ek explained:

- The entire lot, up to the setbacks was a buildable envelope. In the original subdivision the wetlands were not shown on the plan. Rather than crossing the wetlands to get to the back, which would be expensive and disturb natural resources, they were looking at developing out front, which DEP had given approval for.*
- They had needed DEP approval to move the septic system.*

Kevin Gagnon, the applicant, said he had done his due diligence before he bought the property. He'd met with the Code Enforcement Officer and had his title company get something in writing from the Code Officer confirming it was two separate lots, but there was a garage setback issue.

He'd renovated the existing house; it was ready to sell. He had done everything the Board had requested. He'd gotten DEP approval.

There were two abutters to the lot. The rear abutter had the whole property under contract. The property had also been offered to the Noels. They chose not to purchase it but to instead oppose the lot line adjustment at the Planning Board. He could pull down the garage and get a permit tomorrow but he was trying to keep the garage. The reason for the no-build restriction to the back was the abutter who had the property under contract didn't want to see a house. It would be moved up front which was totally consistent with everything else.

Mr. Gagnon's intent at the last meeting was to see what Mr. Noel wanted. Mr. Noel had been clear that he wouldn't work with him.

He had moved the property line which shifted the building envelope away from the Noels. If they returned it to the original approval it would shift the building envelope closer to the Noels by 60 feet. He was trying to do what was right. He wasn't going to build on it. He was only going to sell it to an abutter. He had to clear up the setback issue on the garage. When he had closed on the properties he had received two deeds.

Ron Bisesti, Rocklinn Drive - He lived across the street. There were wetlands in the area. Originally the septic was proposed to be in a specific area. If you changed everything based on currently, you were going against the grandfathered area where it was supposed to be based on soils test. His bottom line concern was the septic.

Mr. Ek responded:

- The septic system and building envelope were designed within 250 feet of the stream originally. There was a DEP approval. Now they were moving it out*

they had to get DEP approval for the change, unlike other lots which didn't need a DEP approval to move a septic system.

- Soils had been tested. Test pits were confirmed.
- DEP had reviewed the plan. They preferred it up front, rather than the old peat system. It was farther from the natural resource.

Felicia Cummings, Lot 22 – They had bought their home in the neighborhood nine years ago because of the way it was. After the seller left they would be stuck with the construction and picking up the pieces. She wanted the neighborhood to stay the way it was.

There was no more public comment. The public hearing was closed.

6 16-21 Little Mountain Self Storage & Retail. Major Site Plan final plan review. Little Mountain, LLC to request review of an approximately 21,250 square foot self-storage facility located in 6 buildings and a 4,445 square foot retail/commercial building. The property in question is identified on Tax Map 21, Lot 2A and located at 968 Roosevelt Trail, Zone: Commercial 1 (C-1).

Dustin Roma, of DM Roma Consulting Engineers, was present representing the applicant. He explained the project:

- They proposed self-storage and retail space with Route 302 frontage.
- The plans had changed a little since the sketch plan presentation. Some of it was based on the Board's comments and concerns. It was also due to review and analysis of available inventory in town, climate controlled vs. drive-up; and fitting everything on the lot as well as dealing with impervious areas.
- The sketch plan had shown a large building. That was now four smaller buildings.
- Two longer narrower buildings would have been drive-up. The Board had expressed concern regarding the narrow drive aisles. They now proposed an arrangement with wider pavement areas.
- Building elevations would reflect pitched roofs and gable ends. The retail building was intended to be the frontage of the site and would be well landscape.
- There would be a security gate and some fencing.
- The two larger buildings would be climate controlled.
- The project was intended to be phased. All the infrastructure would be built with the first phase.
- The physical connection with the neighboring self-storage facility had been removed.
- Easements for mutual stormwater drainage had to be addressed.
- The overhead power would be located across the street and then underground to the buildings.
- Finalized building elevations would be submitted.
- There would be no pole mounted lighting. Lighting was proposed around the buildings. There would be egress lighting as required by code. The retail use had a front porch element that would have some down lighting.
- They had reached out to DOT regarding drainage easements. Basically, there was a flooding easement. There were drainage issues with Route 302 that had nothing to do with the property. A host of commercial properties drained to that area. DOT had responded that they were willing to rework the easement if the applicant could show how drainage could be improved in the area.

There was no public comment. The public hearing was closed.

Continuing Business

- 7 [PB 16-079](#) 15-02 Abby Commons Retirement Community. Major residential subdivision final plan review and site plan final plan review. Ralph Vance request review of an 11 building residential development containing 22 units. The property in question is located on Sandbar Road and identified on Tax Map: 18, Lot: 31 C, Zone: Commercial 1 (C-1) and Retirement Community and Care Facility Overlay District (RCCFO).

Attachments: [15-02 Abby Commons Final 09-07-16](#)
[15-02 Peer Review Abby Commons 08-29-2016](#)
[15-02 2016 8 22 Abby Commons Final Plan Application](#)
[15-02 2016 8 22 Abby Commons Plans](#)
[15-02 PWD Abby Commons - Sandbar Road - Windham](#)

Dustin Roma, of DM Roma Consulting Engineers, was present representing the applicant. He explained:

- *They had received DEP approval.*
- *Department of Health and Human Services had approved the engineered septic system for a first time minimum lot size waiver and setbacks to the infiltration basins.*
- *The intersection of Abby and Sandbar Roads would be Td up for site lines and pedestrian connectivity.*
- *Portland Water District had completed a full technical review and endorsed the design as construction ready.*

The Board commented:

- *Some Board concern was expressed about the amount of off-site traffic that would result to already busy roads.*

Margaret Pinchbeck made a motion that the Final Subdivision and Site Plan application for project 15-02 Abby Commons Subdivision and Site Plan was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Jim Hanscom.

Vote: All in favor.

The motion was amended to include the September 8th letter from Gorham Savings Bank as evidence of Financial Capacity.

Margaret Pinchbeck made a motion the Final Subdivision and Site Plan application for 15-02 – Abby Commons Subdivision and Site Plan on Tax Map: 18, Lot: 31C was to be approved with conditions with the following findings of fact and conclusions.

FINDINGS OF FACT

A. POLLUTION

- *No portion of this subdivision is within the mapped 100 year floodplain.*
- *This subdivision is located over a significant sand and gravel aquifer. A*

hydrogeological assessment must be submitted as part of the Preliminary Plan

B. WATER

- *All dwelling units will be served by public water for domestic use.*
- *A fire hydrant located on the property within the Sandbar Road right of way is shown on the plan.*
- *A written statement dated May 27, 2015 from Rico Glissen Havu, E.I., at the Portland Water District indicates there is adequate water supply and pressure for the development.*
- *Written approval from the Portland Water District for the water main extension detail must be obtained prior to the submission of a Final Plan application.*
- *An email dated August 31, 2016 from Gordon Johnson at the Portland Water District states that PWD has reviewed and approved the water service configuration presented in plans dated 4/22/16 by DM Roma Consulting Engineers.*

C. SOIL EROSION

- *An Erosion and Sedimentation Control Plan prepared by Milone & MacBroom, dated June 1, 2015, shown on Drawing D-1, Sheet 7 of 8, has been submitted as part of the preliminary plan submission.*
- *A DEP Stormwater permit is required for this project. The permit must be submitted as part of the Final Plan.*
- *At the Development Team meeting on January 26, 2015, Public Works Director Doug Fortier noted that this project is in the NPDES (National Pollutant Discharge Elimination System) area as designated by the Environmental Protection Agency for the Town of Windham. This may mean there are additional permitting requirements, and ongoing requirements for reporting of stormwater infrastructure maintenance if the area of development is greater than one (1) acre. See recommended Condition of Approval #2.*
- *A stormwater management plan, prepared by Milone & MacBroom has been submitted as part of the Preliminary Plan.*
- *Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, has reviewed the stormwater plan on behalf of the Town. In an email dated June 9, 2015, Mr. Haskell had several comments related to test pits for the two stormwater infiltration basins and requested additional detail related to the topography/grading for infiltration basin 1 and erosion control BMPs.*
- *In response to Mr. Haskell's comments, the applicant submitted revised plans dated January 19, 2016 prepared by DM Roma Consulting Engineers.*
- *In an email dated January 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, stated that it appears that the stormwater plan has changed but new calculations were not provided. He also requested additional spot grades in critical locations for positive drainage.*
- *The applicant submitted revised subdivision plans and a stormwater management report on February 22, 2016.*
- *In an email dated March 1, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, noted that the Stormwater Management Report notes that the MaineDEP Flooding standard is not applicable, but the subdivision ordinance requires that the standard be met. It should not be an issue given that stormwater is being infiltrated. He also requested that a stormwater maintenance plan should be submitted.*
- *A stormwater inspection, maintenance, and housekeeping plan was included in the MaineDEP Stormwater Permit application dated February 18, 2016 prepared by DM Roma Consulting Engineers.*
- *Maine DEP Stormwater Permit #L-26961-NJ-A-N dated August 17, 2016 has been submitted as part of the Final Plan.*
- *In an email dated August 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting*

Engineers, notes that the DEP permit requires that the applicant retain the Design Engineer to oversee the construction of the stormwater infiltration basins.

D. TRAFFIC

- The preliminary plan submission states that the project will produce 82 average daily vehicle trips. The projected peak hours are 7 AM and 8 PM. The January 19, 2016 submission estimates that 4-5 vehicles would travel to the Sandbar Road intersection with Tandberg Trail (Route 115) and 3-4 vehicles would travel down Abby Lane to the service plazas in North Windham.
- The traffic generated by the development of these 22 dwelling units will not create roadway congestion on Sandbar Road.
- Two 22 foot wide entrances are proposed to be constructed to the Minor Local Street standard.
- At the Development Team meeting on January 26, 2015, Deputy Fire Chief John Wescott stated that the roundabout and hammerheads proposed could accommodate emergency vehicles.
- The access drives for the development must meet the "Local Street" design and construction standards in Appendix B, per §912.M.5.a.6. (page 9-58).
- 33 parking spaces are required for a 22 unit retirement community development (1.5 spaces per 2 bedroom dwelling unit). 44 spaces are shown on the plan. 30% of these spaces must measure 10'x20'.
- Five (5) foot wide sidewalks are proposed along each new access drive and along Sandbar Road outside of the right of way.
- In an email dated June 9, 2015, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, requested that site distance be shown on the plan, the turnarounds and driveway widths be dimensioned, and the alignment of the entrance with the Abby Road/Sandbar Road intersection be evaluated.
- The applicant responded to peer review comments and submitted revised plans dated January 19, 2016. The revised plans note the site distances and show that the access road for Units 1-10 will be a loop road with two access points on Sandbar Road. The applicant also states that aligning the intersection of the Units 11-22 access road with Abby Road would be best practice; it is not achievable as there is not adequate space to do so without eliminating units.
- In an email dated January 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, requested stop signs be added to each access road intersection with Sandbar Road. He also requested detail for the repair of Sandbar Road where the proposed sewer force mains will cross.
- A response to peer review comments was submitted on February 22, 2016. In an email dated March 1, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, stated that prior comments had been addressed.
- The final plan set submission dated August 22, 2016 shows a reconfiguration of Abby Road, to align it with intersection of the proposed Matinicus Way and Sandbar Road.

E. SEWERAGE

- The development will be served by four private subsurface wastewater disposal (septic) systems.
- Soil test pit analysis prepared by Paul W. Lawrence, SE, dated March 13, 2006 shows that the property has adequate soils to support a private septic system. Test pit locations must be shown on the plan.
- The January 19, 2016 submission revised the design of the septic system to utilize one shared engineer system. Two private pump stations will connect to the leach fields

located on the portion of the lot across Sandbar Road. Details are shown on the Utility Plan sheet UT-1.

- In an email dated January 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, had numerous comments related to the proposed sewer system.
- A response to peer review comments was submitted on February 22, 2016. In an email dated March 1, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, stated that prior comments had been addressed but noted that an interpretation from the Department of Health and Human Services regarding separation distance between subsurface disposal system and stormwater infiltration basins, and a copy of the application for the engineered onsite sewage disposal system & associated operation and maintenance information must be submitted with the final plan.
- A letter dated July 8, 2016 from James Jacobsen of the Subsurface Wastewater Unit DHHS granted approval of the engineered subsurface wastewater disposal system on the HHE-200 Form dated 06-19-2016 prepared by Albert Frick, SE. and designed by DM Roma Consulting.
- In an email dated August 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, notes that the DHS permit requires that the applicant retain the Design Engineer to oversee the construction of the engineered septic system.

F. SOLID WASTE

- Residents of the buildings will participate in the Town's pay-per-bag garbage program. A concrete pad intended for trash pick-up located the end of each access drive is shown on the plan.

G. AESTHETICS

- A Fairpoint Communications utility building is located on the site. The remainder of the lot is undeveloped and is generally level and cleared of vegetation.
- There are no documented rare botanical features or significant wildlife habitat documented on the site.

H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- Comprehensive Plan:
 - The plan does meet the goals of the 2003 Comprehensive Plan.
- Land Use Ordinance:
 - The proposal meets the net residential density requirements and the setback requirements of the RCCFO district.
 - District Standards, Section 407.E. The project must meet the standards of the RCCFO zoning district.
- Subdivision Ordinance
 - A landscaping plan has been submitted as part of the Preliminary Plan as Sheet LA-1, dated January 19, 2016.
 - Standard notes and the standard condition of approval must be shown on the plans.
 - Digital transfer of the subdivision plan data must be submitted with the Final Plan submission for inclusion with the Town's GIS.
- Others:
 - Street Naming and Addressing: Approved road names for both access drives (Tarkil Way and Matinicus Way) must be shown on the Final Plan.

I. FINANCIAL AND TECHNICAL CAPACITY

- An estimated cost of development is included in the Preliminary Plan submission.*
- Evidence of financial capacity must be provided as part of the Final Plan submission.*
- The applicant has provided information on the licensed professionals working on this project as evidence of technical capacity.*

J. RIVER, STREAM OR BROOK IMPACTS

- This project will not adversely impact any river, stream, or brook.*

CONCLUSIONS

- 1. The proposed subdivision will not result in undue water or air pollution.*
- 2. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the site plan.*
- 3. The proposed subdivision will not cause an unreasonable burden on an existing water supply.*
- 4. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.*
- 5. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.*
- 6. The proposed subdivision will provide for adequate sewage waste disposal.*
- 7. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste.*
- 8. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.*
- 9. The proposed subdivision conforms with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use ordinance.*
- 10. The developer has adequate financial and technical capacity to meet the standards of this section.*
- 11. The proposed subdivision is not situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.*
- 12. The proposed subdivision will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.*
- 13. The proposed subdivision is not situated entirely or partially within a floodplain.*
- 14. All freshwater wetlands within the proposed subdivision have been identified on the plan.*
- 15. Any river, stream, or brook within or abutting the subdivision has been identified on any maps submitted as part of the application.*
- 16. The proposed subdivision will provide for adequate storm water management.*
- 17. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision have/do not have a lot depth to shore frontage ratio greater than 5 to 1. (N/A)*
- 18. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.*
- 19. For any proposed subdivision that crosses municipal boundaries, the proposed*

subdivision will/will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located. (N/A)

20. Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14.

CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated January 19, 2015, as amended August 22, 2016, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 913 of the Subdivision Ordinance.

2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 144. Any person owning, operating, leasing or having control over stormwater management facilities required by the post-construction stormwater management plan must annually engage the services of a qualified third-party inspector who must certify compliance with the post-construction stormwater management plan on or by May 1st of each year.

SITE PLAN REVIEW

FINDINGS OF FACT

Utilization of the Site

- *See Subdivision Review.*

Vehicular and Pedestrian Traffic

- *See Subdivision Review.*

Sewage Disposal and Groundwater Impacts

- *See Subdivision Review.*

Stormwater Management

- *See Subdivision Review.*

Erosion Control

- *See Subdivision Review.*

Utilities

- *A Utility Plan, prepared by Milone & MacBroom, dated June 1, 2015, shown on Drawing UT-1, Sheet 5 of 8, has been submitted as part of the preliminary plan submission.*
- *A written statement dated May 27, 2015 from Rico Glissen Havu, E.I., at the Portland Water District indicates there is adequate water supply and pressure for the development.*
- *Department of Health and Human Services approval of the engineered onsite sewage disposal system must be submitted as part of the Final Plan submission.*
- *A letter dated July 8, 2016 from James Jacobsen of the Subsurface Wastewater Unit DHHS granted approval of the engineered subsurface wastewater disposal system on the HHE-200 Form dated 06-19-2016 prepared by Albert Frick, SE. and designed by DM Roma Consulting.*
- *Electrical, telephone, and cable service to the development shall be provided by underground service.*

Financial Capacity

- See Subdivision Review.

Landscape Plan

- A landscaping plan has been submitted as part of the Preliminary Plan as Sheet LA-1, dated January 19, 2016.

*Conformity with Local Plans and Ordinances**1. Land Use*

- See Subdivision Review.

2. Comprehensive Plan

- This project meets the goals and objectives of the 2003 Comprehensive Plan.

3. Others:

- Design Standards, Section 813. The project must meet the design standards of the C-1 zoning district.

Impacts to Adjacent/Neighboring Properties

- No site lighting is proposed. There will be building-mounted lights as required by building code at each of the front, side and rear entry doors.

CONCLUSIONS

1. The plan for development reflects the natural capacities of the site to support development.
2. Buildings, lots, and support facilities will be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and, sand and gravel aquifers will be maintained and protected to the maximum extent.
4. The proposed site plan has sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout will not be of such a nature that it will make vehicular or pedestrian traffic more hazardous than is normal for the area involved.
7. The proposed site plan will provide for adequate sewage waste disposal.
8. The proposed site plan conforms to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use ordinance.
9. The developer has adequate financial capacity to meet the standards of this section.
10. The proposed site plan will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
11. The proposed site plan will provide for adequate storm water management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it will not interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonably affect its value.
13. On-site landscaping does provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.

CONDITIONS OF APPROVAL

1. Approval was dependent upon, and limited to, the proposals and plans contained in the application dated January 19, 2015 as amended August 22, 2016, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.

Seconded by Jim Hanscom.

Vote: All in favor.

Jim Hanscom made a motion for a five minute recess.

Seconded by Keith Elder.

- 8 [PB 16-078](#) 16-18 Otterbrook Estates Subdivision. Third Amendment. RP Gagnon Company, LLC to request an amendment for a lot line adjustment to swap 5,658 square feet of land between Lot 26 and Lot 27 and for an easement on Lot 26 to benefit Lot 23 so that no building may be placed within the easement. The properties in question are located at 5 and 15 Rocklinn Drive and identified on Tax Map: 11B, Lots: 23, 27 Zone: Farm Residential (FR).

Attachments: [16-18 Otterbrook 3rd Amend PBMemo09-07-16](#)
[16-18 DEP KP_Gagnon_Company_LLC_L14900PB](#)
[16-18 Otterbrook-3rdAmended Sub-08-11-16](#)
[16-18 Otterbrook 3rdAMSUB-Submission- 07-18-16](#)
[16-18 Otterbrook Letter Noel 090616](#)
[16-18 Otterbrook Petition 07-11-2016](#)

The Board commented:

- *Did the proposal comply with the ordinances? It seemed some legal precedence had to be reviewed.*
- *The town attorney's conflict of advice should be rectified.*
- *Should the ZBA consider it?*
- *Intent only went so far. It wasn't made official.*
- *More information on the legal aspect was requested.*
- *In the 1989 plan the building envelope went to the front of the property so that was not a change.*
- *Did the Board just stay with previous standards and never approve anything new?*
- *Why try to use a smaller setback if the building envelope was there and there was room for it?*
- *What if the applicant just tore down the garage?*
- *According to the cluster subdivision ordinance could these lots be merged?*

Amanda Lessard explained:

- *Initially, she thought it met the dimensional standards but that was worth revisiting.*
- *The Board could ask the Code Enforcement Officer to make a determination.*

Members of the public could then appeal the decision.

- The lots could not have been combined by the Planning Board in 2000 because the lot size of the ordinance standard for cluster subdivisions in the Farm District was the same size and the lots would have been made more nonconforming.*
- There was a new DEP permit which required the septic to be on the front part of the lot. It removed the requirement for a peat system. The subsurface wastewater rules had changed.*
- When an amendment came before the Board the current standards applied. The applicant was asking for setbacks under the current cluster ordinance. Those setbacks were less than previous.*
- There was still some amendment required because the town's subdivision approval still required a peat system in a certain location. At a minimum it would need an amendment to update the plan to reflect the new DEP approval.*

Mr. Ek stated:

- They were using the current standards because those were what was approved for the previous subdivision amendment.*
- They had to use the current road frontage for the equal land swap.*

Jim Hanscom made a motion to table the application.

Seconded by Margaret Pinchbeck.

Vote: All in favor.

- 9 [PB 16-080](#) 16-21 Little Mountain Self Storage & Retail. Major Site Plan final plan review. Little Mountain, LLC to request review of an approximately 21,25 square foot self-storage facility located in 6 buildings and a 4,445 square foot retail/commercial building. The property in question is identified on Tax Map 21, Lot 2A and located at 968 Roosevelt Trail, Zone: Commercial 1 (C-1).

Attachments: [16-21 Little Mountain Storage Final PBMemo09-07-16](#)
[16-21 Peer Review Little Mountain Storage 08-31-16](#)
[16-21 2016 8 22 Little Mountain Storage and Retail Site Plan Application](#)
[16-21 Little Mountain Stormwater Management Report](#)
[16-21 Little Mountain-Plan Set \(8-22-16\)](#)

The Board commented:

- What colors would be used?*
- What about the sign?*
- Would there be a fence around the perimeter?*
- Would there be a connection to the snowmobile trail?*
- The 115 foot by 65 foot building had a half inch pitch. Where would the snow go?*
- How would the 90 degree left turn and then sharp right turn work as access to the rear buildings?*
- All the buildings should reflect the character of the front building.*
- The stormwater to the north appeared to be a grass spillway and steep slopes.*

Mr. Roma replied:

- They would provide colors.*
- The sign would be multi-tenant and have a peaked roof. It would coordinate with the*

buildings.

- There would not be a fence around the perimeter because there was some significant grading. There would be a guardrail.
- There was potential around the stormwater pond for some flat area that could be used by snowmobiles. The owner was open to maintaining the existing connections.
- Drainage would sheet off the back of the building. The design was fairly typical for that type of structure.
- The wide corner would work better than what was previously proposed, especially for trailers.
- Stormwater infiltration basins would catch and infiltrate stormwater. Everything predevelopment ran down hill across the property and sat. Infiltration basins would reduce the flow across the property. The plan indicated drainage conveyance to that area.

New Business

- 10 [PB 16-082](#) 16-30 Landing Real Estate Office. Minor Site Plan Final Plan Review. Jac and Rose LLC to request review of a 2,100 square foot office building. The subject property is located at 79 Tandberg Trail. Tax Map: 67, Lot: Zone: Commercial 1 (C-1).

Attachments: [16-30 Landing Real Estate PBMemo09-07-16](#)
[16-30 Landing Real Estate Waiver Request](#)
[16-30 Landing Real Estate Revisions 8-31-16](#)
[16-30 Landing Real Estate - Response to Comments 08-31-16](#)
[16-30 Landing Real Estate 2016-08-30-LOR1](#)
[16-30 Landing Real Estate 2016-08-30-PlanSet](#)
[16-30 Peer Review Landing Real Estate 08-24-16](#)
[16-30 Landing Real Estate 2016-08-10-PERMIT SET](#)
[16-30 Landing Real Estate](#)
[2016-08-20-Site Plan Application Submission](#)

Mike Tadema-Wielandt, of Terradyne Consultants, was present representing the applicants. He explained the project:

- The site was located at 79 Tandberg Trail on an approximately 15,000 square foot lot in a Commercial 1 (C-1) zone. The site had meadow grasses and trees around the side and rear lot lines. The property sloped gently to the south at the back of the lot.
- Public water was available from Tandberg Trail.
- There was a storm drain in Tandberg Trail.
- Overhead electric and telecommunication lines were available from Tandberg Trail; they would be underground on site.
- The proposed building was a 2,000 square foot, two story real estate office which would look like a single family house. It would fit in well with the neighborhood.
- They proposed 11 parking spaces, three in front and eight in back. Handicap parking would be located in the front.
- A single 20 foot wide driveway would provide access to the parking areas.
- The dumpster would be located to the back of the site.
- Lighting would be located entirely on the building.
- Landscaping was intended to buffer residential properties located on each side of the site with a row of evergreens.
- The subsurface wastewater system would be located under the rear parking.

- An above ground propane tank would be located at the back of the site.
- Stormwater on the north side of the building would drain towards a shallow infiltration basin at the front of the property. In extreme events it may overflow into the public drainage. On the south side of the building it would drain to a wooded buffer which would remain undeveloped, deed protected, and marked in the field on the south side of the property. This would provide infiltration and treatment.
- They requested a waiver from the stormwater peak flow standard. The site was sandy and mostly flat. Currently nothing left the site. Post development small amounts of run-off would occur during large storm events and would flow across the property. The buffer would mitigate that. No flooding or erosion issues were anticipated. The third party review engineer had supported the waiver request.

Amanda Lessard explained that the application would have been considered by the Staff Review Committee except for the applicant's waiver request which was needed to meet the stormwater flow rate standard.

Keith Elder made a motion to grant the waiver request from the requirement 812, E.1.a.1 Insignificant Peak Flow Rates Performance Standard.

Seconded by Jim Hanscom.

Vote: All in favor.

Jim Hanscom made a motion to schedule a sitewalk.

There was no second.

Jim Hanscom made a motion that the application for project 16-30 Landing Real Estate was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Keith Elder.

Vote: All in favor.

Keith Elder made a motion that the Final Plan application for 16-30 Landing Real Estate on Tax Map: 67, Lot: 8, was to be approved with conditions with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- The property is approximately 0.35 acres and is undeveloped.

Vehicular and Pedestrian Traffic

- The subject parcel has approximately 77 feet of frontage on Tandberg Trail. The existing curb cut is proposed to be relocated. A catch basin in Tandberg Trail will be relocated to accommodate the new entrance location.
- The plan set dated August 10, 2016, shows a single 20-foot wide entrance on Tandberg Trail.
- The plan shows eleven (11) parking spaces. The minimum parking spaces required by the ordinance is 8 parking spaces (3.35 spaces per k.s.f). 30% of these spaces must measure 10'x20'.

- Development in the C-1 zoning district is subject to the Sidewalk Impact Fee (Section 1201).
- An estimate of the traffic generation is included as Attachment I of the August 12, 2016 bound submission. The use will generate 5 trips in the AM and PM peak hour.

Sewage Disposal and Groundwater Impacts

- The development will be served by a new private subsurface wastewater disposal (septic) system.
- Test pit results prepared by James Mancini, dated March 22, 2016, have been submitted as Attachment G of the bound submission dated August 12, 2016, and shows that the property has adequate soils to support a private septic system. The test pit location is shown on the plan under the paved area behind the proposed building.

Stormwater Management

A Stormwater Management Report has been submitted dated August 2016.

- Stormwater will be managed with an infiltration basin proposed in the landscaped area at the front of the site and a forested buffer at the rear of the site.
- In an email dated August 24, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the private drainage from a private drainage system cannot be connected to the public drainage system. He also noted that the stormwater report indicated that there will be insignificant increase in peak flows at study points SP1 and SP2. He also recommended that CB2 be located outside of the right-of-way and that the forested buffer be permanently marked as recommended by MDEP.
- A response to these comments was received from Michael Tadema-Wielandt, P.E., Terradyn Consultants LLC, dated August 30, 2016, along with an updated plan set of the same date. CB2 was eliminated and the infiltration basin revised to keep ponding water completely on the project site. The revised stormwater report also requests a waiver from the insignificant increases in peak flows.
- Mr. Haskell provided a follow-up email dated August 31, 2016, and questioned the modeling of SP2 and the pond grading extending within the right-of-way.
- Mr. Tadema-Wielandt responded to comments on August 31, 2016 and submitted revised calculations and revised plan sheets C4.0 and C5.1.
- This development is within the urbanized area. The proposed development will not result in an acre or more of disturbed area, relative to the applicability of Chapter 144 – Post-Construction Stormwater Ordinance.

Erosion Control

- A soil erosion and sediment control plan has been submitted on Sheet C5.0 of the plan set dated August 10, 2016.

Utilities

- All new utilities run to the building are shown to be underground.
- Gordon Johnson at the Portland Water District supplied an "Ability to Serve" letter dated March 25, 2016. There is an existing 1" copper service installed to the site in 2003 that should provide adequate flow and pressure for the proposed use. A 12-inch main is located on the north side of Tandberg Trail.
- The closest fire hydrant is located 335 feet from the site.

Financial Capacity

- An estimated cost of development with itemized costs for major expenses has not been included in the submission materials.
- Evidence of financial capacity has been provided in the form of a letter dated August

4, 2016, from Dana Myles, Vice President at Norway Savings Bank, stating that they have committed to loan the applicant the funds to complete the project.

Landscape Plan

- Landscaping is shown on Sheet C30 Site Layout Plan in the plan set dated August 10, 2016.

Conformity with Local Plans and Ordinances Land Use

- This project meets the setback requirements of the C-1 zoning district.
- This lot is a non-conforming lot of record as it does not meet the minimum lot size and minimum lot frontage requirements (minimum 100 feet) of the C-1 zoning district.

Comprehensive Plan

- This project meets the goals and objectives of the 2003 Comprehensive Plan.

Others:

- Design Standards, Section 813. The project must meet the design standards of the C-1 zoning district, along with a minimum of 8 of the elective Design Standards.
- The applicant has supplied a narrative in the August 30 submission addressing the Standards in Section 813.A.

Impacts to Adjacent/Neighboring Properties

- Details of lighting fixtures have been submitted in Attachment H of the bound submission dated August 12, 2016. Exterior lighting locations are shown on Sheet C3.0 in the plan set dated August 10, 2016.

CONCLUSIONS

1. The plan for development reflects the natural capacities of the site to support development.
2. Buildings, lots, and support facilities will be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and, sand and gravel aquifers will be maintained and protected to the maximum extent.
4. The proposed site plan has sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout will not be of such a nature that it will make vehicular or pedestrian traffic more hazardous than is normal for the area involved.
7. The proposed site plan will provide for adequate sewage waste disposal.
8. The proposed site plan conforms to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use ordinance.
9. The developer has adequate financial capacity to meet the standards of this section.
10. The proposed site plan will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
11. The proposed site plan will provide for adequate storm water management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it will not interfere or discourage the

appropriate development in the use of land adjacent to the proposed site or unreasonably affect its value.

13. On-site landscaping does provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.

CONDITIONS OF APPROVAL

2. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated August 10, 2016, as amended August 31, 2016, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.

Seconded by Jim Hanscom.

Vote: All in favor.

- 11** [PB 16-081](#) 16-31 Alweber Road Subdivision. Major subdivision sketch plan review. Keith Jason Elder and Jay Hackett to request review of a 6 lot residential cluster subdivision. The property in question is located at the corner of Alweber Road and River Road. Tax Map: 3, Lot: 31, Zone: Farm (F).

Attachments: [16-31 Alweber Subdivision Sketch 09-06-16](#)
[16-31 2016_8_22 Alweber Subdivision Sketch Plan Application](#)
[16-31 2016_8_22 Alweber Subdivision Sketch Plan](#)

Dustin Roma, of DM Roma Consulting Engineers, was present representing the applicant. He presented the project:

- The property was a corner lot with ten acres having frontage on Alweber and River Roads.*
- They proposed a six lot residential, cluster subdivision in order to minimize infrastructure.*
- There were multiple streams and wetlands on the property. The wetlands and streams had been mapped and soils investigated in order to define building envelopes and roads.*
- All lots would be accessed from two roads, each would be 200 feet long and were proposed to end in a hammerhead. The roads would not form a loop to avoid crossing the stream and impacting natural resources.*
- There was adequate site distance.*
- They proposed the hammer-heads to be located in easements on the properties at the end of the roads so they could be used to access a driveway also.*
- The cluster subdivision ordinance required roads to be built to a public standard. They would request a waiver of the requirement because the road would not have a cul-de-sac and they proposed the road to be 20 feet wide. This should be adequate for the traffic caused by three houses.*
- Their hydrogeologist was comfortable with the leachfield placement and the impacts to groundwater.*
- Right-of-way areas had not yet been deducted from the net residential density.*
- They would provide a 20 foot access to open space in order to take advantage of the bonus lot provision.*
- The fire protection ordinance did not require sprinkler systems but the Fire Chief*

routinely recommended them. They would like the Board to decide if sprinkler systems were necessary.

Amanda Lessard stated:

- There were other times the Board had waived the requirement to build a road to a public standard. A waiver from a cul-de-sac was the standard for a public road/from a hammerhead for a private road. They functioned the same and it would benefit the applicant for the waiver and net residential density calculations.
- Roads over 1,000 feet required a sprinkler. It was the practice of the Fire Chief to make the recommendation because it was not near a water source, regardless of the road length. The Board had not deviated from the Fire Chief's recommendation.
- There was a locally historical sign along Alweber Road the said Chute Cellar Hole.

The Board commented:

- Would the roads be private? What about winter maintenance?
- Was the project in a watershed?
- Access to lot 2 could be improved.

Mr. Roma responded:

- The roads would be private and require a road association. Maintenance would be private unless the Homeowners' Association petitioned the town.
- There were two unnamed tributaries and the Presumpscot River. They would provide hydrogeological evaluation of the site. Was a study necessary or could the Board accept the nitrate plumes?
- There was a stone foundation about ten feet off of the road, by a wetland. Their surveyor had researched deeds. He had not found any Chutes. They were not sure where the sign had come from.

The Board commented:

- The information should be seen before they decided on the hydrogeological study.
- Mr. Roma should consult with the Historical Society regarding the historical sign.

Mr. Roma explained:

- A nitrate analysis was done to show they were meeting the 10mg per liter requirement at the property line. Generally, when a septic system intersected with a wetland or a stream there were dilutions so the nitrate plume would not go beyond that.
- They didn't require a waiver because the soils were exceptional or because they were in a good watershed, but because the direction of the flow to streams would prevent nitrate levels at the property lines.

Jim Hanscom made a motion to schedule a public hearing.

Seconded by Margaret Pinchbeck.

Vote: All in favor.

Jim Hanscom made a motion to schedule a sitewalk.

Seconded by Margaret Pinchbeck.

Vote: All in favor.

Other Business

12 Adjournment

Jim Hanscom made a motion to adjourn.

Seconded by Margaret Pinchbeck.

Vote: All in favor.