



## Town of Scarborough, Maine

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SCARBOROUGH, MAINE • 04070-0360

### **-Development Approval Summary-** Town of Scarborough Planning Department

**Type of Plan:** Preliminary Subdivision Plan – Hidden Creek Phase III

**Applicant:** Normand Berube Builders, Inc.

**Street Address:** off Chestnut Drive, Hidden Creek Subdivision

**Map & Lot #:** R43, Lot 2A

**Approval Date:** December 12, 2005

**Plan Title & Date:** "4<sup>th</sup> Amended Subdivision Plan – Preliminary of: Hidden Creek Phase III off Broadturn Road, Scarborough, Maine for record owner: Normand Berube Builders, Inc. 1040 Portland Road Suite 2, Saco, ME 04072" sheets 1 thru 11, prepared by Sebago Technics @ a scale of 1"=100', dated 9/21/05 and revised 10-26-05.

#### **Minutes of the Planning Board Discussion & Approval**

5. Hidden Creek Subdivision, Phase III, Normand Berube Builders requests preliminary subdivision approval for 12 single family lots off 133 Broadturn Road

Mr. Ziepniewski stated that there were comments from Mr. Bacon, Mr. Tubbs and the Conservation Commission, which he read. Mr. Bacon stated that he had a letter from Mr. Berube's attorney regarding title to the property and the details could be worked out prior to final approval.

Ms. Nancy St. Clair, of Sebago Technics, explained that they had used Section VII. on this 40 acre parcel, 24 acres of which would be open space land to be given to the Town. She stated that there was discussion regarding the deed reference and the letter to Mr. Bacon from the attorney indicated that the deed reference to the Skillins deed was incorrect and would be corrected. She stated that surveys and research showed the deed was correct and would be clarified. Mr. Ziepniewski suggested there be a condition that the issue be solved to the satisfaction of the Town Manager.

Ms. St. Clair stated that the traffic engineer's letter showed the trips and estimate for the Payne Road impact fee. She stated that the lots would be served by private wells and septic systems and the nitrate and soils tests had been done and would be submitted to the DEP. She stated that there was a site walk in October with representatives from Camp Scarborough in attendance; she stated that the end of the trail at the existing, temporary cul de sac would be relocated by the Berubes to the camp and additional vegetation would be planted in the rear of the lots along the trail.

Mr. Shanahan stated that he felt this was not a good use of Section VII., that the proposal was leveraging too much and he was not comfortable voting for the project under Section VII. He stated that half as many lots could have been created for continuity with the first two phases. Ms. St. Clair stated that the plan provided 24 acres of open space, combined with an eight acre lot owned by the Town, for a sizeable tract with a link to Camp Scarborough. She stated that they considered a traditional layout, but the staff

felt that using Section VII. would offer better opportunities for connection to the camp. Mr. Shanahan stated that he did not think Section VII. was designed for this type of situation.

To a question from Mr. Wood, Ms. St. Clair replied that there was a request for pedestrian access to the open space between Lots 60 and 61 and they had provided a 50 foot strip. To a question from Ms. Auglis, Ms. St. Clair replied that they would resolve the issue of ownership of the open land prior to final approval. To a question from Mr. Wood, Ms. St. Clair replied that there was no issue with nitrate; she stated that the Town would receive a copy of the DEP submittal. To a question from Mr. Wood, Ms. St. Clair replied that the existing cul de sac would go back to the landowner of the existing Lot 32. She stated that part of the Phase II approval was to provide access to the abutting property, but that will not be necessary with this project and would be eliminated. She stated that the end of the trail would be relocated into the camp with wooded buffers. Ms. St. Clair stated that they would address all the comments in the memos prior to final approval.

Mr. Wood stated that he thought the project fit in this wooded property, with a lot of open space and the protected land. To a question from Mr. Wood, Ms. St. Clair replied that the Conservation Commission wanted the wetlands to be marked with pins and noted in the deeds, which the applicant would do. She stated that the road names and fire tanks had been approved. To questions from Mr. Callahan, Ms. St. Clair replied that the gravel access to Camp Scarborough would be done by the applicant and the access to the camp would be controlled by the Boy Scouts; she stated that the access would be gated and during an event, people would park on the camp property. To a question from Mr. Callahan, Ms. St. Clair replied that the DEP and the State geologist would review the nitrate plumes in relation to the septic systems. Mr. Bacon noted that Mr. Bray had confirmed the Payne Road impact fee.

### **Conditions of Approval**

Mr. Wood moved to approve the preliminary subdivision plan with the following conditions:

1. That the comments and feedback from Mr. Tubbs of November 20, 2005, Mr. Wendel of November 20, 2005, and Mr. Bacon of November 16 and December 5, 2005 be incorporated;
2. That the applicant provide any necessary documents to provide proof of right, title and interest, to the satisfaction of the Town Attorney.

Mr. Hanson seconded.

Voted 4-1 - Mr. Shanahan opposed.

### **Copies to:**

*Applicant*  
*David Grysk, Code Enforcement*  
*Jim Wendel, Town Engineer*  
*Joe Ziepniewski, Town Planner*