

TOWN OF RYE – PLANNING BOARD MEETING

**Monday, June 26, 2023, at 12:00 pm
Site Walk at 665-667 Wallis Road, Tax Map 16, Lot 21**

***Members Present:* Pat Losik, Chair; Rob Wright, Steve Carter, Bill Epperson, Select Board Rep, Kevin Brandon and Steven Borne.**

***Also Present on behalf of the Town:* Planning/Zoning Administrator Kim Reed along with Kara Campbell, Land Use Assistant and Steve Harding, Sebago Technics; Emily DiFranco Comprehensive Environmental, Danna Truslow, Truslow Consulting for the Planning Board and Attorney Eric Maher**

***Present for Applicant:* Mark Jacobs, Soil Scientist; Alex Ross, Surveyor and Engineer; Monica Keiser, Attorney; Mike Magna, Owner; John Madden, Ownership Team; and Jennifer Madden, Ownership team.**

I. Call to Order

Chair Losik called the meeting to order for Major Site Development Plan and Condominium Conversion by 665-667 Wallis Road, LLC for property located at 665-667 Wallis Road, Tax Map 16, Lot 21 for construction of a new driveway, new septic system and new second floor with stairway to be added to existing building to create a three-unit condominium. Property is in the Commercial District, Single Residence District, Aquifer & Wellhead Protection District. Case #12-2023.

Chair Losik thanks Ms. Reed for sending the ZBA meeting minutes and where to find livestream and asks the Board members to read it. She explains what she wants to go over and says the rules of a site walk, one conversation.

Alex Ross leads the group to a table with a full set of colored plans of existing conditions. Simple site, fully developed site since the 60's improves it best we can. Shared septic the abutting property got approved for a replacement septic for an addition that they were approved but never installed.

Mr. Wright says that as said at the meeting the existing shared septic would be snubbed off so that the other abutter can continue to use it.

Mr. Ross they are still tied into, and this property ownership has no problem with them continuing to use it until they install their own. He goes on to a clearing in the back try to limit the area of clearing. Design feature to remove all the pavement and replace it with pervious asphalt after all the improvements are made there will be a 5% decrease in the lot coverage.

Chair Losik asks Alex to clarify the boundary on the west side.

Mr. Ross explains the wall does not represent a boundary and it will be made clear when they get to the back.

Mr. Ross blue flags that is area of clearing, bright orange flagging is the rectangle of the leach field, it will be small because of area of pretreatment.

Mr. Wright questions the size.

Chair Losik asked if they laid out an area for 4K per the LDR?

Mr. Ross says he can layout an area for 4K.

Mr. Wright, talking to the layout of the leach field says it is less than 400sq ft.

Mr. Ross says it is tiny. All the systems around here due to ledge, can see at rear of this parcel there is a raised bed and says it is common in this area to have raised septic. He says the abutter which shares they would have had a raised system in the woods.

Mr. Magna asks why it never got installed.

Mr. Ross says it is a town enforcement issue and they put on the addition and the town did not follow up on the septic, fell through the cracks. He talked to the State, and it is not their job what the boards, conditions or what town approved.

Mr. Epperson asks about test pit logs.

Mr. Ross has all that information in his truck he can pass out after the meeting.

Chair Losik points out 3 test pits and asks about if any ledge probes and wonders how determined depth of ledge.

Mr. Ross replies test pits.

Chair Losik, the variance agreed by ZBA and reads the relief the building code shallow to ledge and 2.5ft from ledge and soils within 36" of surface and she reminds board members to watch the streaming.

Mr. Ross would like to go over waivers.

Chair Losik said would not go over them, still not complete.

Mr. Ross in application it is odd, major site review which we are due to condo, a huge Walmart goes through same review we do and there is no wetlands, improved septic and reducing the impervious, feel all the other are not necessary for a site like this.

Monica Keiser filling in for Tim Phoenix, fair to say any septic in this location these impacts.

Mr. Ross replies that if septic backed up and failed right now and were not making any additions the state would allow a replacement septic in this location.

Mr. Ross walks to the back, right rear and left rear.

Mr. Epperson asked why there is a septic test pit in the front.

Mr. Ross says when first came here, the neighbor has a septic in the front. looking for the best location.

Chair Losik two pieces see from ledge are test pits.

Ms. Keiser that is what got relief from.

Mr. Brandon refers to pretreatment and the state is making distinction being made.

Mr. Ross asks good questions and explains the difference between a standard versus pretreatment. Allows reduced leach field and effluent cleaner.

Ms. Truslow asks what treatment to use.

Mr. Ross says AOS, trying best we can to minimize.

Ms. Keiser asks if everyone knows what an AOS system is.

Mr. Brandon would like more information.

MR. Ross explains and says he can information about it.

Discussion on the treatment with the group.

Chair Losik asks Danna Truslow if she is hearing what she needs to in regard to Berry Brook.

Ms. Truslow replies positively.

Mr. Ross says the existing system put in the 60's and shared and anything put in is better and he will add paperwork.

Mr. Ross walks us to the Boundary where the mound of the abutting property in the back tapers off and there are no monumentations, but Mr. Ross will put them in.

It was noted that the rear abutter was dumping his lawn clipping and leaves onto the 665-667 Wallis Road property without their permission and/or knowledge.

Chair Losik asks for distance to understand the area.

Mr. Ross says can add.

Mr. Epperson asks the height of that leach field on rear property.

Mr. Ross answers he does not know but does say where standing about 6ft higher than front everything drains to the front.

Mr. Harding wants to talk about permeable pavement.

Chair Losik fence that says private property and asks boundary this property.

Mr. Ross says they share that corner.

Mr. Epperson questions the top of this mound in 59.8' and the elevation down here is 54' how high this mound is (pointing to the mounded septic on the abutter property in the rear) saying on 2ft of difference.

Chair Losik points out low profile.

The group walks to the other rear corner of the lot where there are ledge cropping's and there is a stake in the ground. Then the group walks back to the rear of the building near the garage and driveway to further the discussion.

Mr. Harding asked a couple of questions, reducing coverage but the pervious pavement larger than here now.

Mr. Ross reducing the impervious coverage by removing and replacing this with impermeable pavement.

Mr. Harding asks if any test pits in the asphalt to determine depth to ledge. He does not want this to become a bathtub. Want a foot separation between the ledge and ground water.

Mr. Ross says can add information, do ledge probes, and correct do not want a bathtub.

Mr. Harding asks about the catch basin.

Mr. Ross says there is a catch basin out front.

Mr. Ross says the board wants reviews and wants to be able to talk with consultants.

Ms. Reed says that experts should be able to talk amongst themselves.

Mr. Harding says to cc Ms. Reed.

Mr. Ross comments on whether the studies are warranted and if so, what value would it add.

Chair Losik said that she would leave that to the experts and would like identification of the trees and wonders about buffer to the rear.

Ms. Truslow asked for understanding where existing leach field existed.

Mr. Ross says 4 tanks and leach field runs parallel to the property line.

Mr. Ross says the reviews that we are having are:

- a. septic review
- b. watershed review?

Chair Losik says yes because it is in Berry's Brook and Aquifer.

Ms. Keiser asks if that is required because of reduced coverage and under 15% coverage.

Chair Losik like review.

Ms. Truslow said just learned about this and she will think about it.

Mr. Ross says the other review is drainage. We can prepare a drainage analysis and run through all the storms. Asks if we are reducing the impervious is it still necessary.

Chair Losik says would like the expert for the Town weigh in whether it is necessary or not.

Ms. Keiser asks if we have requested waivers yet.

Mr. Ross said not yet.

Ms. Reed asks about the garage and trees against the garage and the house.

The garage is staying and the tree against the house will is going to be removed.

The group walks to the front of the house.

Mr. Ross points to the stone wall and catch basin under a car parked and points out the property line.

Ms. Reed explains that the existing curbing was when it was one parcel, and it was the post office and this building.

Ms. Truslow asked if house replaced.

Mr. Ross says just going up.

Ms. Truslow asks about the drainage and roof runoff.

Mr. Carter asks if there is a full basement.

Mr. Ross says crawlspace is about 4ft.

MR. Wright asks process question. Process the owners could waive the possible data requested a would be for them to confer with the group of experts and they can opine whether it is necessary.

Chair Losik replies to it would be the experts weigh in on any concerns in their expertise areas.

Mr. Wright says which would drive the potential.

Chair Losik if test pits then Mr. Harding weighs in. If they need to go and waiver if considered or acceptable then we would hear from Mr. Harding and Ms. Truslow on hazards and Ms. DiFranco on the septic.

Ms. DiFranco asks if fill is going on in the septic and how much.

Mr. Ross says there is a slope and 2 to 2 ½ and it is in the septic plans which I will give you.

Mr. Borne asks if the trucks have enough space to go up and down in the existing driveway to install septic.

Mr. Carter asks where this catch basin goes.

Mr. Ross says there is a culvert across the road. Town Website says there is wetlands on this site but there are no wetlands on this site. A little counter intuitive.

Chair Losik says good work is Best Management Practices, good ideas for the project and overall satisfaction of the community and look at the technical and reasonableness that comes out of that work.

MR. Ross to Mr. Harding agree test probes on the driveway and wonders if need drainage study.

Mr. Harding would like time to grasp.

Motion to Adjourn.

Respectfully submitted,

Kimberly Reed, CFM
Planning & Zoning Administrator