Findings of Fact

Planning Board, Town of Blue Hill

Regarding an application for

Newman Subdivision

Tax Map **31** Lot **35**

Applicant

Marc Newman prepared by Iona Hawken

Findings of Fact

Street address:

533 Range Rd Blue Hill, ME

Property owner:

Marc Newman

Description of the existing use(s) of the property:

The lot is approximately 100 acres with a pre-existing 1700sqft single family home and a barn.

Description of the proposed use(s) of the property and the nature of the application:

The project proposes to subdivide the existing 100 acres into 4 lots (2) 5 acres lots, (1) 10 acre lot with the pre-existing single family home and barn, and (1) ~80 acre lot of the remaining land.

List of materials submitted at each stage of the application process:

Materials submitted for the March 13th, 2024 Planning Board Meeting:

1. Application form, financial capacity, narrative, location map, existing conditions survey, significant sand and gravel aquifers, tax map, abutters list, deed, flood map, groundwater, protected natural resources report, traffic, lighting, signage, site conditions, stormwater, wastewater disposal, certified mail notices to abutters– 2/7/2024
2. Letter from well driller – 2/23/2024
3. Revised application – 3/18/24

Date(s) on which the Board met to consider the application:

March 13th, 2024, and March 20th, 2024, April 10th, 2024

Date(s) on which the Board conducted a public hearing on the application:

March 13th, 2024 and April 10th, 2024

Brief description of substantive materials and testimony received at the public hearing:

Abutters asked what the remaining 80 acres would be used for, the applicant explained it will be retained by the owner to restore it to its natural state after it was heavily logged in 2020. Another abutter asked

whether the property was in the Blue Hill Watershed, the property lies on the boundary of said watershed.

Planning Board Approval Criteria

Pollution: The proposed subdivision will not result in undue water or air pollution.

Sufficient Water: The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision, and they have provided written assurance that they have sufficient capacity to serve the site.

Municipal Water Supply: Not applicable

Erosion: 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.

Traffic: The proposed subdivision will not cause an adverse effect on the existing traffic.

Sewage Disposal: The proposed subdivision will provide adequate sewage waste disposal. The applicant has provided Subsurface Wastewater Disposal System applications for the proposed project.

Municipal Solid Waste Disposal: The proposed subdivision will not cause an unreasonable burden on the municipalities ability to dispose of solid waste.

Aesthetic, Cultural and Natural Values: 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.

Conformity with Local Ordinances and Plans: The proposed subdivision conforms with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any.

Technical and Financial Capacity: The subdivider has adequate financial and technical capacity to meet the standards of this section.

Surface Waters: The proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

Ground Waters: The proposed subdivision, serviced by private water and septic, including measures to control stormwater run-off, will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

Flood Areas: Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant, the Planning Board has determined the development portion of the property is not in a flood-prone area.

Freshwater Wetlands: The proposed subdivision has mapped and identified all freshwater wetlands within the development.

Farmland: The proposed subdivision has identified any farmland on maps submitted.

River, Stream, Brook: The proposed subdivision has mapped and identified any river, stream, or brook within or abutting the development.

Stormwater: The proposed subdivision will provide adequate storm water management.

Spaghetti Lots Prohibited: Not applicable.

Lake Phosphorous Concentration: Not applicable.

Impact on Adjoining Municipality: Not applicable.

Lands Subject to Liquidation Harvesting: Not applicable.

Decisions

Date Application Accepted as Complete for Review:

3/18/2024

Waiver(s) Granted:

None requested or granted

Decision(s) voted on by Planning Board:
(From the March 13th, 2024 minutes)
Newman Subdivision Application Review for Approval

Motion: Wilson motioned to deny the Newman Subdivision application as presented due to the application not properly representing the correct number of lots. Gavin seconded. Denied 5-0.

(From the March 20th, 2024 Minutes)

Review Newman Subdivision amended application for completeness — The Board reviewed the amended Newman subdivision application for completeness. The Board found that the applicant had provided all of the materials required to find the application complete.

Motion: Emily motioned to find the amended Newman Subdivision Application complete. Matt seconded. Approved 6-0.

(From the April 10th, 2024 minutes)

Newman Subdivision Final Review – See attached Findings of Fact

Motion: Wilson motioned to approve the application as presented. Emily seconded. Approved 6-0.

Final Plan Approval Date:

April 10th, 2024

Conditions for Final Approval (if any): none

Expiration Date (if conditions are not satisfied): none

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Chair, Planning Board   Date